



MINUTES OF THE COMMON COUNCIL

TUESDAY, AUGUST 20, 2013, 7:00 P.M.

**COUNCIL CHAMBERS
ROOM 203, CITY HALL**

Audio/Visual System Training.

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney Tony Wachewicz. Alderpersons: J. Wiezbiskie, Thomas DeWane, A. Nicholson, Tim DeWane, A. Kocha, J. Moore, D. Boyce, J. Brunette, J. Warner, M. Steuer, B. Danzinger, T. Sladek. Excused: None.

Pledge of Allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Thomas DeWane, seconded by Ald. Warner to approve the minutes of the July 30, 2013, meeting. Motion carried.

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

REPORT BY THE MAYOR

On September 6, Judge Marc Hammer will swear in the new Fire Chief at 4:00 P.M. in the Council Chambers.

A sheet with the Council dates for the remainder of the year was passed out.

Artstreet is this weekend.

Hopefully, the new Sea Dragon ride at Bay Beach will open Labor Day Weekend.

Astronaut Mark VandeHei will speak at the Neville Public Museum on September 6 at 2:00 P.M.

PUBLIC HEARINGS

Zoning Ordinance No. 9-13

An ordinance amending Zoning Ordinance No. 4-00 for modified wall signage at 1281 Brosig Street. (Item #23)

No one appeared.

Zoning Ordinance No. 10-13

An ordinance rezoning property located at 1805 Radisson Street and 1809 and 1813 St. George Street from Varied Density Residential (R3) District to General Commercial (C1) District. (Item #24)

No one appeared.

Zoning Ordinance No. 11-13

An ordinance amending Zoning Ordinance No. 4-13 zoning certain land located on the east side of North Broadway (300 through 600 block) as a Planned Unit Development District. (Item #25)

No one appeared.

Planning Ordinance No. 2-13

An ordinance amending the Official Map of the City southeast of Sitka Street and Ontario Road by removing a small east/west connection and replacing it with a cul-de-sac. (Item #26)

No one appeared.

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

PRESENTATION

Cayman Berg, Mr. Titledown, was presented a plaque with a key to the City.

APPOINTMENTS BY THE MAYOR

RE-APPOINTMENTS:

Transit Commission

Kevin Kuehn

Term to expire: April 1, 2016

Brown County Planning Commission

Steve Grenier

Term to expire: May 1, 2016

Brown County Planning Commission

Paul Blindauer

Term to expire: May 1, 2016

Green Bay Plan Commission

Maribeth Conard

Term to expire: May 1, 2016

Economic Development Authority

Michael Borlee

Term to expire: June 1, 2016

Economic Development Authority

David Hillman

Term to expire: June 1, 2016

Green Bay/Town of Scott Joint Plan Commission

Eric Rakers

Term to expire: June 1, 2016

Board of Review

Richard Laurent

Term to expire: July 1, 2018

Moved by Ald. Nicholson, seconded by Ald. Thomas DeWane to confirm the re-appointments. Motion carried.

NEW APPOINTMENTS:

Water Commission

Lisa Bauer Lotto

Term to expire: October 1, 2020

John Heugel

Term to expire: October 1, 2020

Doug Martin

Term to expire: October 1, 2020

Zoning & Planning Board of Appeals

Thomas Hoy

Term to expire: May 1, 2016

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to confirm the new appointments. Motion carried.

PETITIONS & COMMUNICATIONS

FINANCE COMMITTEE

Request by Ald. Sladek for discussion of the City's March 2009 Service Agreement with the Oneida Tribe, with possible action.

HUMAN RESOURCES

Request by Ald. Steuer for a study to see if a Historic Preservation Officer position would be a proactive measure in working towards Certified Local Government status for the City and to keep an understanding of historic properties/procedures in place.

IMPROVEMENT & SERVICE COMMITTEE AND TRAFFIC COMMISSION

Request by Ald. Steuer to develop traffic calming pedestrian and yield signage within uncontrolled intersections on major arterial streets, such as Monroe, Webster and Shawano, among others.

LAW DEPARTMENT

Request by Ald. Boyce for discussion of Legal Department policy, with possible action, regarding interactions between staff and City Council and to have a presentation ready for the next Council meeting.

LAW & NEIGHBORHOOD DIVISION

Request by Ald. Moore to apply for a grant from the Dept. of Health Services to apply towards community programs aired at citizen education regarding gangs.

MAYOR AND STAFF

Request by Ald. Steuer a study of projects and events that the 18-24 age dynamic can become a part of.

Request by Ald. Boyce for review, discussion, and possible termination of Sustainable Green Bay, with possible action, and to have a presentation ready for the next Council meeting.

PLAN COMMISSION & POLICE DEPARTMENT

Request by Ald. Steuer to meet and work towards land use studies in an area from S. Ashland Avenue to the river and from Clinton Street south to the City limits.

PROTECTION & WELFARE COMMITTEE

Appeal by Tim Hyde to the denial of his Public Vehicle Operator License application.

Request by the owners of Robyn's Nest (formerly the Den), 1623 Cass Street, to hold an outdoor event on September 7.

Appeal by Marvin Keys to the denial of his Public Vehicle Operator License application.

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

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to allow the Protection & Welfare Committee to give the final approval for special time-sensitive events. Motion carried.

REPORTS FOR COUNCIL ACTION

REPORT OF THE GREEN BAY ECONOMIC DEVELOPMENT AUTHORITY MEETING August 20, 2013

The Economic Development Authority having met on Wednesday, August 14, 2013, considered all matters on its agenda and wishes to report and recommends the following:

1. To approve an offer to purchase 8 acres of parcel #22-SC510 located in the University Heights Commerce Center at \$160,000 with 5% commission. Contingencies include:
 - Design approval for both City of Green Bay and Town of Scott
 - Closing date no later than October 15th
 - Under construction in less than two years
2. To standardize the Realtor Commission Policy at 5% for all City land sales. Lease agreement commissions will remain a case-by-case basis.

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

Report of the Green Bay Plan Commission
August 20, 2013

The Green Bay Plan Commission, having met on Monday, August 12, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To deny authorization of a Conditional Use Permit (CUP) for a Transient Residential use located at 1136 Shadow Lane.
2. To approve the rezoning of properties located in the 900 and 1000 Blocks of Auto Plaza Drive and 2300 Auto Plaza Way from General Commercial (C1) to Highway Commercial (C2).
3. To approve of the BID Handbook as presented.
4. To receive and place on file the request for a Conditional Use Permit (CUP) to authorize two-family uses – proposed Lots 1 and 3 Sand Ridge Park South Subdivision.

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

REPORT OF THE GREEN BAY REDEVELOPMENT AUTHORITY August 20, 2013

The Green Bay Redevelopment Authority, having met on Tuesday, August 13, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the purchase of three properties located on the northwest corner of Chicago Street and Monroe Avenue for \$169,900 using Neighborhood Enhancement funds.
2. To approve the Tax Increment Financing (TIF) Disbursement Agreement CityDeck Commons (copy attached).

**TAX INCREMENT FINANCING (TIF) DISBURSEMENT AGREEMENT
CITYDECK COMMONS**

This Tax Increment Financing Disbursement Agreement is made and entered into this 30th day of July, 2013, by and between the **Redevelopment Authority of the City of Green Bay** (hereinafter "RDA"), the **City of Green Bay** (hereinafter "CITY"), **CityDeck Commons Residences, LLC**, a Wisconsin Limited Liability Company (hereinafter "DEVELOPER"), and **CityDeck Commons, Inc.** (hereinafter "TIF RECIPIENT"). The RDA, CITY, DEVELOPER and TIF RECIPIENT may sometimes be referred to individually as "Party" and collectively "Parties."

WHEREAS, the RDA owns property (hereinafter the "Property") (parcel no. 12-184-A) generally located on the southwest corner of where North Washington Street and Main Street intersect; and

WHEREAS, the CITY and RDA desire to have DEVELOPER and TIF RECIPIENT construct an active mixed-use development with approximately 84 residential apartment units and approximately 8,800 square feet of retail space and an active riverfront component; and

WHEREAS, CITY and RDA desire to see the Property developed into an active mixed-use development that generates economic activity and tax base for the community; and

WHEREAS, the Parties have entered into a Development Agreement dated July 10, 2013, relating to the Property.

NOW THEREFORE based upon the covenants and considerations contained herein, the Parties mutually agree as follows:

1. The real estate subject to this Agreement, to be known as CityDeck Commons, is located in the City of Green Bay, Brown County, State of Wisconsin, and is legally described as follows:

Parcels 12-184-A

Lot One (1), Volume 51 Certified Survey Maps, Page 229, Map No. 7516, said map being part of Lots 134, 135, 136, 137, lying Westerly of Washington Street and Lot 138, Plat of Navarino being part of Private Claim 2, East side of Fox River and vacated Washington Street (Document No. 2249848), in the City of Green Bay, Brown County, Wisconsin.

2. The term of this Agreement shall be sixteen (16) years or until TIF RECIPIENT or DEVELOPER satisfies the full amount of the CITY's debt service pursuant to the terms and conditions of the Development Agreement, whichever occurs sooner.

Moved by Ald. Moore, seconded by Ald. Warner to adopt the report with the exception of Item #2. Motion carried.

Moved by Ald. Moore, seconded by Ald. Steuer to adopt Item #2. Motion carried.

REPORT OF THE FINANCE COMMITTEE

August 20, 2013

The Finance Committee, having met on Tuesday, August 13, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To receive and place on file the request to have all grants come before the finance committee for approval.
2. To hold on file for one month a grant policy for the City.
3. To hold on file for one month the request to have any loans given from the City of Green Bay approved by City Council no matter what authority it is under.
4. To award the enterprise resource planning software to Tyler Munis and RecTrac for a total estimated 5-year cost of \$1,622,000. Money for this purchase and implementation of this project was completed in 2011 and 2012. Future software maintenance will be budgeted in the IT operating budget.
5. To approve the request to award a 3 year contract for Micorsoft Enterprise 6.6 Agreement to SHI, International for \$255,668 (\$85,222.53/year).
6. To receive and place on file the request to review second quarter 2013 financial performance of the City.
7. To approve the report of the Claims Committee.
8. To direct the law department to proceed as discussed in closed session on Oneida Tribe's request to designate certain properties as tax exempt.
9. To receive and place on file the report of the Finance Director.

2013 Contingency Fund
\$92,000

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

**REPORT OF THE
IMPROVEMENT AND SERVICE COMMITTEE
August 20, 2013**

The Improvement and Service Committee, having met on August 14, 2013 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Garritt Bader to rescind the weed control and unsightly growth charge of \$110.00 at 905 Pine Street.
2. To approve the request by Haley Kellner to rescind the early set out charge of \$57.00 at 410 Fifteenth Avenue.
3. To approve the request by Doris Arcuri for an extension on the deferment for City sewer and water for properties on Champeau Road and two lots on Equestrian Road for 5 years, or until the lots are sold or developed, whichever comes first.
4. To refer to Public Works staff the request by Ald. Kocha and Ald. Boyce for discussion and possible action on converting sidewalk on the west side of Jackson Street, between Bodart Street and Main Street, to parking (parallel or angle), and direct Public Works staff to work with Ald. Kocha and the business improvement district to develop a plan to repair or maintain the paved terrace within this area.
5. To refer to Public Works staff the request by Ald. Thomas DeWane to discuss, with possible action, the waste management agreement with Brown and Outagamie Counties, and to direct staff to restart discussions with the Brown County Port and Solid Waste Department on negotiating terms for a solid waste management agreement, and have the Director provide a status report of actions taken at the September 25, 2013 meeting of the Improvement & Service Committee.
6. To receive and place on file the request by Ald. Boyce to review City grass and weed, snow and sewer policies.
7. To approve the request by the Department of Public Works to approve the proposed Bulk Collection Policy as amended (copy attached).

To approve the request by the Department of Public Works to approve the proposed Bulk Collection Policy and the implementation plan for Automated Collection of Solid Waste.
8. To approve the request by Department of Public Works to authorize the Director to award the demolition of 418 N. Monroe Avenue to the low, responsive vendor

at a cost not to exceed \$25,000 and report the proposal totals and award information back at the September 11, 2013 meeting of the Improvement and Service Committee.

9. A. To receive and place on file the bid summary for CD 13-05 Emmet Street Resurfacing.
B. To approve to award Pavement 3-13 to the low, responsive bidders:
Part A to Vinton Construction Co. in the amount of \$343,394.21.
Part B to Vinton Construction Co. in the amount of \$103,739.31.

10. To approve the following deed:

McAuliffe Storm Water Facility
Gina M. Dagneau \$12,500.00
Parcel 21-34-4

11. To approve the following temporary limited easements and deeds:

MONROE AVENUE – CASS STREET TO MAIN STREET PROJECT ID. #1481-07-21

Bay Bank Parcel 29	\$1,500.00	Deed & Temporary Limited Easement	
Joey J. DeKeyser Easement Parcel 37	\$250.00	Temporary	Limited
Monroe Plaza Apartments, LLC Parcel 79	\$7,050.00	Deed & Temporary Limited Easement	

12. To approve the application for Concrete Sidewalk Builder's License by Bedrock Custom Concrete.
13. To approve the application for Tree and Brush Trimmer License by Family Tree, Tree Service and Lawn Care, LLC.
14. To receive and place on file the verbal Director's Report on the recent activities of the Public Works Department.

COMPARISON OF EXISTING AND PROPOSED POLICIES ON SPECIAL/BULK SOLID WASTE COLLECTION (08/14/13)

CURRENT POLICY

Construction and remodeling debris is not collected by DPW. If DPW is must collect it after noticing the property, a charge of \$45 per C.Y. is invoiced to the property owner. Rates are subject to change annually. Household-generated waste at *occupied residential properties* (e.g. - garage, basement, and spring cleaning debris; old furniture, etc.) is collected by DPW. What fits into the truck is taken on the day of trash collection. DPW returns for larger piles after the daily route is completed to assure that there is adequate space on the truck for the regular route trash. When the route truck is full, DPW collects remaining items the following day with a bulk crew. No charge for this service.

PROPOSED POLICY

Same as current policy

Four (4) overflow periods per year for the collection of up to four (4) bags of residential solid waste per residence per period.

Two (2) periods per year for the curb-side collection of bulky waste (chairs, mattresses, etc.), limited to three (3) cubic yards per residence per period. Bulk waste collection periods shall coincide with 2 of the 4 overflow collection weeks.

Establish residential drop-off locations at the East and West Side Garages where residents may drop off bulky waste year-round.

The above-listed services will be provided to residents of the City of Green Bay at no additional cost.

Residents will receive an annual calendar identifying overflow and bulk collection weeks. Special (bulk) trash placed curb-side at other times of the year *will not be collected from any property.*

If DPW must collect it after noticing the property and the property owner does not address the issue, then the following charges are invoiced to the property owner. Rates are subject to change.

- 1) Up to three (3) C.Y. - \$70
- 2) Three (3) to ten (10) C.Y. - \$140
- 3) Ten (10) C. Y. and over - \$210

COMPARISON OF EXISTING AND PROPOSED POLICIES ON SPECIAL/BULK SOLID WASTE COLLECTION (08/14/13)

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DPW collects debris from *occupied residential properties* resulting from residential catastrophes such as clean-ups from sewer back-ups, water breaks, basement flooding, etc. To qualify for this special collection, the resident must contact DPW Operations Division at (920) 448-3532 to schedule a collection date. No

Same as current policy

charge for this service.

CURRENT POLICY

Collection of large volumes of special (bulk) waste *not defined above* (such as move-out waste) is collected by DPW and charged to the property owner as follows. Rates are subject to change annually.

- 1) Up to three (3) C.Y. - \$70
- 2) Three (3) to ten (10) C.Y. - \$140
- 3) Ten (10) C. Y. and over - \$210

PROPOSED POLICY

Four (4) overflow periods per year for the collection of up to four (4) bags of residential solid waste per residence per period.

Two (2) periods per year for the curb-side collection of bulky waste (chairs, mattresses, etc.), limited to three (3) cubic yards per residence per period. Bulk waste collection periods shall coincide with 2 of the 4 overflow collection weeks.

Establish residential drop-off locations at the East and West Side Garages where residents may drop off bulky waste year-round.

The above-listed services will be provided to residents of the City of Green Bay at no additional cost.

Residents will receive an annual calendar identifying overflow and bulk collection weeks. Special (bulk) trash placed curb-side at other times of the year *will not be collected from any property*.

If DPW must collect it after noticing the property and the property owner does not address the issue, then the following charges are invoiced to the property owner. Rates are subject to change.

- 4) Up to three (3) C.Y. - \$70
- 5) Three (3) to ten (10) C.Y. - \$140
- 1) Ten (10) C. Y. and over - \$210

Moved by Ald. Wiezbiskie, seconded by Ald. Warner to adopt the report with the exception of Item #7. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt Item #7.

Moved by Ald. Danzinger, seconded by Ald. Thomas DeWane to suspend the rules to allow interested parties to speak. Motion carried.

Katie Williams, 1507 Rockdale Street, stated that she would like the policy to be more specific.

Carmen Rezek, 2443 VanBeek Road, stated that she didn't receive information on bulk waste.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to return to the regular order of business. Motion carried.

A vote was then taken on the motion to adopt Item #7. Motion carried on a 8 to 4 display vote.

REPORT OF THE PARK COMMITTEE August 20, 2013

The Park Committee, having met on Wednesday, August 14, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the donation of new batting cages and two athletic field irrigation systems at Optimist Park contingent upon the Optimist Little League:
 - Being responsible for all costs and materials.
 - All proper permits and insurances being obtained.
 - All materials must meet the City building and inspection codes.
 - All repairs and maintenance of the systems will be the responsibility of the Optimist Little League.
 - The City would be responsible for the utility cost of water and electricity.

To approve adding \$2,928 to the operations budget to cover the cost of water and electricity for two fields for the irrigations systems at East River Lawe Optimist Park.

2. To approve accepting a \$40,000 donation by Ben Schenkelberg for engineering services for the design of the new west end shelter at Bay Beach.
3. To approve accepting a donation of \$40,000 from the Friends of the Wildlife Sanctuary to be used for the replacement of the Wildlife Sanctuary Bridge.
4. To proceed with negotiations as directed in closed session on the proposed acquisition of parcel 8-203, 7-670, 7-688 located at 433, 501 and 525 St. George Street for the East River Trail.
5. To deny accepting the U. S. Fish & Wildlife Grant received by the Fox Wisconsin Heritage Parkway Group due to the geographical area and refer to staff for further discussions on potential locations for the grant.
6. To approve the Fox Wisconsin Heritage Parkway resolution.
7. To receive and place on file the Director's Report.

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

REPORT OF THE PERSONNEL COMMITTEE August 20, 2013

The Personnel Committee, having met on Tuesday, August 13, 2013 considered all matters on its agenda and reports and recommends the following:

1. To approve the requests to fill for the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Patrol Officer – Police
 - b. Executive Secretary – Parks, Recreation & Forestry
 - c. HR/Risk Assistant – Human Resources
 - d. Elections Specialist – City Clerk’s Office

2.
 - a. To approve the request to reclassify the Senior Property Manager on the Administrative Pay Scale from Pay Grade 32 to Pay Grade 33 and fill the position and all subsequent vacancies resulting from internal transfers. No recommendation 2-2 vote. Ald. Kocha and Ald. Sladek, yes; Ald. Nicholson and Ald. DeWane, no.

 - b. To approve the request to reclassify the Property Manager position on the Administrative Pay Scale from Pay Grade 31 to Resident Services Coordinator, Pay Grade 28, and fill the position and all subsequent vacancies resulting in internal transfers subject to approval of 2a. Approved 3-1 with Ald. DeWane voting no.

3. To approve, as follows, a 2% general salary increase for the following employee groups, effective with the start of the payroll period in which October 1, 2013 occurs.
 - a. Administrative.
 - i. Directors, Managers & Professionals (Exempt). Approved 3-1 with Ald. Nicholson voting no.
 - ii. General Employees (Non-exempt). Approved
 - b. Bay Area. Approved
 - c. Crossing Guards. Approved
 - d. Electricians. Approved
 - e. Inspectors. Approved
 - f. Parks and Forestry Maintenance. Approved
 - g. Public Works Labor. Approved
 - h. Seasonal. Approved 3-1 with Ald. Nicholson voting no.

4. To approve the request to award a 3-year contract, plus two 1-year renewal options, for Life and AD&D Insurance to MetLife, effective January 1, 2014.
5. To approve the request to award a 3-year contract, plus two 1-year renewal options, for Long Term Disability (LTD) Insurance to Aetna, effective January 1, 2014.
- 6
 - a. To direct Human Resources to draft modifications to City policy regarding the reimbursement of moving expenses.
 - b. To approve the reimbursement of actual moving expenses for Fire Chief David Litton in an amount not to exceed \$12,980.28. Approved 3-1 with Ald. Nicholson voting no.
7. To approve revisions to Chapter 23, Family Medical Leave Act (FMLA) Policy in accordance with federal regulations.
8. To approve out-of-state travel for Officer Reetz and Officer Merrill to attend Handler Instruction and Training Seminar (HITS) in St. Louis, Missouri from August 28-31, 2013.
- 9
 - a. To receive and place on file the report from the Fire Department on the Hook and Ladder Program with possible action.
 - b. To direct the Law Department to draft a policy or ordinance clarifying authority to enter into agreements for City services.
10. To receive and place on file the review of the Animal Control Service Contracts with the Villages of Allouez and Ashwaubeneon and the City of DePere.
11. To receive and place on file the report of routine Personnel Actions for regular employees.

Moved by Ald. Wiezbiskie, seconded by Ald. Thomas DeWane to adopt the report with the exception of Items #2, #3 and #9a. Motion carried with Ald. Nicholson voting no on Item #6.

Moved by Ald. Tim DeWane, seconded by Ald. Kocha to adopt Item #2b. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to amend Item #2a by adding "at \$50,870" after "Grade 32" and "at \$51,263 with a 12-month hold on step increase to \$52,288 for a savings of \$1,829" after "Grade 33". Motion carried

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt Item #3. Motion carried with Ald. Nicholson voting no.

Moved by Ald. Steuer, seconded by Ald. Wiezbiskie to adopt Item #9a.

Moved by Ald. Boyce, seconded by Ald. Moore to suspend the rules to allow interested

parties to speak. Motion carried.

No one spoke.

Moved by Ald. Wiezbiskie, seconded by Ald Nicholson to return to the regular order of business. Motion carried.

A vote was then taken on the motion to adopt Item #9a. Motion carried on a 10 to 1 display vote with Ald. Brunette abstaining.

PROTECTION & WELFARE COMMITTEE REPORT

August 20, 2013

The Protection & Welfare Committee, having met on Monday, August 12, 2013 considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the application for a "Class A" Liquor and a Class "A" Beverage License by Krist Oil Company at 1369 E. Mason Street (postponed from the July 15, 2013 meeting).
2. To receive and place on file the request by Ald. Tim De Wane to discuss outdoor fencing at Hagemeister Park, 325 N. Washington, with possible action (referred back from the July 30, 2013 Common Council meeting).
3. To approve the application to keep three dogs at 2477 Deckner Avenue, with the stipulation that upon the death of one of the dogs the applicant must appear back before this Committee for permission to keep more than two dogs (referred back from the July 30, 2013 Common Council meeting).
4. To approve the notice of the change of agent for Champions Sports Bar and Grill at 1007 Tony Canadeo Run.
5. To approve the application for a "Class B" Combination License by K. Burkel Inc. at 1007 Tony Canadeo Run. (Transfer from Champions Sports Bar and Grill)
6. To approve the application for an available "Class B" Combination License by El Carboncito, Inc. at 1464 University Avenue, contingent upon an approved business plan with special attention to the proximity of the John Dewey Academy of Learning. (Currently has beer license)
7. To approve the request by the owners of Brewski's, 1100 S. Broadway, to hold an outdoor event on September 21, 2013 (rain date would be September 22, 2013). The approval of the request is subject to complaint.
8. To deny the request by Danny Shandor, owner of Packer Stadium Lounge, to amend Section 33.02(7m) to allow the sale of closed intoxicating liquor in "Class B" establishments.

9. To receive and place on file the request by Ald. Tom De Wane to discuss with possible action the sale of liquor in taverns.
10. To approve the appeal by Uwayzo Williams, Sr. to the denial of his Public Vehicle Operator License application.
11. To deny the appeal by Amber Kasee to the denial of her Operator License application.
12. To refer to staff the request by Ald. Boyce for a review of the City's response to unauthorized fireworks displays.
13. To approve the request by Ald. Steuer for a resolution regarding homelessness and the HOPE Task Force.

Moved by Ald. Wiezbiskie, seconded by Ald. Steuer to adopt the report with the exception of Item #1, #6, and #13. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #1.

Moved by Ald. Tim DeWane, seconded by Ald. Nicholson to refer Item #1 back to the Protection & Welfare Committee. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #6. Motion carried.

Moved by Ald. Kocha, seconded by Ald. Tim DeWane to adopt Item #13. Motion carried.

Moved by Ald. Kocha, seconded by Ald. Warner to reconsider Item #10. Motion carried.

Moved by Ald. Moore, seconded by Ald. Kocha to adopt Item #10. Motion carried.

REPORT OF THE PROTECTION AND WELFARE COMMITTEE GRANTING OPERATOR LICENSES

August 20, 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

Adams, Sheenah M
Andersen, Jennifer J
Annoye, Sandra J
Antonio, Liliana B
Argall, Lucas J
Baenen, Logan D

Carlson, Tina R
Carnes, Tia M
Chatman, Jr., Alphanzo
Childers, Jacob S
Cintron, Nicole M
Clark, Margaret M

Edges, Paula M
Edlbeck, Michael G
Ehlert, Jocelyn A
Eifler, Brian R
Eilers, Jeff H
Eilers, Joshua J

Bailey, Wayne P
Basinski, Brian R
Bateman, Brittany M
Beckstrom, Bradley W
Bequeaith, Donna M
Bero, Misty M
Bhatoya, Sohan L
Bierl, Eric N
Biersteker, Barbara A
Biersteker, Laurie A
Bittner, Thomas J
Borgstrom, Lisa K
Bork, Tonya S
Borley, Kristine A
Boucher, Gail A
Bowman, Leslie L
Brey, Eric A
Brockman, Dana L
Brown Jr., Robert A
Brusky, April L
Burt, Thomas L
Bushman, Michael P
Butterfield-Boldig, Glenda
Cadena-Huereca, Yesenia
Carlson, Taylor M

Coe, Megan M
Collin, John J
Combs, Holli E
Conant, Ashley M
Conard, Tamara L
Cooney, Amanda M
Costello, Allyson M
Crawford, Kolleen E
Crier, Lori L
Curtis, Christina
Curtis, Patricia K
Daul Jr., James P
Daul, Lisa J
De Cleene, Somer E
DeBraske, Jim A
Decota, Andrew M
DeNell, Lisa J
DeVries, Zachary A
Dimity, Lynda G
Donart, William F
Dorner, John P
Doxtater, Darrell L
Draugsvold, Jessica L
Dreier, Lisa A
Dura, Chelsea L

Ertman, Carissa A
Feltz, Joseph A
Fisette, Katie M
Francois, Courtney M
Frank, Ryan S
Frank, Trenie L
Frisque, Mary Jo
Fulfer, Beverly R
Gatske, Erin D
Gerondale, Amanda J
Goethe, Stephanie L
Greeley, Gwen E
Greendeer, Marcus A
Guyer, Vivian L
Haberli, Amanda
Harris, Nicole K
Havey, John A
Hebert, Rachel L
Hertrampf, Amy L
Hess, Heidi J
Hill, Adam C
Honsa, Barbara D
Huff, Roxanne L
Jakimczyk, John W
Jaklin, Hannah M

Janquart, Alice M
Jarvi, Derek J
Johnson, Jessica R
Johnson, Rita M
Jordan, Michael G
Kelly, Jaclyn J
King, Steffanie M
Klinesmith, Jack L
Knoll, Cheryl L
Koehler, James H
Koeppel, Jared D
Kong, Nhia V
Konrad, Samantha J
Kowalski, Jacquelyn F
Krahn, Kara K
Krieg, Mark P
Kubicek, Kevin M
Lambrecht, Kelly J
Landry, Justin R
Lee, Jerre
LeGare, Sharon T
LeMere, Jennifer L
Leonard, Ryan J
LeSage, Jamie M
Leski, Carol J
Lester, Meagan N
Letcher, Shawna M
Lewins, Patrick L
Lucassen, Lou L
Lusardi, Jo E
Mack, Rose A
Mader, Robert Q
Magolan, Alicia D
Mark, Elizabeth A
Marquardt, Tony D
Martin, Kristi K
Martinson, David C
Marunowski, Sabrina A
Matchopatow, Lisa A

McArdle, Melissa J
Mellor, Christine A
Melville, Carol J
Meronk, Matthew
Miller, Jenny C
Milton, Kathleen M
Mjelde, Donald J
Mommaerts, Breanna E
Monfils, Jennifer L
Mortensen, Kysia E
Moses, Peggy S
Mousseau, Melissa A
Murphy, April M
Nelson, Steven J
Neveau, Nicole M
Nixon, Thomas J
Nysse, Sarah M
Olson, Tina A
O'Neill, Lisa A
Oryall, Antoinette M
Ozarowicz, Michelle L
Pakanich, Colleen E
Paul, Baptiste
Paul, Frank A
Paustenbach, Steven R
Peterson, Tricia L
Phillips, Jennifer L
Phillips, Maurice S
Pidkalyuk, Valentina
Pierquet, Carol A
Pinney, Geoffrey A
Porter, Norvell
Potvin, Laura M
Powers, Chase W
Powers, Cory C
Prevost, Laura J
Raleigh, David M
Rasmussen, Caroline E
Rasmussen, Karen M

Rathsack, Regina J
Ravey, Alisa M
Reed, Jeffrey M
Remington, Amber L
Risland, Kayla M
Roberts, Denise J
Robinson, Scott J
Roland, Ben J
Roskams, Nicholas J
Rowe, Paige M
Rusch, Rhonda A
Rusch, Savannah M
Salkowski, Natalie S
Sann, Kenneth R
Saunders, Christina M
Schadt, Stephen J
Schaefer, Bobbie J
Schmechel, Paula M
Schmidt, Anthony D
Schroeder, Dennis W
Schultz, Mary L
Searles, Ashley E
Sedenquist, Angela G
Shiner, Jil A
Siegmund, Lynda S
Skalecki, Renee N
Stamps, Sarah A
Staudenmaier, Bradley
Steel, Joseph T
Steinke, Kristine M
Stencil, Barb A
Sterckx, Jean M
Stevens, Anthony A
Stilen, Dora L
Stoychoff, Emilie A
Stunger, Daniel E
Sumner, Karley D
Swartz, Valerie Y
Sweeney, John C

Szprejda, Noel M
Tassoul, Krystal D
Terrien, Jules
Theisen, Robert J
Thrun, Tracy N
Timmons, Debra M
Traeger, Kristine M
Triest, Cori A
Vahamaa, Andrew J
Van Alstine, James T
Van Groll, Jennifer M
Van Haveren, Maxwell J
VanBeckum, Rebecca S
VandeHei, Dawn C
Vanden Heuvel, Jordan T
Vandenberg, Richard L
Vang, May K
Varick, Richard R
Verhaagh, Stephanie A
Verhasselt, Whitney R
Verheyden, Gary D
Verrett, George F
Voelker, Lisa A
Vollmer, Kristin S
Walters, Michael A
Waukau, Rochelle J
Weber, Bruce A
Webster, Candy L
Wege, Karleen C
Welke, Thomas J
Welker, Benjamin M
Weronka, Britney M
Westergaard, Jean M
Wiater, Clint F
Wickersheim, Angela V
Wilhelm-Gerrits, Brittany L
Willems, Nicholas C
Williams, Becky L
Williams, Lisa G

Wilson, Judith E
Wirz, Michael S
Wolter, Leanne M
Wolter, Michelle M
Woodliff, Nicole L
Wriedt, Ashley F
Xiong, Pa Y
Yang, Yeng
Yonan, Susie
Zastrow, Marlene W
Zdroik, Angela G
Zeddies, James M
Zelzer, Nathan J
Zepka, Linda R
Zimmerman, Aaron J

Moved by Ald. Thomas DeWane, seconded by Ald. Tim DeWane to adopt the report. Motion carried with Ald. Steuer abstaining on the approval of Joshua J. Eilers and James H. Koehler and Ald. Danzinger abstaining on the approval of Misty Bero.

RECEIVE & PLACE ON FILE

Weights & Measures 2012-2013 Inspections.

Municipal Court Report for July, 2013.

Building Permit Report for July, 2013.

Check Register for July, 2013

Moved by Ald. Thomas DeWane, seconded by Ald. Warner to receive the matters and place them on file. Motion carried.

RESOLUTIONS

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt all of the resolutions, with the exception of the resolution referring to the problem of homelessness, with one roll call vote. Motion carried.

FINAL PAYMENTS RESOLUTION August 20, 2013

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

That the City Clerk be and is hereby instructed to draw FINAL ORDERS in favor of the following contractors for their projects in the amounts listed as follows:

1. SIDEWALKS 2012	
 Martell Construction, Inc.	
TOTAL AMOUNT EARNED:	\$ 131,237.49
LESS AMOUNT RETAINED:	<u> 0.00</u>
	\$ 131,237.49
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 127,490.35</u>
AMOUNT DUE THIS ESTIMATE:	\$ 3,747.14

ACCOUNT NUMBERS

402-50-500-000-55340-000000-000-61052: \$3,747.14

PO #105101

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

**RESOLUTION APPROVING DEED FOR
MONROE AVENUE
FROM CASS STREET TO MAIN STREET
August 20, 2013**

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

Approval and authorize payment of the following Deed & Temporary Limited Easement.

MONROE AVENUE – CASS STREET TO MAIN STREET PROJECT ID. #1481-07-21

Bay Bank Parcel 29	\$1,500.00	Deed & Temporary Limited Easement
Joey J. DeKeyser Parcel 37	\$250.00	Temporary Limited Easement
Monroe Plaza Apartments, LLC Parcel 79	\$7,050.00	Deed & Temporary Limited Easement

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

**RESOLUTION APPROVING DEED FOR
MC AULIFFE STORM WATER FACILITY
August 20, 2013**

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

To approve and authorize payment of the following deed:

MC AULIFFE STORM WATER FACILITY

Gina M. Dagneau	\$12,500.00
Parcel 21-34-4	

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

**RESOLUTION ACCEPTING DEDICATION
OF RIGHT-OF-WAY AND PUBLIC IMPROVEMENTS
IN BAIRD CREEK PRESERVE**

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

WHEREAS, the Common Council on September 6, 2006 approved the request of Richard Johnston, Landmark Real Estate & Development, Inc., succeeded by Baird Creek Preserve, LLC, to enter into a Developer's Agreement with the City of Green Bay for the purpose of constructing sewer, water and street improvements for Baird Creek Preserve;

WHEREAS, said Agreement was made by both parties on the July 14, 2007;

WHEREAS, ADPC Corporation, C/O Anchorbank Services, acquired controlling interest in the Baird Creek Preserve Subdivision following dissolution of Baird Creek Preserve, LLC;

WHEREAS, said Agreement requires the ADPC Corporation, upon completion of the sewer, water and street improvements, to unconditionally, and without charge to the City of Green Bay, give, grant, convey and fully dedicate the same with the exception of sanitary and storm sewer laterals and water laterals lying outside of dedicated right-of-way, to the City of Green Bay, its successors and assigns forever, free and clear of all encumbrances whatever; together with (without limitation because of enumeration) all land, structures, mains, conduits, pipes, lines, and appurtenances, together with any and all necessary easements for access thereto;

WHEREAS, ADPC Corporation has met all of the terms of the agreement, as determined by the Director of Public Works, and has requested that the City of Green Bay accept dedication of the improvements;

WHEREAS, the Director of Public Works has reported on and recommends the acceptance and dedication of the following streets, sanitary sewer, storm sewer, and water main and laterals:

Indigo Bluff Drive – N. Huron Road to Peppergrass Drive
Peppergrass Court – Cul-de-Sac West to Indigo Bluff Drive
Peppergrass Drive – Indigo Bluff Drive to Mandrake Drive
Raccoon Berry Way – 190' S/O Indigo Bluff Drive to Indigo Bluff Drive
Bedford Road – 220' S/O Peppergrass Drive to Peppergrass Drive
Purple Sage Drive – Whittier Drive to Peppergrass Drive
Mandrake Drive – Mayapple Drive to Peppergrass Drive
Mayapple Drive – Purple Sage Drive to Mandrake Drive

NOW THEREFORE, BE IT RESOLVED, that the above streets including sanitary sewer, storm sewer and water improvements be and are hereby accepted by the City of Green Bay.

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

**RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 1805 RADISSON STREET AND
1809 AND 1813 ST. GEORGE STREET
(ZP 13-19)**

August 20, 2013

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

That, pursuant to Zoning Petition 13-19 and the recommendation of the Plan Commission on July 22, 2013, the City of Green Bay does authorize a conditional-use permit to allow for construction of a free-standing parking lot located on the following described property at 1805 Radisson Street and 1809 and 1813 St. George Street

1805 Radisson Street: BUSINESS MEN'S ASSN 2ND ADDN E 106 FT
OF LOT 17 BLK 100 & PRT OF ST GEORGE ST DESC IN 1735768 &
PRT OF PERRET ST DESC IN 1766425 – Tax Parcel Number 20-610-A

1809 St. George Street: BUSINESS MEN'S ASSN 2ND ADDN E 106 FT OF LOT 16 BLK 100 & PART OF ST GEORGE ST DESC IN J27443-35 – Tax Parcel Number 20-610

1813 St. George Street: BUSINESS MEN'S ASSN 2ND ADDN LOT 15 BLK 100 & VAC ALLEY ADJ & PART OF ST GEORGE ST DESC IN J27443-37 – Tax Parcel Number 20-608

Said conditional-use permit shall be granted subject to:

- a. Standard site plan review and approval.
- b. All applicable standards listed in Chapter 13, Green Bay Municipal Code.

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

RESOLUTION REGARDING THE PROBLEM OF
HOMELESSNESS IN THE CITY OF GREEN BAY

August 20, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the number of City of Green Bay and Brown County residents who are homeless has increased over the past several years due to a number of reasons; and

WHEREAS, the Green Bay Protection and Welfare Committee meeting of December 10, 2012, listened to concerned stakeholders on the issue of homelessness in Green Bay; and

WHEREAS, Green Bay Mayor Jim Schmitt directed Protection and Welfare Chairperson, Alderperson Mark Steuer, to head up a homelessness task force at that December 10, 2012, meeting; and

WHEREAS, the HOPE (Homelessness Obligates Planning Efforts) Task Force was instituted on January 10, 2013, at a meeting at the Harmony Café; and

WHEREAS, HOPE consists of three teams, along with a resource group, that is dealing with the downtown homelessness situation, cultivating relationships amongst various Green Bay stakeholders, and working on educational, communication, and homelessness event initiatives; and

WHEREAS, HOPE has worked with Lutheran Social Services (LSS) in setting up a resource center that will serve as a positive entity in dealing with the various causes of homelessness; and

WHEREAS, HOPE is working with religious, business, citizen, educational, and governmental groups, boards, and organizations in the greater Green Bay area on the issue of homelessness; and

WHEREAS, HOPE has many concerned professionals and citizens who deal with the issue of homelessness as team leaders and team members; and

WHEREAS, HOPE is working on a comprehensive ten-year plan to deal with the issue of homelessness in the greater Green Bay area; and

WHEREAS, HOPE will utilize all available resources to deal with the issue of homelessness in the greater Green Bay area.

NOW, THEREFORE, BE IT RESOLVED that HOPE Chairperson, Alderman Mark Steuer, and the remainder of the Green Bay City Council, along with Mayor Jim Schmitt and the City of Green Bay, continue efforts to deal with the issue of homelessness in the greater Green Bay area and continue to find ways to eliminate homelessness in the greater Green Bay area to the best of everyone's ability. Specifically, the Mayor, City Council and City staff will actively support HOPE and its efforts to assist homeless individuals in working toward self-sufficiency in a safe and supportive environment, create a ten-year plan for Brown County that will help the community move toward eliminating homelessness, and educate the wider community about the true picture of homelessness in our community.

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Sladek, seconded by Ald. Kocha to adopt the resolution.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

RESOLUTION IN SUPPORT OF THE
FOX-WISCONSIN HERITAGE PARKWAY

August 20, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, two significant waterways, the Fox and Wisconsin Rivers, have a history that dates back for many thousands of years. After being traveled by European explorers Father Marquette and Louis Joliet, both rivers played an integral role in opening the Midwestern United States; and

WHEREAS, the Fox-Wisconsin Heritage Parkway, which stretches 280 miles from Prairie du Chien to the Port of Green Bay, was formed to exemplify and to promote the natural, recreational, and historic resources within the Fox and Wisconsin Rivers corridor and to create additional opportunities for historic interpretation, education, recreation, and tourism; and

WHEREAS, as part of the project's ten year undertaking, 17 lock sites previously closed along a 39-mile stretch of the Lower Fox River have been transferred to the State of Wisconsin, with the majority undergoing restoration; and

WHEREAS, the Fox-Wisconsin Heritage Parkway will result in increased tourism, transportation, and economic development as the area becomes a year-round heritage tourism destination that will result in an overall boost to Wisconsin's economy by:

- Enhancing and promoting historic sites;

- Highlighting the versatility and abundance of natural areas;
- Promoting local events;
- Opening a water trail;
- Connecting existing land trails;
- Developing scenic routes;
- Providing outdoor enthusiasts with more recreational activities and public access;
- Bringing new businesses, jobs, higher property values, and visitors; and

WHEREAS, the Fox-Wisconsin Heritage Parkway will provide a greater sense of identity across municipal boundaries along the Fox and Wisconsin Rivers, promoting regionalism and opportunities for greater shared resource management; and

WHEREAS, the Heritage Parkway Board and its affiliate organizations, sponsors, and volunteers are asking for help in keeping the Fox-Wisconsin Heritage Parkway's opportunities alive for the community of today and tomorrow with a continuing effort to revitalize the waterway as an economic, environmental, and recreational resource.

NOW, THEREFORE, BE IT RESOLVED that the City of Green Bay hereby recognizes the importance of the mission and vision of the Fox-Wisconsin Heritage Parkway.

BE IT FURTHER RESOLVED that the City of Green Bay also recognizes that when environmental, heritage, and tourism-related entities partner with the communities, the historic, cultural, and natural resources are more effectively preserved, interpreted, and promoted.

BE IT FURTHER RESOLVED that the City of Green Bay and the Fox-Wisconsin Heritage Parkway agree to engage in collaborative projects that serve to build, promote, and sustain each other's missions.

BE IT FURTHER RESOLVED that the City of Green Bay will not support any interference with private property owner rights within the Fox-Wisconsin Heritage Parkway, and specifically opposes the condemnation or rezoning of existing property within the Parkway.

BE IT FURTHER RESOLVED that the City of Green Bay and the Fox-Wisconsin Heritage Parkway agree to promote initiatives that are mutually inclusive, such as marketing, promotion, special events, resource management, interpretive and visitor services, and project planning and implementation.

BE IT FINALLY RESOLVED that upon confirmation of the status of official partnership with the Fox-Wisconsin Heritage Parkway, the City of Green Bay is entitled to partner benefits, including:

- Recognition in Parkway communication;

- Receipt of regular Parkway-related communication and updates;
- Sponsorship opportunities at Parkway events.

Adopted August 20, 2013

Approved August 21, 2013

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

ORDINANCES - FIRST READING

GENERAL ORDINANCE NO. 18-13

AN ORDINANCE
AMENDING SECTION 29.208,
GREEN BAY MUNICIPAL CODE,
RELATING TO PARKING REGULATIONS

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

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING zone:

CREST LANE, north side, from Pinehurst Avenue to a point
75 feet west of Pinehurst Avenue

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

CREST LANE, north side, from Pinehurst Avenue to a point
75 feet west of Pinehurst Avenue

SECTION 3. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING 12:00 AM – 3:00 AM SATURDAY AND SUNDAY zones:

WASHINGTON STREET, east side, from Doty Street to Walnut Street

WASHINGTON STREET, west side, from Cherry Street to Pine Street

SECTION 4. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

ERNST DRIVE, both sides, from Shirley Street to a point 415 feet south of Shirley Street

SECTION 5. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING 7:00 AM – 5:00 PM MONDAY - FRIDAY zone:

PEARL STREET, east side, from a point 50 feet north of Walnut Street to Hubbard Street

SECTION 6. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following PARKING BY PERMIT ONLY 7:00 AM – 5:00 PM MONDAY - FRIDAY zone:

PEARL STREET, east side, from a point 50 feet north of Walnut Street to Hubbard Street

SECTION 7. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____, 2013.

APPROVED:

Mayor

ATTEST:

Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to advance the ordinance to the third reading. Motion carried.

ZONING ORDINANCE NO. 12-13

AN ORDINANCE
REZONING PROPERTY LOCATED
IN THE 900 AND 1000 BLOCKS
OF AUTO PLAZA DRIVE AND
2300 AUTO PLAZA WAY
FROM GENERAL COMMERCIAL (C1) DISTRICT
TO HIGHWAY COMMERCIAL (C2) DISTRICT
(ZP 13-23)

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 General Commercial (C1) District to Highway Commercial (C2) District:

900 and 1000 Blocks of Auto Plaza Drive

Tax Parcel Number 21-127-3: PCL 2 OF 4 CSM 523 BNG PART OF SE1/4 NW1/4 SEC 9 T23N R21E EX 1536836

Tax Parcel Number 21-127-10: LOT 3 OF 14 CSM 341 BNG PRT OF SEC 9 T23N R21E

Tax Parcel number 21-127-11: LOT 2 OF 24 CSM 65 BNG PART OF LOT 29 ASTORS SUBD OF PC 3-7 ESR & BNG PART OF GOV'T LOT 2 SEC 9 T23N R21E

2300 Auto Plaza Way

Tax Parcel Number 21-458-4: PCL 3 OF 4 CSM 523 BCR BEIN G PRT
OF PC 3-7 ESR

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. 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 _____ day of _____, 2013.

APPROVED:

Mayor

ATTEST:

Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried.
Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to advance the ordinance to the third reading. Motion carried.

ORDINANCES - THIRD READING

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to suspend the rules for the purpose of adopting the General Ordinances with one roll call vote. Motion carried.

GENERAL ORDINANCE NO. 14-13

AN ORDINANCE
AMENDING SECTION 29.208,
GREEN BAY MUNICIPAL CODE,
RELATING TO PARKING REGULATIONS

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

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

LANGLADE AVENUE, north side, from Briquet Street to Ridge Road

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

LANGLADE AVENUE, north side, from Briquet Street to a point 90 feet west of Ridge Road

SECTION 3. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

LANGLADE AVENUE, north side, from a point 90 feet west of Ridge Road to Ridge Road

SECTION 4. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Kocha, seconded by Ald. Warner to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 15-13

AN ORDINANCE

AMENDING SECTION 13-209(d)(3),
GREEN BAY MUNICIPAL CODE,
RELATING TO VOTING REQUIREMENTS
FOR THE BOARD OF APPEALS

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

SECTION 1. Section 13-209(d)(3), Green Bay Municipal Code is amended as follows:

13-209. Establishment of Zoning Board of Appeals. The Zoning Board of Appeals is established for the purpose of hearing appeals and applications and granting variances and exceptions to the provisions of this ordinance in harmony with the purpose and intent of this ordinance.

(d) Organization. The Zoning Board of Appeals shall organize and adopt rules of procedure for its own governance in accordance with the provisions of this chapter.

(3) If a quorum is present, the concurring vote of ~~two-thirds or more~~ **a majority** of the members of the Board shall be necessary to correct an error, grant a variance, make an interpretation, and permit a temporary, unclassified, or substituted use.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. 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 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

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

GENERAL ORDINANCE NO. 16-13

AN ORDINANCE
AMENDING SECTION 6.07 GREEN BAY MUNICIPAL CODE,
RELATING TO THE REGULATION OF JUNK DEALERS

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

SECTION 1. Section 6.07 Green Bay Municipal Code, is hereby amended as follows:

6.07 JUNK DEALERS

(1) DEFINITIONS. Section 134.405(1) Wis. Stats., as it may be amended from time to time, is hereby adopted and incorporated as though fully set forth herein. In addition, the following terms shall have the meaning indicated below:

(a) “Junk” shall mean ~~any old or scrap metal, metal alloy~~ any ferrous scrap, nonferrous scrap, metal article, proprietary article, plastic bulk merchandise containers, synthetic or organic material, cloth, rags, clothing, paper, rubbish, bottles, rubber, furniture, inoperable motor vehicle parts, ~~used building materials~~, or other discarded articles.

(b) “Junk dealer” shall mean any person or business who stores, buys, or sells any junk and maintains a yard or building as a principal place of business, excluding persons whose business is principally the sale of used vehicles, or persons dealing in secondhand articles of personal property for resale that are subject to the provisions set forth in §6.06, Green Bay Municipal Code.

(c) “Regulated Property” shall mean ~~scrap metal, metal alloy, non-plastic pipe, copper, nonferrous metal items other than aluminum cans, stained glass, traffic signs, water meters, cemetery monument plaques, fixtures from houses of worship, catalytic converters, bicycles, bicycle frames or parts, manhole covers, including lids, grates and frames, or other articles as prescribed by the Chief of Police or a delegate~~ nonferrous scrap, metals articles, and proprietary articles.

~~(1) LICENSE. No person shall collect junk from private or public places or maintain any building, structure, yard or place for keeping, storing, or piling commercial quantities in the City, whether temporarily, irregularly, or continually or for buying or selling at retail or wholesale or dealing in any old, used, or materials which from its worn condition renders it practically useless for the purpose it was made and which is commonly classified as junk; including cloth, rags, clothing, paper, rubbish, bottles, rubber, iron, brass, copper or other metal, furniture, inoperable motor vehicle parts or other articles, whether with a fixed place of business or as an itinerant peddler, including salvage yards dealing with used building materials, and any garages, body shops, or service stations that have any partially dismantled automobiles or parts of dismantled automobiles laying on the premises without first having obtained and paid for a license as a junk dealer and collector, excluding used car lots dealing principally in the sale of used vehicles.~~

(2) APPLICABILITY. No person or business may act as a junk dealer without first obtaining a license under this subsection.

~~(2)~~ **(3) APPLICATION.** Every applicant for a license to engage in the business of junk dealer and collector shall file with the City Clerk, on or before January 1 of the license year, a written application upon the form prepared and provided by the City, signed by the applicant. Such application shall state:

(a) The name and residence of the applicant, if an individual, partnership, or firm; or the names of the principal officers and their residences if the applicant is an association or corporation.

(b) The length of time such applicant or any individual, firm or corporation or partnership, or the manager or person in charge, if the applicant is an association or corporation, has resided in the City; ~~the place of previous employment; whether married or single;~~ whether convicted of a felony or misdemeanor; and if so, what offense, when, and in what court.

(c) Whether the applicant or officers of applicant have previously engaged in the business for which a license is sought.

(d) The detailed nature of the business to be conducted and the kind of materials to be collected, bought, sold, or otherwise handled.

(e) The premises where such business is to be located or carried on, or where the collected articles are to be stored.

~~(3)~~ **(4) INSPECTION.** The City Clerk shall report such application to the Chief of Police, Fire Chief, and Inspection Department for investigation prior to

approval. The Inspection Department shall inspect or cause to be inspected any Junk Dealer's premises to determine whether they comply with all the laws, ordinances, rules, and regulations. Such premises and all structures thereon shall be so situated and constructed that the business may be carried on in a sanitary condition, shall contain no fire hazards, and shall be so arranged that thorough inspection may be made at any time by the proper health, fire, building, and police authorities. The inspecting officers shall report compliance or noncompliance to the ~~City Clerk~~ **Police**, stating the respects in which the premises do not comply with such laws, ordinances rules, and regulations.

~~(4)~~ **(5) GRANTING OR REFUSING LICENSE.**

(a) Issued by City Clerk. Upon filing of the application, investigation indicating compliance, approval of such applicant, and payment of the license fee, the City Clerk shall issue the applicant a license. All licenses shall be numbered in the order in which they are issued and shall state the location of the business, the date of the issuance, the expiration of the license, and the name and address of the licensee. Such license shall be issued as of January 1 of the particular license year and shall expire on or before December 31 of that same year. No license shall be transferable as to person or location.

(b) Persons Convicted of a Felony. No license shall be granted to any person or the members or officers of an association, partnership, or corporation who has been convicted within one year of the date of the application of a violation of this section, nor, subject to §§111.32(5)(a) and (h), Wis. Stats., to any person who has within three years of the date of the application been convicted of a felony reasonably related to the licensed activity.

(c) Upon a showing of non-compliance by investigation or disapproval of such application, the applicant shall be notified by the ~~City Clerk~~ **Police** and afforded an opportunity to be heard before the Protection and Welfare Committee.

~~(5)~~ **(6) FEES.** Every ~~licensee maintaining a building, warehouse, or yard therefor~~ **junk dealer** shall pay an annual fee of \$50. ~~The fee for each vehicle in use for junk dealing or collecting, other than hand drawn, shall be \$3 per vehicle. The fee for hand drawn vehicles used in junk dealing or collecting shall be \$1 per vehicle.~~

~~(6)~~ **(7) LICENSE TO BE DISPLAYED.**

(a) On Licensed Premises. Every holder of a license shall at all times keep the license posted in a conspicuous place on the premises described in the application. No person shall post such license upon premises other than those mentioned in the application or knowingly deface or destroy such license.

~~(7) HOURS OF JUNK COLLECTING. No licensed junk collector shall collect junk on or near residential properties from the hours of 10:00 P.M. to 7:00 A.M.~~

(8) DAILY ELECTRONIC REPORTS OF REGULATED PROPERTY TRANSACTIONS TO POLICE.

(a) Junk dealers must submit an electronic report of every regulated property transaction to the police department daily in the following manner. Junk dealers must provide to the police department all required information prescribed by the Chief of Police or a delegate no later than the business day following the date of purchase, by transferring it from their computer to the web server via modem designated by the Green Bay Police Department. The electronic reports shall include each seller's or deliverer's name, date of birth, identification number, and address, and the number and state of issuance of the license plate on each seller's or deliverer's vehicle. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the police department using procedures that address security concerns of the junk dealer and the police department.

(b) If a junk dealer is unable to successfully transfer the required reports by modem, the junk dealer must provide the police department with printed copies of all regulated property transactions by 12:00 noon the next business day.

(c) If the problem is determined to be in the junk dealer's system and is not corrected by the close of the first business day following the failure, the junk dealer must provide the required reports, and shall be charged a daily reporting failure fee of \$10.00 until the error is corrected; or, if the problem is determined to be outside junk dealer's system, the junk dealer must provide the required reports and resubmit all such transactions via modem when the error is corrected.

(d) Regardless of the cause or origin of the technical problems that prevented the junk dealer from uploading the regulated property transactions, upon correction of the problem, the junk dealer shall upload every regulated property transaction from every business day the problem has existed.

(e) The provisions of this section notwithstanding, the police department may, upon presentation of extenuating circumstances, delay the implementation of the daily reporting penalty.

(f) Subsection (9) shall not apply to businesses which had less than 50 regulated property transactions in the past calendar year. However, any such junk dealer must follow the daily reporting procedure for each regulated property transaction by submitting a written transaction form approved by the police department to the department on the business day following the date of the regulated property transaction.

~~(8)~~ **(9) NON-REGULATED PROPERTY RECORDS TO BE KEPT FOR POLICE INSPECTION.** Every licensee shall keep such forms as the Chief of Police or a delegate may prescribe, which shall be open to the Chief of Police or a delegate records as prescribed by Section 134.405(3)(a)2. to 5. and (b) Wis. Stats., and make them available to a law enforcement officer who presents credentials at the junk dealer's place of business during business hours. Whenever a motor vehicle is purchased, or any parts thereof, the serial number on the body or part shall be preserved, and the style of body, model, color, and license number of any car purchased shall be retained. No dealer shall wreck, tear down, paint, or otherwise destroy the identity of or dispose of, or allow to be taken out of the dealer's possession any second-hand motor vehicle until five days after the same comes into the dealer's possession unless granted special permission to do so by the Chief of Police.

~~(9)~~ **(10) PURCHASE WHERE NUMBER DEFACED.** No licensee shall buy, sell, or receive, dispose of, conceal, or possess any motor vehicle, part, or accessory from which the manufacturer's serial number or any other number of identification mark has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of such vehicle, part, or accessory. Every licensee to whom is offered for sale, storage, or wreckage any motor vehicle, part, or accessory from which has been removed the manufacturer's serial number or any other identification mark shall immediately notify the Chief of Police of such offer.

~~(10)~~ **(11) STOLEN GOODS TO BE REPORTED AND EXHIBITED.** If any goods, articles, or personal property are advertised in any newspaper printed in the City as having been lost or stolen and the same, or any articles answering the description advertised or any part or portion thereof, come into the possession of any licensee, the licensee shall give information thereof in writing to the Chief of Police and state from ~~where and from whom the article was received, collected, bought, delivered, stored or sold.~~ Any licensee who has or receives any goods, articles, or things stolen or lost or alleged or supposed to have been stolen or lost shall exhibit the same on demand to any police officer.

~~(11)~~ **(12) RENEWAL.** Any license issued hereunder may be renewed upon application, but sub ~~(3)~~ **(4)** relating to inspection and report shall not apply unless the ownership of the premises is changed. However, any such application

for a renewal shall be subject to the license fees under sub. ~~(5)~~ **(6)** and all other provisions of this section.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

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

Dated at Green Bay, Wisconsin this 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Kocha, seconded by Ald. Warner to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 17-13

AN ORDINANCE
CREATING SECTION 6.075,
GREEN BAY MUNICIPAL CODE,
RELATING TO THE REGULATION OF JUNK COLLECTORS

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

SECTION 1. Section 6.075 Green Bay Municipal Code, is hereby created as follows:

6.075 JUNK COLLECTORS.

(1) DEFINITIONS.

(a) "Junk" shall mean any old or scrap metal, metal alloy, synthetic or organic material, cloth, rags, clothing, paper, rubbish, bottles, rubber, furniture, inoperable motor vehicle parts, used building materials, or other discarded articles.

(b) "Junk collector" shall mean any person who collects, delivers, buys, or sells any junk, but who is not a junk dealer as defined in § 6.07 Green Bay Municipal Code.

(2) **APPLICABILITY.** No person may act as a junk collector without first obtaining a license under this subsection.

(3) **APPLICATION.** Every applicant for a license to engage in junk collecting shall file with the City Clerk a written application upon the form prepared and provided by the City, signed by the applicant. Such application shall state:

(a) The name and residence of the applicant.

(b) Whether convicted of a felony or misdemeanor; and if so, what offense, when, and in what court.

(c) Whether the applicant has been previously engaged in the activity for which a license is sought.

(d) The detailed nature of the activity to be conducted and the kind of materials to be collected, bought, sold, or otherwise handled.

(4) **GRANTING OR REFUSING LICENSE.**

(a) Issued by City Clerk. Upon filing of the application, investigation indicating compliance, approval of such applicant, and payment of the license fee, the City Clerk shall issue the applicant a license. All licenses shall state the date of the issuance, the expiration of the license, and the name and address of the licensee. Every license shall expire on December 31 of the year of issuance. No license shall be transferable as to person or location.

(b) **Persons Convicted of a Felony.** No license shall be granted to any person or the members or officers of an association, partnership, or corporation who has been convicted within one year of the date of the application of a violation of this section, nor, subject to §§111.32(5)(a) and (h), Wis. Stats., to any person who has within three years of the date of the application been convicted of a felony reasonably related to the licensed activity.

(c) Upon a showing of non-compliance by investigation or disapproval of such application, the applicant shall be notified by the Police Department and afforded an opportunity to be heard before the Protection and Welfare Committee.

(5) FEES. Every junk collector shall pay an annual fee of \$3.

(6) LICENSE TO BE KEPT ON PERSON. Every holder of a license shall keep the license on their person while engaged in junk collecting. Upon request by a City of Green Bay employee, or designee, licensee shall provide proof of license to requestor.

(7) HOURS OF JUNK COLLECTING. No licensed junk collector shall collect junk on or near residential properties from the hours of 10:00 P.M. to 7:00 A.M.

(8) ITEMS WHERE NUMBER DEFACED. No licensee shall collect or possess any motor vehicle, part, or accessory from which the manufacturer's serial number or any other number of identification mark has been removed, defaced, covered, altered, or destroyed for the purpose of concealing or misrepresenting the identity of such vehicle, part, or accessory. Every licensee to whom is offered for sale, storage, or wreckage any motor vehicle, part, or accessory from which has been removed the manufacturer's serial number or any other identification mark shall immediately notify the Chief of Police of such offer.

(9) STOLEN GOODS TO BE REPORTED AND EXHIBITED. If any goods, articles, or personal property are advertised in any newspaper printed in the City as having been lost or stolen and the same, or any articles answering the description advertised or any part or portion thereof, come into the possession of any licensee, the licensee shall give information thereof in writing to the Chief of Police and state from where and whom, if known, the article was received, collected, bought, delivered or sold. Any licensee who has or receives any goods, articles, or things stolen or lost or alleged or supposed to have been stolen or lost shall exhibit the same on demand to any police officer.

(10) RENEWAL. Any license issued hereunder may be renewed upon application. However, any such application for a renewal shall be subject to the license fees under sub (5) and all other provisions of this section.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

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

Dated at Green Bay, Wisconsin this 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Kocha, seconded by Ald. Warner to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

Action had previously been taken on the following ordinances:

ZONING ORDINANCE NO. 9-13

AN ORDINANCE
AMENDING ZONING ORDINANCE NO. 4-00
FOR MODIFIED WALL SIGNAGE AT
1281 BROSIG STREET
(ZP 13-18)

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

SECTION 1. Pursuant to Section 13-108, Green Bay Municipal Code, together with the zoning map and statutory authority referred to therein, the Planned Unit Development created by Zoning Ordinance No. 4-00 is hereby amended on the following-described property:

South Main Condominium Unit 1, together with
common area and facilities, etc in 2173009 (Tax Parcel No:
21-7881

SECTION 2. That pursuant to Section 13-1900 et seq., Green Bay Municipal Code, as they apply, Zoning Ordinance No. 04-00 is hereby amended to allow the following changes:

- A. Wall Signage – Outlot Building “Curves Building”
 - 1. Each tenant is permitted a wall sign on the west and south facing facades of the existing building. Each tenant wall sign on the west façade may not exceed 32 square feet in size. Each tenant wall sign on the south facing facade shall not exceed 12 square feet in size.
 - 2. All other standards of Chapter 13-2000 shall be met.

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligation, conditions, restrictions and limitations related thereto, shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 5. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 6. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 7. 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; and has no financial impact on the City.

Dated at Green Bay, Wisconsin this 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

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

ZONING ORDINANCE NO. 10-13

AN ORDINANCE
REZONING PROPERTY LOCATED
AT 1805 RADISSON STREET AND
1809 AND 1813 ST. GEORGE STREET
FROM VARIED DENSITY RESIDENTIAL (R3) DISTRICT
TO GENERAL COMMERCIAL (C1) DISTRICT
(ZP 13-19)

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 Varied Density Residential (R3) District to General Commercial (C1) District:

1805 Radisson Street: BUSINESS MEN'S ASSN 2ND ADDN E 106 FT OF LOT 17 BLK 100 & PRT OF ST GEORGE ST DESC IN 1735768 & PRT OF PERRET ST DESC IN 1766425 – Tax Parcel Number 20-610-A

1809 St. George Street: BUSINESS MEN'S ASSN 2ND ADDN E 106 FT OF LOT 16 BLK 100 & PART OF ST GEORGE ST DESC IN J27443-35 – Tax Parcel Number 20-610

1813 St. George Street: BUSINESS MEN'S ASSN 2ND ADDN LOT 15 BLK 100 & VAC ALLEY ADJ & PART OF ST GEORGE ST DESC IN J27443-37 – Tax Parcel Number 20-608

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. 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 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

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

ZONING ORDINANCE NO. 11-13

AN ORDINANCE
AMENDING ZONING ORDINANCE 4-13
ZONING CERTAIN LAND LOCATED
ON THE EAST SIDE OF NORTH BROADWAY
(300 THROUGH 600 BLOCK)
AS A PLANNED UNIT DEVELOPMENT DISTRICT
(ZP 13-21)

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 establishing a Planned Unit Development District on the following described property:

DOUSMANS ADDN LOTS 43 THRU 48 EX 599-R-169 & PART OF
DOUSMANS CLAIM & THE FORT HOWARD MILITARY RESERVE DES
IN 646 R 305 & 140 D 156 & 349 D 103 & 783 R 376 & 153 D 465 & 740

R 508 & 185 D 259 & 166 D 487 & 238 D 205 & 215 D 404 (as shown on attached Exhibit "A.1 & A.2")

Parcel Number 5-1740: Larsen Green Lot 1

Parcel Number 5-1751: Larsen Green Lot 12

Parcel Number 5-1752: Larsen Green Lot 13

Parcel Number 5-1753: Larsen Green Lot 14

Parcel Number 5-1754: Larsen Green Lot 15

Parcel Number 5-1755: Larsen Green Lot 16

Parcel Number 5-1758: Larsen Green Outlot 1

Parcel Number 5-584-2: LOT 3 & PRT OF LOT 1 DESC IN 2351665 OF 53 CSM 31 BNG PRT OF LOTS 20,21 & 22 & PRT OF VAC ALLEY DOUSMANS ADDN EX 2351666

SECTION 2. Pursuant to Section 13.1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

A. PERMITTED, CONDITIONAL, & ACCESSORY USES. The only uses that may be established and/or maintained on the subject property in conformance with Exhibit B Site Use Plan, **and as modified by Exhibits K-1 through K-7**, are as follows:

1. Permitted Uses.

a. The permitted and accessory uses for the PUD shall be those uses listed in the D – Downtown District zoning category found within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-700 with the following modifications:

- (1) Animal hospital, veterinary clinic shall only be permitted with approval of a conditional use permit
- (2) Dormitory shall only be permitted with approval of a conditional use permit
- (3) Firearms sales and service shall only be permitted with approval of a conditional use permit

- (4) Funeral homes shall not be a permitted use within the PUD
- (5) Motels (**as defined by the Green Bay Zoning Code and in contrast with “hotels”**) shall not be a permitted use within the PUD
- (6) Parking lots or structures as principle uses shall be considered a permitted use in those areas identified on attached Exhibit “E” as parking except as follows:
 - i. Temporary parking associated with the use on Lot 102 is permitted on Lot 103.
- (7) Temporary parking associated with the use on Lot 102 is permitted on Lot 103.
- (8) A one lane drive-through facility associated with a primary use is permitted on Lot 102.

2. Conditional Uses.

- a. The following uses may be established with approval of a conditional use permit:

- ~~(1) Limited production and processing as defined in the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-300~~
- ~~(2) (1) Light Industrial as defined in the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-700~~
- ~~(3) (2) Research and development facility as defined in the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-700~~

3. Accessory Uses.

a. The following accessory uses may be established with approval of a conditional use permit:

- (1) Gardening and other horticultural uses
- (2) On-site energy generation
- (3) On-site renewable energy sources

4. Restricted uses Use Restriction and Allowances for Individual Lots.

a. Lots 100 and 101 shall be limited to private park **and green space uses including stormwater management. This includes** and park related facilities, including related monuments, and signage, **lighting, landscaping, walkways, water features and the like.**

b. **Limited production and processing uses on Lots 105 and 106 shall be allowed as a permitted use up to 32,000 square feet in gross floor area when adaptively reusing the existing buildings. Permitted uses here include light milling of grain (i.e., pressing or cracking of grain) in association with the beverage brewing process. All other related development standards of the Green Bay Municipal Code, Section 13-1607, continue to apply.**

c. **Residential shall be allowed as a permitted use on the ground floor of Lots 107 and 108 when adaptively reusing the existing buildings as part of a mixed-use development.**

~~b.~~ d. Lot 300 shall be limited to institutional, civic, and educational uses.

5. Temporary Parking.

a. Temporary parking on undeveloped property may be provided on areas designated as mixed-use commercial, park, public right-of-way and Phase V. This parking will be provided to facilitate the incremental development of the overall site and is not intended to be permanent. Identification of temporary parking by OBI will be done in collaboration with the Green Bay Planning Department. The temporary parking layout concept is shown in Exhibit E1 **and as modified by Exhibit K-1.** Designation as areas for temporary parking described here can be done without amendment to this PUD.

6. Phase V Study Area.

- a. This area, as defined on Exhibit B, will be studied for possible development, relocation of transmission lines, footprint and recognition of the Historic Fort Howard, and potential stormwater management facilities. The regulations defined within this PUD shall not apply to the area identified as Phase V. The PUD shall be amended at the time in the future when the study has been completed identifying the future standards for development within this area.

B. FINAL SITE PLAN APPROVAL. Following the adoption of this ordinance and prior to the issuance of building permits, the petitioner shall receive approval of final site plans from the CDRT (Community Development Review Team).

C. DIMENSIONAL AND AREA REQUIREMENTS. The following dimensional and area requirements shall apply to all lots within the development, except Lots # 100, 101, 106, and 300 (as identified on Exhibit H, H.1, & H.2):

1. Lot size and setbacks.
 - a. Minimum lot width: 12 feet
 - b. Minimum lot depth: 90 feet
 - c. Minimum building lot size: 1,200 square feet
 - d. Minimum front, side, side at corner, & rear yard setback: none
 - e. Maximum front and side at corner yard setback: A minimum of 25 percent of the front or side at corner setback façade shall be at zero feet with an overall average of 6' for the entire length shall be maintained.
2. Site Coverage (Building Footprint).
 - a. Minimum Coverage: 25%
 - b. Maximum Coverage: 100%
3. Green Space/Open Space Requirement: Minimum of 25% (**in aggregate of green space and open space**) of site.
 - a. Open space includes terraces, exposed balconies, **patios or decks**, drives, paving, **surface parking** and **parking** decks.
 - b. Green space includes roof gardens, green roofs, planters, and planted landscapes.
 - c. **When multiple parcels are involved in a single development project, the minimum green space/open space requirement may be satisfied by including the**

green and open space within the development project as a whole, even if not satisfied by one or more particular parcels within the single development project.

4. Height.

a. Minimum height: 27'

(1) Minimum height shall be measured to lowest "high" building element and shall be the minimum measurement across the entire street facing façade(s).

b. Maximum height for Lots 105, 107, and 108: D2 Zoning District standard (no maximum).

~~b.~~ **c. Maximum height in all other locations: 68'**

(1) Maximum height shall be measure to the highest "high" building element or elevator shaft and shall be the maximum measurement across the entire street facing façade(s).

~~c.~~ **d. Railings, antennas, etc. are not considered building elements.**

5. Floor Area Ratio (FAR) see Exhibit J.

a. Minimum FAR = 1.5 x area of site

b. Maximum FAR = 5.0 x area of site

c. Covered auto parking may be included or excluded in the calculation of FAR. This is also true of "basement" parking.

d. Useable rooftops, exterior patios, and decks are not included in the calculation of FAR.

e. Basements are not included in the calculation of FAR except that portion of basements with occupied/accessible space or areas dedicated for parking.

6. Lot 300 shall follow the Downtown 2 zoning district dimensional and area requirements, except as follows:

a. No minimum or maximum FAR shall be required.

b. No minimum side or rear yard setbacks shall be required.

c. No maximum front yard setback shall be required.

D. STORM WATER MANAGEMENT AND GRADING PLAN. A storm water management plan and grading plan meeting the standards

established by the City's Department of Public Works, Brown County, and the State of Wisconsin shall be submitted to and approved by the City prior to the issuance of building permits.

E. SIGNAGE. Signage shall be regulated as follows:

1. Signage shall meet the standards for the D – Downtown Zoning District as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-2000 with the following modifications:
 - a. Pole signs are prohibited within the PUD boundaries.
 - b. Monument signs are permitted through approval of a Conditional Use Permit (CUP).
 - c. A detailed signage plan shall be submitted to and approved by the CDRT (Community Development Review Team) at time of site plan submittal and prior to issuance of any building permits.
 - d. Off-premises signage is permitted at locations on Broadway and Dousman as identified on Exhibit B. Signage shall meet the dimensional and sign area standards and allowances of monument signs found within Section 13-2000 for the Downtown District.
 - e. **Signage that generally conforms with Exhibits K-8, K-10, and K-11 shall be allowed with the following standards:**
 - (1) **Because signage on buildings A and B will include the identity for a coordinated mixed-used development, a maximum of two wall signs will be permitted on each of the east and west building facades with a total area not to exceed 650 square feet.**
 - (2) **Roof signage shall be permitted on Lots 105 and 106.**
 - (3) **Projecting signs shall not exceed 45 square feet in area per sign.**
 - f. **Landmark signage on the existing smokestack shall be permitted on Lot 106. Such signage shall generally conform with Exhibits K-10 and K-11 and shall comply with the following:**
 - (1) **In order to manage the scale of the sign, the size and spacing of letters in the sign shall be similar to the size and spacing of the existing "LARSEN" lettering.**
 - (2) **Any lighting of the sign shall be complementary to**

the overall light of the site. External lighting or backlighting are preferred to channel lighting.

- (3) The sign must be affixed in a way that does not damage the structural integrity of the stack and that does not obscure the daytime view of the historic "LARSEN" lettering.
- (4) The sign height shall not exceed the top of the stack.
- (5) The area of landmark signage shall not count toward the total allowable sign area for the building or site.

d. **g.** Directional signage (not associated with commercial uses) shall be permitted throughout the development and meet the standards set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-2005 with the following modifications:

- (1) Signage area shall not exceed 15 square feet.

F. **REFUSE AND MECHANICALS.** Screening of refuse materials and mechanicals shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-1800 and further regulated as follows:

1. Dedicated areas for shared, community recycling/trash may be utilized in lieu of dedicated space on private sites provided that proof that sufficient capacity exists for number of users.

G. **PARKING.** Parking for individual developments shall meet the following general standards:

1. Retail and restaurant uses shall provide one (1) space per 360 square feet.
2. Office uses shall provide one (1) space per 600 square feet.
3. Institutional uses shall provide parking equal to 30 percent of the capacity of persons.
4. Residential uses shall provide one (1) space per unit.
5. Light industrial uses shall provide one (1) space per 750 square feet.
6. Total required parking of each use shall be permitted to utilize the following reductions:
 - a. Individual developments may subtract one (1) space per 15' of street frontage where adjacent on street parking exists in reducing the total number of required off street parking

spaces (except required residential spaces).

- b. Individual developments may subtract two (2) spaces where adjacent on street parking exists in reducing the total number of required off street parking spaces (except required residential spaces).
- c. A parking study shall be required to be reviewed by the CDRT when development occurs in each new phase area identifying current conditions and demand of future conditions and adjust requirements as needed.

H. LIGHTING. Lighting throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-500 and further regulated as follows:

1. Parking lot lighting shall consist of sharp cut-off fixtures. Poles shall not exceed twenty-five (25') feet in height.
2. Pedestrian lighting for walkways shall not exceed sixteen (16') feet overall measured from ground level.
3. Lighting plan indicating fixtures, placement, and height shall be included as part of the site plan submittal process and approved by the Community Development Review Team (CDRT).

I. LANDSCAPING AND PARKING MAINTENANCE. Land-scaping throughout the PUD area (generally shown on Exhibit D) shall meet the standards as set forth within the Green Bay Zoning Code, Chapter 13, Green Bay Municipal Code, Section 13-1800 and the standards as set forth within this PUD and further regulated as follows:

1. Landscape plans shall be submitted with all commercial and mixed-use developments as part of the site plan process and be approved by the Community Development Review Team (CDRT).
2. All maintenance and upkeep of landscaping, internal drives and parking areas within the PUD are the sole responsibility of the developer.

J. ARCHITECTURE. Architectural design of both existing buildings and new construction should meet the standards as set forth within the OBI Design Guidelines (generally shown as example in Exhibit C) and at a minimum shall meet the standards as set forth within this PUD and further regulated as follows: ~~set forth below~~. **It should be understood that the adaptive reuse of existing buildings will, in particular, be given reasonable latitude in applying the façade design standards that use the word**

“should” (which shall mean “requested but not required”) in this section.

1. Existing Buildings should exercise repair over replacement. Historic photos should be used to identify previous conditions that can be matched in the renovation.
2. Materials should be durable and appropriate for the district. Acceptable building façade materials include:
 - a. Concrete (including precast concrete with prior approval of sample)
 - b. Glass
 - c. Masonry (brick as well as decorative block with prior approval of block sample)
 - d. Metals
 - e. Stone
 - f. Tile
 - g. Wood with prior approval of sample
 - h. Other materials (such as cementitious sidings, stucco and polyurethane or PVC detailings) that are prior approved from actual samples
 - i. Materials not approved include vinyl siding, rough texture wood siding, “fake” brick or stone, gravel aggregates and EIFS.
3. Awning Materials should be canvas or acrylic coated fabric.
4. Colors should be sensitive to the time period of the building construction and appropriate to the district.
5. Street façade should have clear distinction between the “storefront” on the first floor and the floors above for the mixed use commercial and light industrial uses of this district.
 - a. Front entrance is to be clearly identifiable and recessed
 - b. Facades longer than 75’ require functional entrances on an average of 75’.
 - (1) Entry doors are to be glass or have equal amount of sidelight glass to unglazed doors.
 - (2) A “functional” entry is defined as one that can be used by customers or employees on a regular basis.
 - (3) **Due to the height of the first floor above sidewalk grade, this standard shall not be enforced on the Broadway façade for Lots 105 and 106 when adaptively reusing the existing buildings.**

- c. Transparent glazing is required for 35% of the ground level, street façade. Glazing should be insulated but clear. Transparent door glazing is counted as part of the transparent glazing requirement.
 - d. Storefront to include display windows or approved equal.
 - e. First floor to meet setback dimensions stated elsewhere in this PUD.
 - f. Upper floors should “feel” like an average setback of 0’; projections are encouraged.
 - g. Upper floors should reflect function of commercial, office or residential use.
 - h. Any signage, lighting and awnings must be integrated into the design.
 - i. Height and proportion is to be appropriate and respectful of neighbors
6. Second street facades (these will occur on corner lots and lots adjacent to dedicated park space) should be developed to a similar level of detail as the “address” elevation, though the overall emphasis of the “address” elevation should be greater than the second street facades.
- a. Blank walls on second street facades should not exceed 24’ long.
 - b. Functional entries are allowed and encouraged on second street facades. A functional entrance should occur on an average of 75’.
7. Side façade at adjoining property lines may be “blank” and must meet fire separation codes.
8. Rear façade should also use good design principles.
- a. Entries should be properly emphasized to match use of entry (customer entry more emphasized than a “receiving” entry).
 - b. Some differentiation should occur between the first floor and the upper floors.
 - c. Rear façade should correlate to the front elevation.
9. Roofs should be designed for light reflectance and snow loads.
- a. Flat roofs (<2:12 pitch) must have a Solar Reflectance Index (SRI) greater than 78.
 - b. Pitched roofs (>2:12) must have an SRI greater than 29.
 - c. Roofs must be designed to accept a snow load from an adjacent building that is of maximum height for the PUD.

~~10. Completed projects within the PUD are to be “eligible” for LEED
— New Construction Certification (score of 26 points).
Submission to USGBC is not required.~~

- K. ACCESS AND CIRCULATION. Access and circulation for automobile and pedestrian traffic established through permanent access easements, and in substantial conformity with what is depicted on the attached Exhibit E **or as modified by Exhibit K-1 as applicable.**

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligations, conditions, restrictions and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. 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 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Attachments:

Location Map

Exhibit A.1 & A.2 – ALTA Survey of Property

Exhibit B – Site Use Plan

Exhibit C – Conceptual Building Elevations

Exhibit D – Master Overall Plan/ General Landscaping

Exhibit E – Traffic Circulation / Parking Plan

Exhibit E.1 – Temporary Parking General Layout

Exhibit F – Phasing Plan

Exhibit G – Transmission Line Location

Exhibit H, H.1, & H.2 – Lot Details

Exhibit J – Dimensional and FAR Requirements

Exhibit K-1 through K-11 – Titledown-SMET Development

Exhibit K-1 – Site Plan

Exhibit K-2 – Equipment Plan Layout

Exhibit K-3 – Lower Level Floor Plan

Exhibit K-4 – First Level Floor Plan

Exhibit K-5 – Second Level Floor Plan

Exhibit K-6 – Third Level Floor Plan

Exhibit K-7 – Roof Plan

Exhibit K-8 – View Looking West

Exhibit K-9 – View Looking East

Exhibit K-10 – Southeast Elevational View

Exhibit K-11 – Northwest Elevational View

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

PLANNING ORDINANCE NO. 2-13

AN ORDINANCE
AMENDING THE OFFICIAL MAP
OF THE CITY OF GREEN BAY
SOUTHEAST OF SITKA STREET AND

ONTARIO ROAD BY REMOVING A
SMALL EAST/WEST CONNECTION AND
REPLACING IT WITH A CUL-DE-SAC
(OMA 13-02)

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 southeast of Sitka Street and Ontario Road by removing a small east/west connection and replacing it with a cul-de-sac, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

Legal Description

Lot 4 of Volume 55 Certified Survey Maps, Page 9,
Map No. 7924; being part of the Northwest $\frac{1}{4}$ of the Southwest
 $\frac{1}{4}$, Section 2, Township 23 North, Range 21 East, in the City
of Green Bay, East Side of Fox River, Brown County,
Wisconsin.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. 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 20th day of August, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to adopt the ordinance.

Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Danzinger to adjourn at 8:40 P.M.
Motion carried.

Kris A. Teske
Green Bay City Clerk