



# **AGENDA OF THE COMMON COUNCIL**

**TUESDAY, OCTOBER 15, 2013, 7:00 P.M.**

**COUNCIL CHAMBERS  
ROOM 203, CITY HALL**

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- Roll call.
  - Pledge of Allegiance.
  - Invocation.
  - Approval of minutes of the October 1, 2013, meeting.
  - Approval of the Agenda.
  - Report by the Mayor.
  - Announcements.

## **PUBLIC HEARING**

Zoning Ordinance No. 14-13

An ordinance rezoning property located at 1936, 1948, 1988, and 2006 East Mason Street from General Commercial (C1) District to Highway Commercial (C2) District. (Item #22)

## **RECOGNITION**

Recognition of the newly formed Preble Park Neighborhood Association.

## **PRESENTATION**

Mayor's 2014 Budget Presentation.

### **REFERRAL OF PETITIONS & COMMUNICATIONS**

1. Referral of communications and petitions received by the City Clerk.  
Late communications.

### **REPORTS FOR COUNCIL ACTION**

2. Report of the Plan Commission.
3. Report of the Redevelopment Authority.
4. Report of the Improvement & Service Committee.
5. Report of the Protection & Welfare Committee.
6. Report of the Protection & Welfare Committee granting Operator Licenses.

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### **RECEIVE & PLACE ON FILE**

Municipal Court Report for September, 2013.

Check Register for September, 2013.

Building Permit Report for September, 2013.

### **RESOLUTIONS**

7. Initial Resolution authorizing the sale and issuance of not to exceed \$2,490,000 Taxable General Obligation Community Development Bonds; and certain related details.
8. Resolution drawing final orders.
9. Resolution approving deeds, temporary limited easements (TLEs) and permanent limited easements (PLEs) for Monroe Avenue from Cass Street to Main Street.
10. Resolution approving deeds, temporary limited easements (TLEs) for Monroe Avenue from Cass Street to Main Street.

11. Resolution approving the 2014-2015 Local Roads Improvement Program (LRIP) application.
12. Resolution in support of raising Wisconsin's historic tax credits to twenty percent.
13. Resolution supporting the development of aviation-related businesses in the City of Green Bay.
14. Resolution approving air rights easement at 201 N. Washington Street.
15. Resolution accepting dedication of storm water management facility, Excalibur Second Addition.
16. Resolution regarding the problem of homelessness in the City of Green Bay.
17. Resolution recognizing Preble Park Neighborhood Association.
18. Resolution authorizing conditional-use approval at 1321 Emilie Street.

#### **ORDINANCES - FIRST READING**

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19. ~~General Ordinance No. 20-13~~  
An ordinance amending Section 29.208 of the Code relating to parking regulations.
  20. Zoning Ordinance No. 15-13  
An ordinance rezoning property located at 1691, 1693, 1695, 1697, and 1699 East Mason Street from General Commercial (C1) District to Highway Commercial (C2) District and the southern 22 feet of 632 Abrams Street and 632 rear Abrams Street from General Commercial (C1) District to Low Density Residential (R1) District.

#### **ORDINANCES - THIRD READING**

21. General Ordinance No. 19-13  
An ordinance amending Section 29.208 of the Code relating to parking regulations.

22. Zoning Ordinance No. 14-13  
An ordinance rezoning property located at 1936, 1948, 1988, and 2006 East Mason Street from General Commercial (C1) District to Highway Commercial (C2) District.

Kris A. Teske  
Green Bay City Clerk

*Supporting documents for the numbered items in this agenda are contained in  
the  
Appendix of Supplemental Information.*

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**ACCESSIBILITY:** Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.



**APPENDIX OF SUPPLEMENTAL INFORMATION**

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**FOR COUNCIL MEETING**

**OF TUESDAY, OCTOBER 15, 2013**

**7:00 P.M.**

PETITIONS & COMMUNICATIONS

IMPROVEMENT & SERVICE COMMITTEE

Application for an Underground Sprinkler System License by VanDeYacht Lawn Sprinkler, Inc.

PROTECTION & WELFARE COMMITTEE

Application for a "Class B" Combination License by Lopez Restaurants, LLC at 416-18-420 S. Military Avenue.

Application for a "Class B" Combination License by Chris S, LLC at 1699 E. Mason Street. (Transfer from Barry Fitzgerald)

Application for a "Class B" Combination License by JE Blacker Corp. at 636 Lime Kiln Road. (Transfer from Lori Coopman)

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**REPORT OF THE GREEN BAY PLAN COMMISSION**  
**October 15, 2013**

The Green Bay Plan Commission, having met on Monday, October 7, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To authorize a Conditional Use Permit (CUP) for the installation of a solar photovoltaic system on a detached garage located at 1321 Emilie Street subject to compliance with Chapter 13-1611(d), (e), and (f) Development Standards-Solar Energy Systems.
2. To rezone properties located at 1691, 1693, 1695, 1697, and 1699 E. Mason Street from General Commercial (C1) to Highway Commercial (C2) and to rezone the southern 22 feet of 632 Abrams Street and 632 Rear Abrams Street from General Commercial (C1) to Low Density Residential (R1) to be consistent with the City of Green Bay Comprehensive Plan.

## REPORT OF THE GREEN BAY REDEVELOPMENT AUTHORITY

### October 15, 2013

The Green Bay Redevelopment Authority, having met on Tuesday, October 8, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve up to a \$150,000 match to developer from \$2.34 million to \$2.49 million and increase the term of the TIF from 16 to up to 19 years and to proceed with the securing the City's financing contribution for the T. Wall Development Project located at the southwest corner of Washington and Main Streets.
  2. The Authority approved Resolution No. 640 "Initial Resolution Authorizing Actions Necessary for the Sale and Issuance of Lease Revenue Bonds for the KI Convention Center and Public Hearing on Lease of Property to City" and recommends that the Council adopt a similar resolution.
  3. To approve a 60-day extension for development of Schauer & Schumacher buildings located at the northwest corner of Walnut and Adams Streets.
  4. To approve an amendment to the Development Agreement with Dermond Property Investments LLC to provide a City guarantee up to \$950,000 and up to six years.
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5. The Authority approved Resolution No. 641 in Support of Raising Wisconsin's Historic Tax Credits to Twenty Percent and recommends that the Council adopt a similar resolution.
  6. The Redevelopment Authority recommends approval of the draft 2014 Annual Action Plan. The Annual Action Plan guides the use of the Community Development Block Grant (CDBG) Funds and HOME Funds for the City of Green Bay. CDBG and HOME program initiatives include providing quality, affordable housing for low-income persons, furthering fair housing, economic expansion, and public improvements to the City.

The Redevelopment Authority completed its review of allocations for use of the fiscal year 2014 CDBG and HOME funds as outlined in the draft 2014 Annual Action Plan. The Redevelopment Authority recommends the Council approve the draft 2014 CDBG and HOME budgets as attached.

City staff is estimating a 2014 total CDBG entitlement amount of \$900,000 plus \$245,000 in program income and a HOME entitlement amount of \$400,000 plus \$100,000 in program income.

After Council approval of the 2014 draft CDBG and HOME budgets, a draft Annual Action Plan for fiscal year 2014 will be released for a 30-day comment period. On December 3, 2013, the Plan will come back to the Council for consideration of any comments received and final adoption. The final Annual Action Plan for fiscal year 2014 will be submitted to the Department of Housing and Urban Development around December 15, 2013. Funds are expected to be released to the City of Green Bay around June 1, 2014. If you have any questions, comments, or concerns about the 2014 Annual Action Plan, please address those at the October 15, 2013, Common Council meeting. Changes made to

these plans at the December 3, 2013, meeting of the Common Council will delay the approval of these plans and could result in loss or delay of 2014 funding.

7. To approve the purchase agreement for 501 N. Adams Street as part of the KI Convention Center project.

## 2014 Draft Community Development Block Grant Allocations

Potential Projects	Staff/Mayors Recommendations	Program Income	TOTAL
<b>Park Projects</b>			
Tank Park - Splash Pad	\$130,000.00	\$0.00	\$130,000.00
Seymour Park - Parking Lot Reconstruction	\$20,000.00	\$0.00	\$20,000.00
<b>DPW Projects</b>			\$0.00
Sidewalk/Alley Resurfacing	\$150,000.00	\$0.00	\$150,000.00
<b>Public Service Programs (cannot exceed \$188,600.00)</b>			
Community Service Interns	\$115,000.00	\$0.00	\$115,000.00
Neighborhood Compliance Inspector	\$35,000.00	\$0.00	\$35,000.00
Fair Housing Services	\$10,000.00	\$0.00	\$10,000.00
All Other Public Service Activities	\$28,000.00	\$0.00	\$28,000.00
<b>Subtotal for Public Service</b>	<b>\$188,000.00</b>	<b>\$0.00</b>	<b>\$188,000.00</b>
<b>Impact Area Projects</b>	\$133,000.00	\$20,000.00	\$153,000.00
<b>CDBG Eligible Streetscaping</b>	\$50,000.00	\$0.00	\$50,000.00
<b>Economic Development Projects</b>			
Economic Development Revolving Loan	\$0.00	\$225,000.00	\$225,000.00
<b>* CDBG Administration (cannot exceed \$229,000.00)</b>	\$229,000.00	\$0.00	\$229,000.00
<b>TOTALS</b>	<b>\$900,000.00</b>	<b>\$245,000.00</b>	<b>\$1,145,000.00</b>

2014 Estimated CDBG Allocation - \$900,000.00

2014 Estimated Program Income \$245,000 (\$225,000 is restricted to Economic Revolving Loan fund)

Public Services-limited to a max of 15% total Entitlement + prior year PI, in 2014 it cannot exceed \$188,600

\* CDBG Administration amount is limited to a maximum of 20% total Entitlement plus Program Income

**TOTAL \$1,145,000.00**

**2014 Draft HOME Allocations**

Potential Projects	Staff Recommendations	Program Income	TOTAL
Single Family Rehabilitation Loans	\$0.00	\$20,000.00	\$20,000.00
Downpayment Closing Cost Assistance	\$100,000.00	\$0.00	\$100,000.00
Housing Development Advancement Projects	\$190,000.00	\$80,000.00	\$270,000.00
Community Housing Development Organizations (CHDO) Set Aside	\$60,000.00	\$0.00	\$60,000.00
+HOME Administration (cannot exceed \$50,000.00)	\$50,000.00	\$0.00	\$50,000.00
<b>TOTALS</b>	\$400,000.00	\$100,000.00	\$500,000.00

2014 Estimated HOME Allocation \$400,000

2014 Estimated Program Income \$100,000

\* HOME Administration amount is limited to a maximum of 10% total Entitlement plus Program Income

CHDO set-aside must be a minimum of 15% (\$60,000.00) of total Entitlement amount; Eligible activities include:

- Acquisition and/or rehabilitation of housing
- New construction of housing

**TOTAL \$500,000.00**

**REPORT OF THE  
IMPROVEMENT AND SERVICE COMMITTEE  
October 15, 2013**

The Improvement and Service Committee, having met on October 9, 2013 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the correction and minutes from the regular meeting on September 25, 2013.

Approval of the following Deeds and Temporary Limited Easements (TLE) and Permanent Limited Easements (PLE):

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

Corrections:

<del>Gannett Georgia, LP Pacific &amp; Southern Co., Inc. Parcel 59</del>	\$250.00	TLE
<del>Pacific &amp; Southern Co., Inc. Gannett Satellite Information Network, LLC Parcel 68</del>	\$4,000.00	PLE & TLE

2. To approve the request by Louis Janda to rescind the early set out charge of \$57.00 at 2978 Ferndale Drive and reissue a new invoice for half of the original cost in the amount of \$28.50 to partially cover the cost of City services rendered.
3. To approve the request by Brown County to enter into an Intergovernmental Agreement for reconstruction of Oneida Street between Stadium Drive and Lombardi Avenue.
4. To approve the request by Brown County to enter into an Intergovernmental Agreement for reconstruction of Humboldt Road from Cornelius Road to Spartan Road.
5. To hold until the October 23, 2013 meeting of the Improvement & Service Committee the request by Ald. Thomas DeWane to rescind the cost of street work done at Victoria Street owned by St Philip Parish per agreement and extension of 25-year park agreement at \$1 per year.
6. To hold until the October 23, 2013 meeting of the Improvement & Service Committee the request by Ald Thomas DeWane to run water to St. Phillip Park from Chicago Street and Irene Street and discuss cost.
7. To receive and place on file the request by Ald. Wiezbiskie to re-install the street light on Nicolet Drive across from 2872 Nicolet Drive (near Joliet Park).
8. To approve the request by Ald. Wiezbiskie, on behalf of a constituent, for the installation of street lights in new subdivision on Satellite Lane and Barronwood (bounded by North Huron Road, Spartan Road and off Humboldt Road).

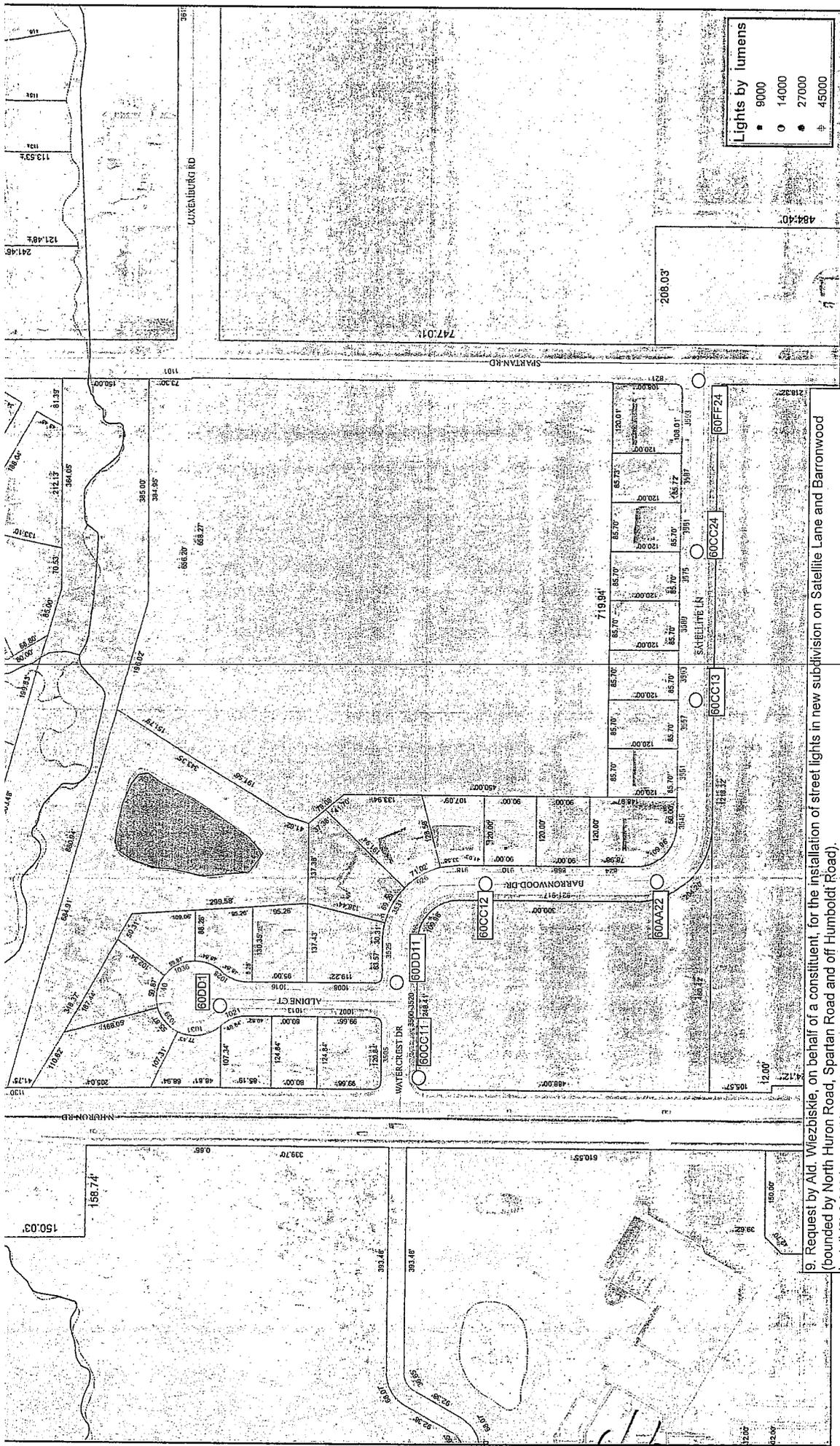
9. To approve the request by Ald. Warner to install street light on Reggie White Way between Lombardi Avenue and Tony Canadeo Run; subject to field review of available locations and concurrence of the property owner.
10. To receive and place on file the presentation by Department of Public Works of Draft 2014 Department of Public Works Budget for discussion and possible action.
11. To approve the 2014 Department of Public Works Capital Equipment Acquisition Plan.
12. To approve the report of the Purchasing Agent:
  - A. To award the purchase of three (3) fully automated refuse trucks to the low, acceptable bidder, R.N.O.W. Inc., in the amount of \$699,129.
  - B. To award the purchase of nine (9) fully automated refuse bodies to be installed on existing City owned chassis to the low, acceptable bidder, Bridgeport Truck Manufacturing, in the amount of \$865,449; subject to funding availability.
13. To award contract TILLEMAN BRIDGE LIGHTPOLE REPLACEMENT to the low, responsive bidder, Northern Electric, in the amount of \$160,019.80.
14. To approve the following Deeds and Temporary Limited Easements (TLE):

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

Appraisers, Inc. of Green Bay Parcel 8	\$250.00	TLE
Grace Evangelical Lutheran Church Parcel 38	\$250.00	TLE

15. To approve the request of the Department of Public Works to execute the 2014-2015 Local Roads Improvement Program (LRIP) application, and authorize the Mayor and the City Clerk to sign the application.
16. To receive and place on file the verbal Director's Report on the recent activities of the Public Works Department.

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**Lights by lumens**

- 9000
- 14000
- ◆ 27000
- ★ 45000

1" = 150 feet  
 Improvement & Service Committee  
 Wednesday October 9, 2013  
 Item #8

9. Request by Ald. Wieziskie, on behalf of a constituent, for the installation of street lights in new subdivision on Satellite Lane and Barronwood (bounded by North Huron Road, Spartan Road and off Humboldt Road).  
 Install (8) 9,000 Lumen (HPS or LED) Streetlights at following locations:  
 Watercrest Drive, power pedestal 60CC11 & 60DD11  
 Alldene Court - power pedestal 60DD1  
 Barronwood Drive - power pedestal 60CC12 & 60AA22  
 Satellite Lane - power pedestal 60CC13, 60CC24 & 60FF24



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**PROTECTION & WELFARE COMMITTEE REPORT**  
**October 15, 2013**

The Protection & Welfare Committee, having met on Monday, October 7, 2013 considered all matters on the agenda and wishes to report and recommend the following:

1. To postpone the application for a "Class A" Liquor and a Class "A" Beverage License by Krist Oil Company at 1369 E. Mason Street until the zoning issues are resolved (referred back from the August 20, 2013 Common Council meeting).
2. To postpone until the next meeting the application for one of three available "Class B" Combination licenses by Wiskey and Women Inc. at 225 E. Walnut.
3. To approve the August 20<sup>th</sup> version with revisions as stated, regarding the request by Ald. Steuer for a resolution regarding homelessness and the HOPE Task Force (referred back from the September 17, 2013 Common Council meeting)
4. To approve the application to keep three dogs at 1124 Lark Street, 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.
5. To approve the application to keep three dogs at 1268 Vanderbraak Street, 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.
6. To approve the application to keep three dogs at 2946 Emmalane Drive, 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.
7. To deny the appeal by Scott Van Roy to the denial of his Public Vehicle Operator License application.

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

October 15, 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, **to include Brown County and its Health and Human Services Department**, 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 \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

(Drafted by Ald. Mark Steuer)

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE  
GRANTING OPERATOR LICENSES**

**October 15, 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**

Anderson, Chad A  
Bravo, Rafael G  
Casey, Tracee L  
Denil-Laverdiere, Rochelle  
Doyle, Dennis P  
Duffy, Joseph A  
Ermeling, Kayla M  
Frank, Josie L  
Hansen, Duane A  
Hastreiter, Michael D  
Jach, Eric M  
Kapla, McKenzie R  
Kunze, Stacey R  
LaCount, Lauri A  
Lopez-Quiroz, Luis A

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Lortz, Ryan C  
Madsen, Jacob R  
McArdle, Michelle L  
Mueller, Kelsei A  
Nagel, Ia  
Neuman, Danielle L  
Ort, Chelsea D  
Pagels, Sarah K  
Sabin, Tracy M  
Santy, Kelly P.  
Theisen, Alfred N  
Willems, Nicole A

COMMON COUNCIL  
OF THE  
CITY OF GREEN BAY, WISCONSIN

October 15, 2013

Resolution No. 7

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**An Initial Resolution Authorizing the Sale and Issuance of Not to Exceed  
\$2,490,000 Taxable General Obligation Community Development Bonds;  
and Certain Related Details**

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RECITALS

The Common Council (the “**Governing Body**”) of the City of Green Bay, Wisconsin (the “**City**”) makes the following findings and determinations:

1. The City is currently in need of funds to provide financial assistance to blight elimination, slum clearance, community development, redevelopment, and urban renewal programs and projects under Sections 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337 of the Wisconsin Statutes, including, but not limited to, financing a developer grant to provide for the construction of a mixed-use residential and retail facility within the City’s Tax Incremental District No. 13 (the “**Project**”).

2. The Governing Body deems it in the best interests of the City that the funds needed for the Project be borrowed, pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, on the terms and conditions set forth below.

RESOLUTIONS

The Governing Body resolves as follows:

**Section 1. Initial Resolution Authorizing the Issuance of Bonds.**

Under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City shall issue its negotiable, taxable general obligation community development bonds in a principal amount not to exceed \$2,490,000 (the “**Bonds**”) to finance the Project; *provided, however,* that the Bonds shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

**Section 2. Publication of Notice.**

Notice of the adoption of this resolution, in the form attached hereto as Exhibit A, shall be published within 15 days after the adoption of this resolution in the official newspaper of the City as a class 1 notice under Chapter 985 of the Wisconsin Statutes. The City Clerk shall

obtain proof, in affidavit form, of such publication and shall compare the notice as published with the form attached hereto to confirm that no mistake was made in the publication.

**Section 3. Authorization of Sale of Bonds.**

The Bonds shall be sold to a purchaser to be determined by competitive sale (the “Purchaser”).

**Section 4. Preparation of Official Statement and Notice of Sale.**

The Mayor, the City Clerk, and the Finance Director of the City (in consultation with the City’s financial advisor, Robert W. Baird & Co. Incorporated) are each hereby authorized and directed to cause an initial offering document for the Bonds (the “**Official Statement**”) to be prepared and distributed to any banks, underwriters, investment houses, or the like deemed to be advisable, and enclose with the Official Statement a “Notice of Sale” and a “Bid Form”. The Mayor and the City Clerk are each hereby authorized, on behalf of the City, to approve the form of Official Statement and authorize it to be deemed final as of its date for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1)), and to supply copies of the Official Statement upon request.

The Clerk is hereby further authorized and directed to cause notice of the sale of the Bonds to be (i) provided to *The Bond Buyer* for inclusion in its complimentary section for the publication of such notices, and (ii) posted in the same locations in the City that the City routinely posts notices for its official business.

**Section 5. Bids for Bonds.**

Written bids for the sale of the Bonds shall be received by the City on the date fixed in the Notice of Sale, on which date such bids shall be publicly opened and read. The Governing Body reserves the right, in its discretion, to waive any informality in any bid, to reject any or all bids without cause, and to reject any bid which it determines to have failed to comply with the terms of the Notice of Sale.

**Section 6. Further Actions.**

The issuance of the Bonds shall be subject to the condition that the Governing Body has adopted a resolution to award the sale of the Bonds to the Purchaser, to approve the purchase contract (the “**Bond Purchase Agreement**”), to fix the interest rate or rates on the Bonds in accordance with the Bond Purchase Agreement, to provide for the form of the Bonds, to set forth any early redemption provisions, to levy taxes to pay the principal of and interest on the Bonds as required by law, to designate a fiscal agent for the Bonds, and to take such further action as may be necessary or expedient to provide for the preparation, execution, issuance, delivery, payment, and cancellation of the Bonds.

**Section 7. Severability of Invalid Provisions.**

In case any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this resolution.

**Section 8. Authorization to Act.**

The officers of the City, attorneys for the City, or other agents or employees of the City are hereby authorized to do all acts and things required of them by this resolution for the full, punctual, and complete performance of all of the provisions of this resolution.

**Section 9. Prior Actions Superseded.**

All prior resolutions, rules, ordinances, or other actions, or parts thereof, of the Governing Body in conflict with the provisions of this resolution shall be, and the same are hereby, rescinded insofar as they may so conflict.

**Section 10. Effective Date.**

This resolution shall take effect upon its adoption and approval in the manner provided by law.

Adopted: October 15, 2013

Approved: October \_\_, 2013

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Mayor

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Clerk

EXHIBIT A

**NOTICE TO ELECTORS  
OF THE CITY OF GREEN BAY, WISCONSIN  
RELATING TO THE ISSUANCE OF TAXABLE BONDS**

Notice is hereby given that on October 15, 2013, the Common Council of the City of Green Bay, Wisconsin (the "City") adopted an initial resolution under and pursuant to the provisions of Chapter 67 of the Wisconsin Statutes authorizing the issuance of negotiable, taxable general obligation community development bonds of the City in a principal amount not to exceed \$2,490,000 to provide financial assistance to blight elimination, slum clearance, community development, redevelopment, and urban renewal programs and projects under Sections 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337 of the Wisconsin Statutes, including, but not limited to, financing a developer grant to provide for the construction of a mixed-use residential and retail facility within the City's Tax Incremental District No. 13.

**If within 30 days after the adoption of the forgoing resolution there is filed in the office of the City Clerk a petition for referendum on the resolution conforming to the requirements of Section 8.40 of the Wisconsin Statutes, signed by electors numbering at least 10% of the votes cast in the City for governor at the last general election, then the resolution shall not be effective unless adopted by a majority of the City's electors voting at such referendum. If no such petition is so filed with respect to the foregoing resolution, then the resolution shall be effective without a referendum.**

Publication Date: October \_\_, 2013

/s/ Kris A. Teske  
City Clerk

**FINAL PAYMENTS RESOLUTION**  
**October 15, 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:

<b>1. SEWERS 1-13 (INCLUDING WATER MAIN) PART D</b>	
<b>Visu-Sewer, Inc.</b>	
TOTAL AMOUNT EARNED:	\$ 77,018.00
LESS AMOUNT RETAINED:	\$ 0.00
	<u>\$ 77,018.00</u>
LESS AMOUNT PREVIOUSLY PAID:	\$ 73,526.10
<b>AMOUNT DUE THIS ESTIMATE:</b>	<b>\$ 3,491.90</b>

**ACCOUNT NUMBERS**

**403-50-500-502-55355-000000-000-63063: \$3,491.90**

**PO #105346**

Adopted \_\_\_\_\_, 2013

Approved \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

mms

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**RESOLUTION APPROVING DEEDS, TEMPORARY  
LIMITED EASEMENTS (TLEs) AND  
PERMANENT LIMITED EASEMENTS (PLEs)  
FOR MONROE AVENUE  
FROM CASS STREET TO MAIN STREET  
October 15, 2013**

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

To approve the correction and authorize payment of the following Deeds and Temporary Limited Easements (TLE) and Permanent Limited Easements (PLE):

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

Corrections:

Gannett Georgia, LP Pacific & Southern Co., Inc. Parcel 59	\$250.00	TLE
<del>Pacific &amp; Southern Co., Inc. Gannett Satellite Information Network, LLC Parcel 68</del>	<del>\$4,000.00</del>	<del>PLE &amp; TLE</del>

Adopted \_\_\_\_\_, 2013

Approved \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

jld

**RESOLUTION APPROVING DEEDS, TEMPORARY  
LIMITED EASEMENTS (TLEs)  
FOR MONROE AVENUE  
FROM CASS STREET TO MAIN STREET  
October 15, 2013**

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

To approve and authorized payment of the following Deeds and TLEs.

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

Appraisers, Inc. of Green Bay Parcel 8	\$250.00	TLE
Grace Evangelical Lutheran Church Parcel 38	\$250.00	TLE

Adopted \_\_\_\_\_, 2013

Approved \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

jld

**RESOLUTION APPROVING THE 2014-2015  
LOCAL ROADS IMPROVEMENT PROGRAM (LRIP)  
APPLICATION  
October 15, 2013**

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

To approve the request of the Department of Public Works to execute the 2014-2015 Local Roads Improvement Program (LRIP) application, and authorize the Mayor and the City Clerk to sign the application.

Adopted \_\_\_\_\_, 2013

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Approved \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

jld

11

RESOLUTION IN SUPPORT OF RAISING WISCONSIN'S  
HISTORIC TAX CREDITS TO TWENTY PERCENT

October 15, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the State of Wisconsin currently offers a 10% historic tax credit for eligible expenses related to the renovation of listed historic commercial structures; and

WHEREAS, neighboring states have a more favorable 20% historic tax credit incentive, which has resulted in major redevelopment activity in their historic downtowns; and

WHEREAS, the state is severely hampered in its attempt to attract developers of historic properties because of its uncompetitive tax credit program; and

WHEREAS, the City of Green Bay, along with many other Wisconsin cities, has numerous historic properties, including the Hotel Northland, that could potentially experience needed renovations under a more generous 20% tax credit program; and

WHEREAS, the historic tax credits are an integral part of reducing the financial gap associated with most major urban redevelopment projects in the downtown, thus reducing possible burdens placed on TIF financing; and

WHEREAS, the redevelopment of the city's historic buildings is key in spawning a virtuous cycle of reinvestment in other downtown and/or historic district properties; and

WHEREAS, a competitive state historic tax credit program is a legitimate economic development tool that will result in new jobs, increased tax base and urban revitalization in the state's older downtown areas.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Green Bay does hereby support the increase of the historic tax credits offered by the State of Wisconsin to 20% to improve the climate of investment in the city's downtown area.

Adopted \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

bc

i:\legislative\council 2013\10152013\law\resolution - support increase in historic tax credits.docx

**RESOLUTION SUPPORTING THE DEVELOPMENT  
OF AVIATION-RELATED BUSINESSES  
IN THE CITY OF GREEN BAY**

October 15, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, Northeastern Wisconsin is host to a variety of industries whose products and services have potential application in the aviation/avionics industry; and

WHEREAS, aviation-related industry is expected to grow dramatically in the United States in coming years; and

WHEREAS, the development of an aviation business cluster will take the support of the area's institutions of higher education, local corporations and tailored incentives; and

WHEREAS, the growth of an aviation/avionics industry is symbiotic with similar efforts by the regional economic development organization, The New North; and

WHEREAS, the Green Bay area may also enjoy a competitive advantage in growing this economic cluster due to its existing defense and advanced manufacturing industries as well as major national events such as EAA, which bring thousands of flight enthusiasts to the region annually.

NOW, THEREFORE, BE IT RESOLVED that the City of Green Bay does hereby support the growth of the aviation/avionics industry in both the city and region of Green Bay.

Adopted \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

GF:bc

**RESOLUTION APPROVING  
AIR RIGHTS EASEMENT  
AT 201 N. WASHINGTON STREET  
October 15, 2013**

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

To approve and authorize the request by Jeff Goelz for an air rights easement to install a non illuminated awning above the Washington Street right-of-way at 201 N. Washington Street; subject to providing a hold harmless agreement and liability insurance to the satisfaction of the City Attorney, the design of the awning approved by the Planning Department, and to authorize the Mayor and City Clerk to sign the easement agreement.

Adopted \_\_\_\_\_, 2013

Approved \_\_\_\_\_, 2013

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

jld

**RESOLUTION ACCEPTING DEDICATION OF  
STORM WATER MANAGEMENT FACILITY  
EXCALIBUR SECOND ADDITION**

**October 15, 2013**

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

To approve the request by Craig Lemerond, HL&H, LLC, to dedicate the storm water management pond on the southeasterly corner of Kathy Drive and Paula Street, Excalibur Second Addition, to the City of Green Bay

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Adopted \_\_\_\_\_, 2013

Approved \_\_\_\_\_, 2013

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Mayor

ATTEST:

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City Clerk

jld

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

October 15, 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, **to include Brown County and its Health and Human Services Department**, 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 \_\_\_\_\_

Approved \_\_\_\_\_

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Mayor

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Clerk

(Drafted by Ald. Mark Steuer)

**RESOLUTION OF RECOGNITION  
PREBLE PARK NEIGHBORHOOD ASSOCIATION**

October 15, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Mayor and Common Council of the City of Green Bay, along with its staff and citizens, recognize the importance of developing and maintaining healthy neighborhoods throughout the community; and

WHEREAS, the City of Green Bay values citizen involvement and wishes to reach out to all segments of the community by supporting the formation of effective neighborhood associations; and

WHEREAS, the Preble Park Neighborhood Association has been organized by residents of the City of Green Bay with a mission statement as follows: "The Mission of the Preble Park Neighborhood Association is to preserve and improve the quality, and natural beauty of our neighborhood by fostering a sense of community to promote a safe, healthy place to live, prosper, and grow. The Association will serve as a forum to receive information and ideas, discuss and debate issues of common interest, and to convey Association views and concerns to appropriate private and public institutions, government agencies, businesses and fellow citizens." and

WHEREAS, the Preble Park Neighborhood Association will serve residents of the City of Green Bay in the neighborhood bounded by both sides of Bader Street to the West, Newberry Avenue to the North, Alpine Drive to the East, and East Mason Street to the South.

NOW, THEREFORE, BE IT RESOLVED that the City of Green Bay, whose Mayor and Common Council are herein assembled, officially recognizes the Preble Park Neighborhood Association; and

BE IT FURTHER RESOLVED that the Mayor, Common Council and staff of the City of Green Bay hereby pledge their support and cooperation in addressing the needs of the citizens of this neighborhood in particular and the community in general.

Adopted \_\_\_\_\_

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

RESOLUTION AUTHORIZING CONDITIONAL-USE  
APPROVAL AT 1321 EMILIE STREET  
(ZP 13-31)

October 15, 2013

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

That, pursuant to Zoning Petition 13-31 and the recommendation of the Plan Commission on October 7, 2013, the City of Green Bay does authorize a conditional-use permit to allow for installation of a solar photovoltaic system on a detached garage located on the following described property at 1321 Emilie Street:

Plat of Astor, Lot 23, Block 135 (Tax Parcel Number 17-566)

Said conditional-use permit shall be granted subject to compliance with Sections 13-1611(d), (e) and (f), Development Standards – Solar Energy Systems, Green Bay Municipal Code.

Adopted \_\_\_\_\_

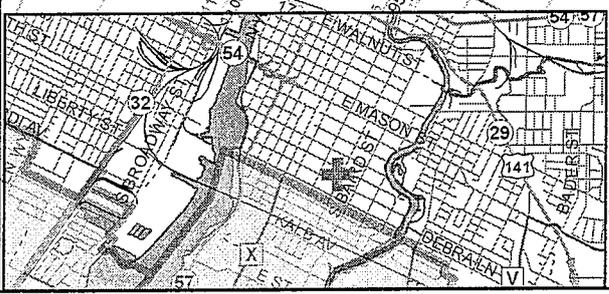
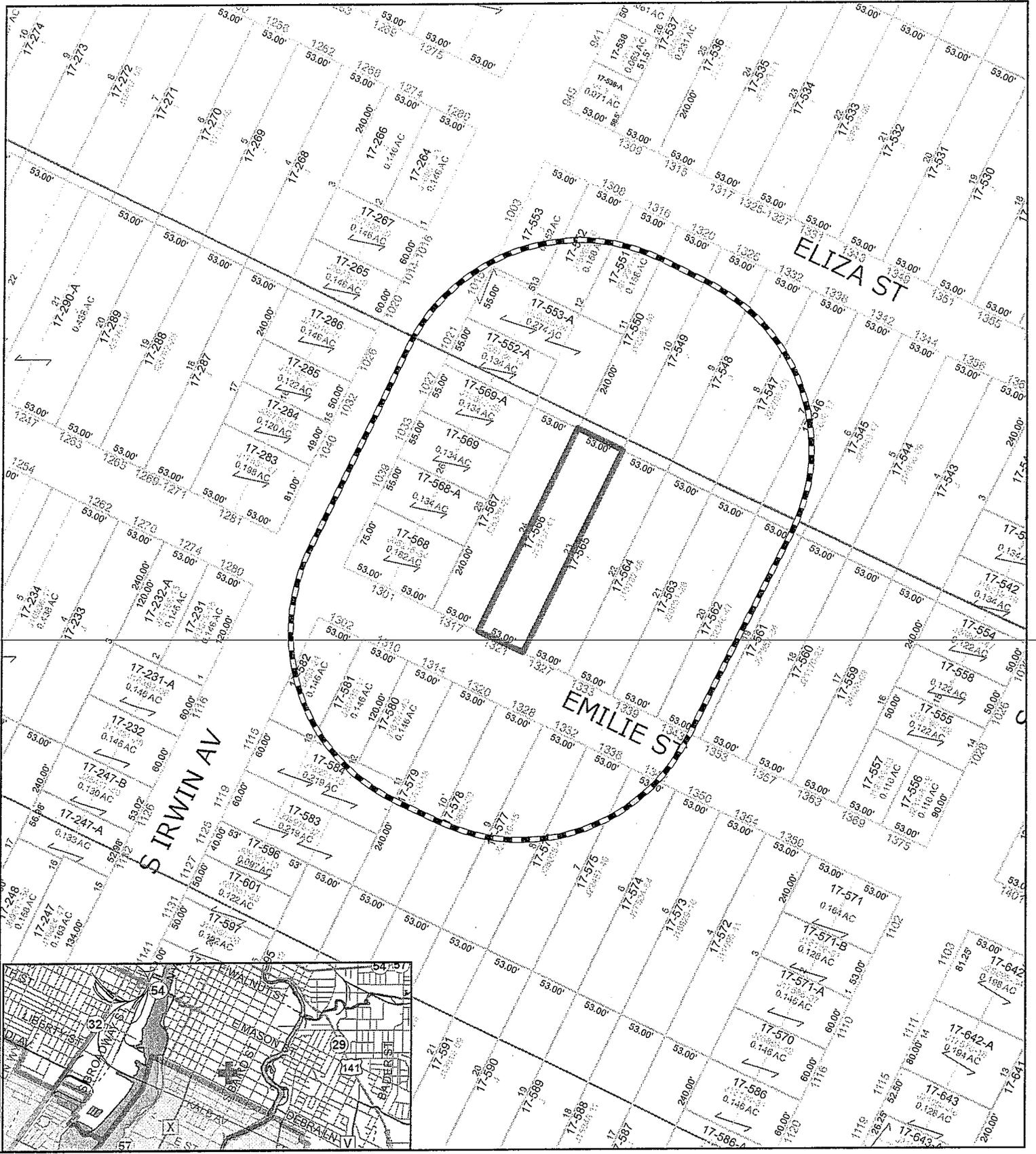
Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

bc

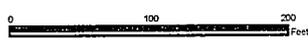
Attachment – Map

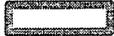
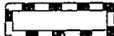


**Zoning Petition (ZP 13-31)**

**Request to authorize a Conditional Use Permit (CUP) for the installation of a solar photovoltaic system on a detached garage located at 1321 Emilie Street**

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-  Subject Area
-  200' Notice Area

18A

GENERAL ORDINANCE NO. 20-13

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 adding thereto the following NO PARKING zone:

SMITH STREET, south side, from a point 420 feet west of Elizabeth Street through the end of the cul-de-sac west of Elizabeth Street

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

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**SECTION 3.** 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

bc

10/15/13

ZONING ORDINANCE NO. 15-13

AN ORDINANCE  
REZONING PROPERTY LOCATED AT  
1691, 1693, 1695, 1697, AND 1699 EAST MASON STREET  
FROM GENERAL COMMERCIAL (C1) DISTRICT  
TO HIGHWAY COMMERCIAL (C2) DISTRICT  
AND THE SOUTHERN 22 FEET OF  
632 ABRAMS STREET AND 632 REAR ABRAMS STREET  
FROM GENERAL COMMERCIAL (C1) DISTRICT  
TO LOW DENSITY RESIDENTIAL (R1) DISTRICT  
(ZP 13-32)

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:

~~1691 East Mason Street: JM SMITHS PLUM ORCHARD ADDN LOT 39 EX  
ST IN J14267-19 (Tax Parcel Number 21-2645)~~

1693 East Mason Street: J M SMITHS PLUM ORCHARD ADDN LOT 38 EX  
ST IN J13702-36 (Tax Parcel Number 21-2644)

1695 East Mason Street: J M SMITHS PLUM ORCHARD ADDN LOT 37 EX  
ST IN J13824-27 (Tax Parcel Number 21-2643)

1697 East Mason Street: J M SMITHS PLUM ORCHARD ADDN LOT 36 EX  
ST IN J13703-18 (Tax Parcel Number 21-2642)

1699 East Mason Street: J M SMITHS PLUM ORCHARD ADDN LOT 35 EX  
ST IN J13703-18 (Tax Parcel Number 21-2641)

**SECTION 2.** 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 Low Density Residential (R1) District:

632 Abrams Street: J M SMITHS PLUM ORCHARD ADD N LOT 40 EX W 90  
FT (Tax Parcel Number 21-2646)

632 Rear Abrams Street: J M SMITHS PLUM ORCHARD ADD N W 90 FT OF  
LOT 40 (Tax Parcel Number 21-2646-1)

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

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

Dated at Green Bay, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

bc

10/15/13

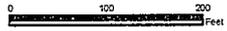
Attachment – Map



**Zoning Petition (ZP 13-32)**

**Request to rezone properties located located at 1691,1693, 1695, 1697,and 1699 East Mason St. from General Commercial (C1) to Highway Commercial (C2) and the southern 22 feet of 632 Abrams St. and 632 Rear Abrams St. be rezoned from General Commercial (C1) to Low Density Residential (R1)**

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- Subject Area
- 200' Notice Area

206

GENERAL ORDINANCE NO. 19-13

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:

LAWE STREET, both sides, from Jackson Street to the cul-de-sac east of Jackson Street

**SECTION 2.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING RESIDENTIAL PERMIT ONLY 8:00 AM – 8:00 PM zone:

LAWE STREET, both sides, from Jackson Street to a point 165 feet east of Jackson Street

**SECTION 3.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zone:

LAWE STREET, both sides, from a point 165 feet east of Jackson Street to the cul-de-sac east of Jackson Street

**SECTION 4.** 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, south side, from Pinehurst Avenue to a point 75 feet west of Pinehurst Avenue

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

**SECTION 6.** 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

bc

10/01/13

ZONING ORDINANCE NO. 14-13

AN ORDINANCE  
REZONING PROPERTY LOCATED AT  
1936, 1948, 1988, AND 2006 EAST MASON STREET  
FROM GENERAL COMMERCIAL (C1) DISTRICT  
TO HIGHWAY COMMERCIAL (C2) DISTRICT  
(ZP 13-29)

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:

1936 E. Mason: LOT 2 OF 11 CSM 137 BNG PRT OF LOT 24 ASTOR'S SUB OF PC 3-7E EX PRT DES IN J8270-15 (Tax Parcel Number 21-1349)

1948 E. Mason: LOT 3 OF 11 CSM 137 BNG PRT OF LOT 24 ASTOR'S SUBD OF PC 3-7E (Tax Parcel Number 21-1348)

1988 E. Mason: ASTORS SUBD OF PC 3-7 E N 550 FT OF W 1/2 OF LOT 25 AS DES IN 751 R 213 & PCL C IN 2 CSM 365 BCR EX PCL A DES IN 3 CSM 49 (Tax Parcel Number 21-1359-1-3)

2006 E. Mason: PCL ASTORS SUBD OF PC 3-7 E SFR PRT OF E 1/2 OF LOT 25 DESC AS PCL A OF 1 CSM 641 & PCL B IN 2 CSM 365 (Tax Parcel Number 21-1358-1)

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

ZONING ORDINANCE NO. 14-13

Page 2

**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

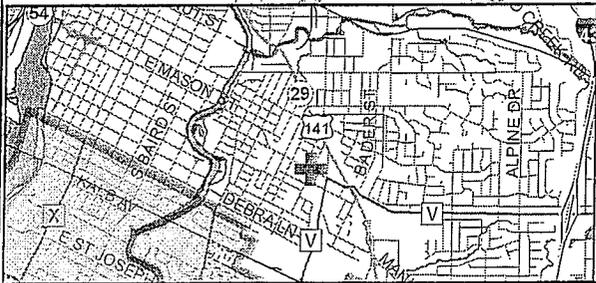
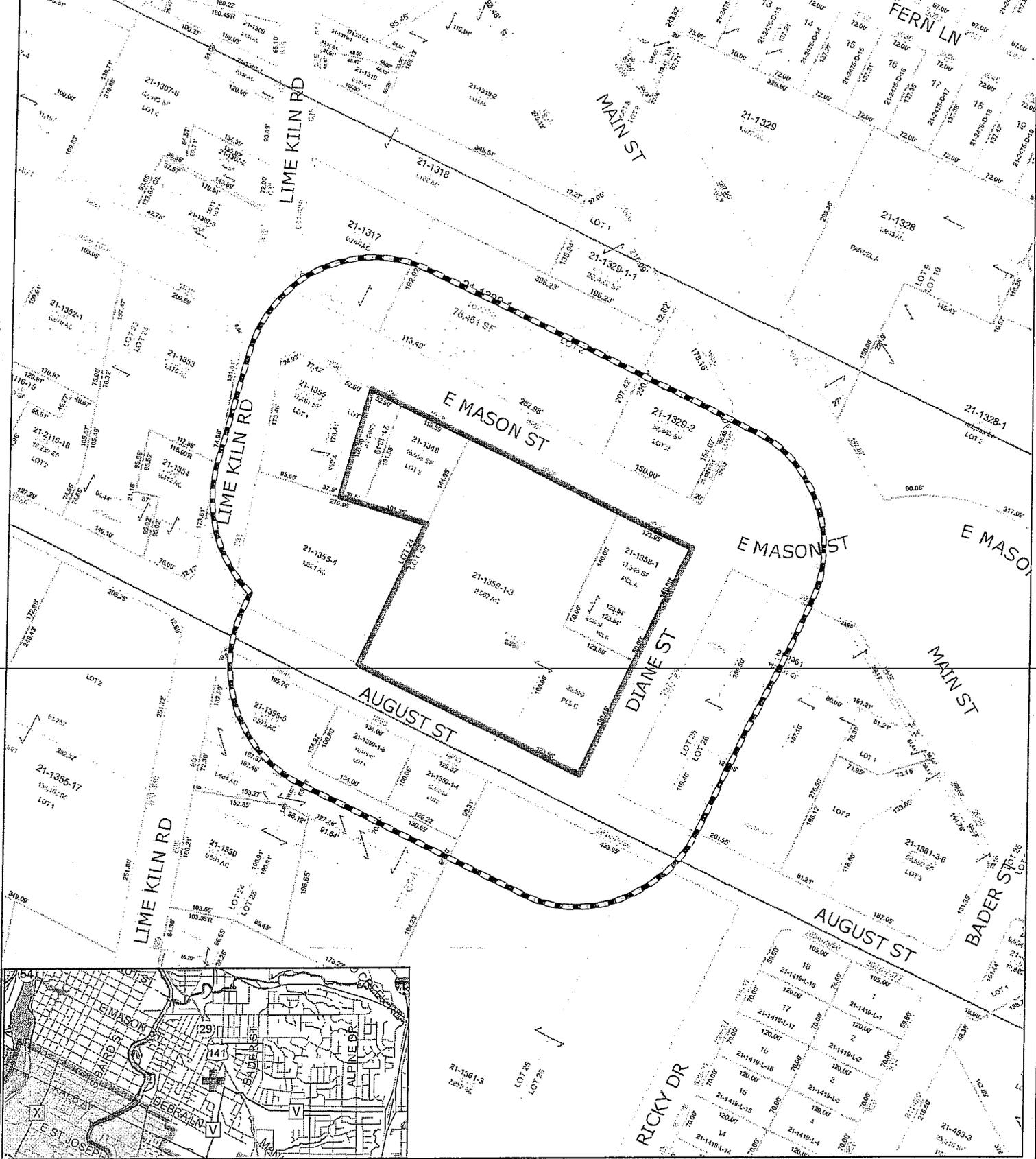
ATTEST:

\_\_\_\_\_  
Clerk

bc

10/01/13

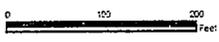
Attachment – Map



**Zoning Petition (ZP 13-29)**

**Request to rezone properties located at 1936, 1948, 1988 and 2006 East Mason Street from General Commercial (C1) to Highway Commercial (C2)**

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Subject Area



200' Notice Area

226