



MINUTES OF THE COMMON COUNCIL

TUESDAY, OCTOBER 1, 2013, 7:00 P.M.

COUNCIL CHAMBERS

ROOM 203, CITY HALL

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney Tony Wachewicz. Alderpersons: J. Wiezbiskie, 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. Nicholson, seconded by Ald. Steuer to approve the minutes of the September 17, 2013, meeting. Motion carried.

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

REPORT BY THE MAYOR

The Mayor stated that the next Council meeting will be on October 15, the Joint Personnel/Finance Committee meeting will be on October 29, and the Council/Budget meeting will be on November 5 at noon.

The Mayor also stated that he was proud of our government the day the Leo Frigo Bridge was closed and stated that the Governor had declared a state of emergency.

PUBLIC HEARING

Zoning Ordinance No. 13-13

An ordinance amending Zoning Ordinance No. 1-91 for modified ground mounted signage along East Mason Street for Fajita Republic, 850 Kepler Drive. (Item #19)

No one appeared.

Moved by Ald. Moore, seconded by Ald. Wiezbiskie to suspend the rules for the purpose of adopting the ordinance. Motion carried.

APPOINTMENT BY THE MAYOR

Historic Preservation Commission

Ald. Dave Boyce

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

RECONSIDERATION

Request by Ald. Boyce to reconsider the conditional use permit for the temporary homeless shelter at 411 St. John Street from the September 17, 2013, Council meeting.

Moved by Ald. Boyce, seconded by Ald. Moore to reconsider the conditional use permit for the homeless shelter at 411 St. John Street.

Roll call: Ayes: Boyce. Noes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Warner, Steuer, Danzinger, Sladek. Abstaining: Brunette. Motion failed.

PETITIONS & COMMUNICATIONS

ECONOMIC DEVELOPMENT AUTHORITY

Request by Ald. Moore to research the feasibility of forming a business accelerator in Green Bay.

FINANCE COMMITTEE

Request by Ald. Thomas DeWane to discuss, with possible action, possible cost savings for entering into an agreement with Brown, Calumet and Outagamie Counties regarding waste management.

Request by Ald. Tim DeWane for an update/review on any financial expenses from the beginning of the contract to the current, if any, with the Packerland Veterinary Clinic.

IMPROVEMENT & SERVICE COMMITTEE

Request by Ald. Wiezbiskie to re-install the street light on Nicolet Drive across from 2872 Nicolet Drive (near Joliet Park).

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).

PARK COMMITTEE

Request by Ald. Brunette for discussion regarding official City recognition of a Friends of Colburn Park Fundraising and Advocacy Group.

PROTECTION & WELFARE COMMITTEE

Application for an available Class "B" Combination License by Whiskey and Women, Inc. at 225 E. Walnut Street.

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

REPORTS FOR COUNCIL ACTION

REPORT OF THE GREEN BAY PLAN COMMISSION October 1, 2013

The Green Bay Plan Commission, having met on Monday, September 23, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To deny the request to rezone 852, 856, and 860 Elmore Street from Low Density Residential (R1) to Medium Density Residential (R2) and to deny a request for a Conditional Use Permit (CUP) to reestablish a four-unit apartment located at 860 Elmore Street.
2. To approve the rezoning of properties located at 1936, 1948, 1988, and 2006 E. Mason Street from General Commercial (C1) to Highway Commercial (C2).
3. To approve a Conditional Use Permit (CUP) to construct a freestanding parking lot in a Downtown One (D1) District located at 416-418 N. Monroe Avenue subject to the following:
 - a. Standard site plan review and approval; and
 - b. All applicable standards listed in Chapter 13, Green Bay Zoning.

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt the report with the exception of Item #1. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt Item #1

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

Xinhua Wei, 860 Elmore Street, owner of the property, explained why he asked for this.

The following people spoke in favor of the denial:

Heidi Wagnitz, 865 Elmore Street

Dennis & Donna Kellner, 869 Bond Street

Barb McFarlane, 523 Melrose Avenue

Jodi McFarlane, 996 Elmore Street

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

Moved by Ald. Kocha, seconded by Ald. Brunette to refer Item #1 back to the Plan Commission.

Roll call: Ayes: Thomas DeWane, Kocha, Brunette, Warner, Steuer, Danzinger. Noes: Wiezbiskie, Nicholson, Tim DeWane, Moore, Boyce, Sladek. Motion carried with the Mayor casting the deciding aye vote.

REPORT OF THE TRAFFIC COMMISSION October 1, 2013

The Traffic Commission having met Monday, September 16, 2013, considered all matters on its agenda and wishes to report and recommends the following:

1. To receive and place on file the report by the Police Department of the proposed 2013-2014 School Crossing Guard locations.
2. To receive and place on file the request to develop traffic calming pedestrian and yield signage within uncontrolled intersections on major arterial streets, such as Monroe Avenue, Webster Avenue, and Shawano Avenue, among others.
3. To establish and adopt by ordinance a NO PARKING zone on the south side of Smith Street from a point 420 ft west of Elizabeth Street through the end of the cul-de-sac west of Elizabeth Street.

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

REPORT OF THE FINANCE COMMITTEE October 1, 2013

The Finance Committee, having met on Tuesday, September 24, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request for transfer of funds in the amount of \$47,500 from the contingency account to the human resources contractual services account to cover the cost of police arbitration.
2. To direct staff to continue negotiations for the licensing and use of our Green Bay Electronic Records (GERP) with the Village of Ashwaubenon and to bring back the final agreement for finance committee approval.
3. To report back in one month the methodology used to determine the property values contained in the 2009 Oneida Service agreement.
4. Under the report of the Finance Director, to propose a start time of 1:00 p.m. for joint Personnel/Finance Committee to take up the 2014 proposed budget that will be held on October 29, 2013 in the Common Council Chambers.

2013 Contingency Fund
\$44,500

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

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to adopt Item #4.

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to amend Item #4 by changing the start time to 2:00 P.M. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to adopt Item #4 as amended.

REPORT OF THE IMPROVEMENT AND SERVICE COMMITTEE October 1, 2013

The Improvement and Service Committee, having met on September 25, 2013 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Daniel & Jean Bricker to rescind the weed control and unsightly growth charge of \$77.00 at 843 Colonial Avenue and reissue a new invoice for half of the original cost in the amount of \$38.50.
2. To approve the request by Drielle to rescind the early set out charge of \$57.00 at 1052 Amberly Trail.

3. To approve the request by Downtown Green Bay, Inc. to place perennial plantings in the tree cut-outs in the concrete on N. Adams Street and S. Washington Street.
4. To deny the request by Bob Brown on behalf of Tiletown Treasure Seekers for permission of metal detecting in City right-of-way.
5. To hold, pending additional information, the request by Jeff Goelz for an air rights easement to allow the installation of a flag-mounted sign above the Washington Street right-of-way at 201 N. Washington Street.
6. To receive and place on file the report of the Director regarding the waste management agreement with Brown and Outagamie Counties.
7. To receive and place on file the request by Ald. Brunette to review street lumination on the corner of Oneida Street and Liberty Street with possible improvement.
8. To hold until the October 9, 2013, meeting of the Improvement & Service Committee the request by Ald. Thomas DeWane to rescind the cost of street work done on Victoria Street owned by St. Phillips Parish per agreement and extension of a 25 year park agreement at \$1/year and direct Department of Public Works staff to confer with Law Department.
9. To refer to Department of Public Works staff for consultation with Law Department the request by Ald. Thomas DeWane to run water to St Phillips Park from Chicago Street and Irene Street, prepare an estimate of construction cost to complete the work, and bring the item back at the October 9, 2013, meeting of the Improvement & Service Committee.
10. To approve the request by the Department of Public Works to contract with Brown and Caldwell to complete professional engineering services for the development of a sewer Capacity, Management, Operations and Maintenance Plan at a cost of \$98,871, and to authorize the Director of Public Works to sign the agreement.
11. To approve the report of the Purchasing Agent:
 - A. Request to award chemical root treatment to the low, responsive vendor, Duke's Root Control, Inc. in the amount of \$25,368.59.
12. To award contract PARKS PROJECT 2-13 to the low, responsive bidder, Maroszek Excavating, Inc., in the amount of \$74,651.55

13. To approve the request by ExteNet Systems, Inc. to enter into a Dark Fiber License Agreement for the placement of a fiber optic strand for the City's use to be placed in the City's right-of-way, subject to approval by the Law Department.
14. To approve the request by Yellow Dog Investments, LLC. to install a sign in the right-of-way adjacent to 1228 Main Street, subject to the execution of a hold harmless agreement and submittal of appropriate insurance, and to authorize the Mayor and City Clerk to sign said agreement.
15. To approve and authorize payment of the following deeds, temporary limited easements (TLEs), and permanent limited easements (PLEs):
MONROE AVENUE – CASS STREET TO MAIN STREET PROJECT ID. # 1481-

07-21

Jeffery P. & Robin D. Smet Parcel 9	\$250.00	TLE
James R & Diane J Warpinski Parcel 21	\$1,600.00	DEED & TLE
Warpinski Properties Parcel 22	\$650.00	DEED & TLE
Family Services of Northeast Wisconsin Parcel 23	\$2,200.00	PLE & TLE
Gannett Georgia, LP Parcel 59	\$250.00	TLE
THM Investments Parcel 63	\$2,900.00	DEED & TLE
Pacific & Southern Co., Inc. Parcel 68	\$4,000.00	PLE & TLE

16. To approve the application for a Tree and Brush Trimmer License by Beaver Tree Specialists.
17. To receive and place on file the verbal Director's Report on the recent activities of the Public Works Department.

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt the report with the exception of Items #5 & #8. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #5.

Moved by Ald. Danzinger, seconded by Ald. Thomas DeWane to amend Item #5 by replacing "flag-mounted sign" with "awning" and adding "subject to the owner executing

a Hold Harmless Agreement with the City of Green Bay, obtaining the required sign permit, placing the required certificate of insurance on file with the City's Risk Management Department, and authorize the Mayor and Clerk to execute the Hold Harmless Agreement." at the end of said item. Motion carried.

Moved by Ald. Danzinger, seconded by Ald. Moore to adopt Item #5 as amended. Moved by Ald. Thomas DeWane, seconded by Ald. Tim DeWane to adopt Item #8. Motion carried.

REPORT OF THE PARK COMMITTEE October 1, 2013

The Park Committee, having met on Wednesday, September 25, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by T. Wall Enterprises to obtain an easement from the Green Bay Parks, Recreation and Forestry Department to install walks and staircases for CityDeck Residences Development, 100 N. Main Street, that will extend over park property on CityDeck contingent upon:
 - A final approval of their site plan and execution of a hold harmless agreement with the Law Department.
 - Obtaining all building permits and meeting all codes per city ordinances.
 - The walkway would be constructed using pavers to match the existing deck.
 - Costs of removing the trees and the restoration of that area will be the responsibility of the developer.
 - All proper permits and insurances being obtained.
 - To authorize the Mayor and City Clerk to sign the hold harmless agreement.
2. To receive and place on file the request by T. Wall Enterprises to obtain an air rights easement from the Green Bay Parks, Recreation and Forestry Department to install canopies for CityDeck Residences Development, 100 Main Street, that will extend over park property on CityDeck.
3. To approve the request by Aurora Hospital to install a trail through the Willow Creek Greenway contingent upon:
 - All costs of construction and maintenance of the trail will be the responsibility of Aurora Hospital.
 - The trail must remain open to the public.
 - A signed easement agreement approved by the Law Department.
 - Obtaining all proper permits and meeting all building codes and ordinances.
4. To receive and place on file the summary of the proposed 2014 Parks, Recreation and Forestry budget.

5. To receive and place on file the Directors Report.

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

**REPORT OF THE PERSONNEL COMMITTEE
October 1, 2013**

The Personnel Committee, having met on Tuesday, September 24, 2013 considered all matters on its agenda and reports and recommends the following:

1. To approve the requests to fill the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Human Resources Assistant – Human Resources
 - b. Park Maintenance Worker – Parks, Recreation & Forestry
2. To approve the request to fill the following position and all subsequent vacancies resulting from internal transfers and reclassify the position from Business Development Planning Specialist (Business/Industrial Park Emphasis) Pay Grade 33 to a Project and Program Manager at Pay Grade 34 – Economic Development.
3. To approve the classification placement of the following positions in the Administrative Salary Schedule, effective with the start of the payroll in which October 1, 2013 occurs.
 - a. Appraiser I – General Employees (Non-Exempt), Pay Grade 32
 - b. Appraiser II – General Employees (Non-Exempt), Pay Grade 33
 - c. Appraiser III – Directors, Managers and Professionals (Exempt), Pay Grade 36
4. To approve out-of-state travel for 2-Fire Mechanics to attend the 19th Annual Spartan Chassis Fire Truck Training Conference from October 6 – 10, 2013 in Lansing, Michigan.
5. To receive and place on file the report of routine Personnel Actions for regular employees.
6. To receive and place on file the update and discussion regarding labor negotiations.

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

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

October 1, 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

Armstrong, Peter J
Bessert, Rachel M
Bradl, Becky R
Brunette, Christine A
Calaway, Lea M
Chaffee, Amy J
Chaffee, Randall W
Champeau, Amanda M
Clover, Leah J
Dewane, Andrew T
Diring, Melinda R
Elliott, Alison L
Erickson, Michael L
Euclide, Danielle
Goetzman, Rachel J
Harvey, Amanda L
Hearden, Francesca P
Hopkins, Ross T
Howarth, Amy J
Hrabik, Alexis J A
Ives, Timothy D
Kisling, Stacy I
Kniess, Cody J
Kohrman, Nancy A
Kraft, Alexander J
Kuether, Benjamin L
LaJeunesse, Jodi L
Lax, Matthew L
McCabe, Angela S
Moddie, Steven L
Nelson, Kristyn N

Neta, Galina N
Parma, Cynthia M
Proulx, Nicole E
Reinhart, Stacy M
Rentmeester, Leonard
Ruelle, Kathryn E
Schachner, Codie M
Seibert, John T
Sherwood, Aria L
Slagoski, Megan M
Sloan, Gerard
Steffek, Rebecca M
Stelmach, Kristen A
Stevens, Amanda J
Tweeddale, Holly M
Van Pay, Cheryl A
Vande Hei, Terri L
Vickery, Ashley M
Wienke, Ashley R
Wilber, Ronald D
Zimmerman, Tristen M

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report. Motion carried with Ald. Thomas and Tim DeWane abstaining from, Andrew DeWane and Ald.

Danzinger abstaining from Angela S. McCabe, Aria L. Sherwood and Rebecca M. Steffek.

RECEIVE & PLACE ON FILE

Trial Balance Report for August, 2013.

Moved by Ald. Wiezbiskie, seconded by Ald. Boyce to receive the report and place it on file. Motion carried.

RESOLUTIONS

Moved by Ald. Wiezbiskie, seconded by Ald. Steuer to suspend the rules for the purpose of adopting all the resolutions, with the exception of Item #14, with one roll call vote. Motion carried.

**RESOLUTION AUTHORIZING
TRANSFER OF FUNDS**

October 1, 2013

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

That the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101-99-099-000-59001Contingency Fund	\$47,500
To:	101-18-180-000-53001HR Contractual Services	\$47,500

Adopted October 1, 2013

Approved October 2, 2013

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Tim 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.

**FINAL PAYMENTS RESOLUTION
OCTOBER 1, 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. PAVEMENT 1-12	
LaLonde Contractors Inc.	
TOTAL AMOUNT EARNED:	\$ 581,709.74
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 581,709.74
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 543,366.41</u>
AMOUNT DUE THIS ESTIMATE:	\$ 38,343.33

ACCOUNT NUMBERS

401-50-500-501-55305-000000-000-61072: \$38,343.33
PO #105111

Adopted October 1, 2013

Approved October 2, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Tim 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 DEEDS, TEMPORARY
LIMITED EASEMENTS (TLEs), AND
PERMANENT LIMITED EASEMENTS (PLEs)
FOR MONROE AVENUE
FROM CASS STREET TO MAIN STREET
October 1, 2013**

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

TO APPROVE AND AUTHORIZED PAYMENT OF THE FOLLOWING DEEDS, TLES,
AND PLES.

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

Jeffery P. & Robin D. Smet Parcel 9	\$250.00	TLE
James R & Diane J Warpinski Parcel 21	\$1,600.00	DEED & TLE
Warpinski Properties Parcel 22	\$650.00	DEED & TLE
Family Services of Northeast Wisconsin Parcel 23	\$2,200.00	PLE & TLE
Gannett Georgia, LP Parcel 59	\$250.00	TLE
THM Investments Parcel 63	\$2,900.00	DEED & TLE
Pacific & Southern Co., Inc. Parcel 68	\$4,000.00	PLE & TLE

Adopted October 1, 2013

Approved October 2, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Tim 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 THE DRAFT
YELLOW DOG INVESTMENTS, LLC
HOLD HARMLESS AGREEMENT
October 1, 2013**

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

To approve the request by Yellow Dog Investments, LLC to install a sign in the right-of-way adjacent to 1228 Main Street, subject to the execution of a hold harmless agreement, and to authorize the Mayor and Clerk to sign said agreement.

Adopted October 1, 2013

Approved October 2, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Tim 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 THE FILING OF CALENDAR YEAR 2014 APPLICATIONS
AND EXECUTION OF GRANT AGREEMENTS WITH THE FEDERAL TRANSIT
ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES
DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE
AUTHORIZED AND ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.**

Green Bay, Wisconsin
October 1, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects and budget;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with these projects, and that definite procedures shall be established and administered to ensure that minority business shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services **where award of such business provides the best value to tax payers and is consistent with the City of Green Bay Purchasing Department Policies.**

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor of the City of Green Bay is authorized to file an application and execute grant agreements of behalf of the City of Green Bay with the U.S. Department of Transportation for aid in the financing of the calendar 2014 capital and operating assistance program of projects and budget.
2. That the Mayor is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That Tom Wittig, General Manager, is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the program of projects and budget.
4. That the Mayor is authorized to set forth and execute affirmative minority business policies in connection with the program of projects and budgets procurement needs.
5. That the Mayor is authorized to execute third party service agreements with private paratransit providers for operation of the Green Bay Metro Paratransit Program.

ADOPTED October 1, 2013

APPROVED October 2, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Moore, seconded by Ald. Wiezbiskie to adopt the resolution.
Moved by Ald. Sladek, seconded by Ald. Moore to amend the resolution by adding "where award of such business provides the best value to tax payers and is consistent with the City of Green Bay Purchasing Department Policies." at the end of the fourth paragraph. Motion carried.
Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt the resolution as amended. Motion carried.

**RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 416-418 N. MONROE AVENUE
(ZP 13-30)**

October 1, 2013

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

That, pursuant to Zoning Petition 13-30 and the recommendation of the Plan Commission on September 23, 2013, the City of Green Bay does authorize a conditional-use permit to allow for construction of a free-standing parking lot in a Downtown One (D1) District located on the following described property at 416-418 N. Monroe Avenue:

NAVARINO PLAT N 47 FT OF S 91 FT OF LOT 259 & S 44 FT
OF LOT 259 EX S 6 IN & LOT 260 EX S 6 IN OF W 1/2 & EX 733 R 114
(Tax Parcel Number 11-92)

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 October 1, 2013

Approved October 2, 2013

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Tim 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 STREETS FOR CONCRETE PAVEMENT,
ASPHALT PAVEMENT OR ASPHALT RESURFACING
October 1, 2013**

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

That the Director of Public Works has reported on and recommends the acceptance of the following streets for concrete pavement, asphalt pavement or asphalt resurfacing.

WDOT PAVEMENT 2012 (CONCRETE SIDEWALK)

W.S. LARK STREET AND S.S. SYRINGA BOULEVARD ABUTTING PARCEL 18-729

NOW, THEREFORE, BE IT RESOLVED, that the above streets be and are hereby accepted and that the City Clerk be and is hereby instructed to issue statements against the abutting property in accordance with the final resolutions and the final assessments on file.

Adopted October 1, 2013

Approved October 2, 2013

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Tim 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. 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

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

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 ESFR 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.

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. Warner to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried.

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

ORDINANCE - THIRD READING

ZONING ORDINANCE NO. 13-13

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1-91 FOR MODIFIED GROUND MOUNTED SIGNAGE ALONG EAST MASON STREET FOR FAJITA REPUBLIC, 850 KEPLER DRIVE (ZP 13-24)

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. 1-91 is hereby amended on the following described property:

GREEN BAY LODGING COMMERCIAL CONDOMINIUMS UNIT 1
TOGETHER WITH AN UND INT IN COMMON ELEMENTS & FACILITIES
ETC IN 2203858 (Tax Parcel: 21-7899)

SECTION 2. That pursuant to Section 13-1900 et seq., Green Bay Municipal Code, as they apply, Zoning Ordinance No. 1-91 is hereby amended to allow the following changes:

A. East Mason Street Monument Signage – Fajita Republic

1. One ground mounted sign is permitted along the East Mason Street frontage. The sign shall be no closer than 15 feet from the East Mason Street right-of-way.
2. The sign shall not exceed 8 feet in overall height with a maximum 3-foot high base that has a masonry appearance.
3. The sign shall not exceed 60 square feet in overall signage per side. Four lines of manual/non-scrolling readerboard is permitted.

4. The proposed sign meets all other applicable standards of the I-43 Business Center Design Criteria.

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

SECTION 4. 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 5. 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 1st day of October, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Kocha, 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. Kocha to adjourn at 9:00 P.M.
Motion carried.

Kris A. Teske
Green Bay City Clerk