



AGENDA OF THE COMMON COUNCIL

TUESDAY, May 6, 2014, 7:00 P.M.

**COUNCIL CHAMBERS
ROOM 203, CITY HALL**

- Roll call.
- Pledge of Allegiance.
- Invocation.
- Approval of minutes of the April 15, 2014, meeting.
- Approval of the Agenda.
- Report by the Mayor.
- Announcements.

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 Traffic Commission.
4. Report of the Improvement & Service Committee.
5. Report of the Park Committee.
6. Report of the Protection & Welfare Committee.
7. Report of the Protection & Welfare Committee granting Operator Licenses.

RECEIVE & PLACE ON FILE

Trial Balance Report for March, 2014.

RESOLUTIONS

8. Resolution drawing final orders.
9. Resolution approving the dumpster placement agreement with Adams Street Pub and Grill.
10. Resolution requiring the repair of at-grade railroad crossings.
11. Resolution authorizing release of easement rights at 920 Packerland Drive.
12. Resolution approving Fritsch Park Neighborhood Association to place a neighborhood identification sign on city property and to execute a hold harmless agreement.
13. Resolution authorizing applications for outdoor recreation aids for the East River Trail-St. George Street acquisitions.
14. Resolution in support of Friends of Colburn Park Pool, Inc.
15. Resolution authorizing conditional-use approval at 607 Liberty Street.
16. Resolution authorizing conditional-use approval at 1530 North Bylsby Avenue.
17. Resolution authorizing conditional-use approval at 3391 Nicolet Drive.

18. Resolution authorizing a variance from Section 14.727, Subdivision and Platting, Municipal Code, to allow for a land division not to be located on a public street for parcel currently addressed as 920 Packerland Drive.

ORDINANCES - FIRST READING

19. General Ordinance No. 10-14
An ordinance amending Chapter 13-605(c)(5) of the Code relating to remnant parcels.
20. General Ordinance No. 11-14
An ordinance amending Chapter 13, Table 6-2 of the Code relating to lot dimension and setback requirements in residential districts.

COMMITTEE OF THE WHOLE

Discussion and possible action on Chapados litigation, Brown County Case No. 12-CV-1747.

The Council may convene in closed session pursuant to Section 19.85(1)(g), Wis. Stats., for purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Kris A. Teske
Green Bay City Clerk

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

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

FOR COUNCIL MEETING

OF TUESDAY, MAY 6, 2014

7:00 P.M.

PETITIONS & COMMUNICATIONS

IMPROVEMENT & SERVICE COMMITTEE

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

- A. Allied Concrete Construction, Inc.
- B. Melnarik Concrete, Inc.
- C. Howard Immel, Inc.
- D. Jim Fischer, Inc.
- E. Precision Flatwork
- F. Evraets Concrete
- G. Tilleman Construction
- H. Ken's Concrete
- I. Tom Phillips Construction, Inc.

PROTECTION & WELFARE COMMITTEE

Request by the owners of Napalese Lounge, 1351 Cedar Street, to add an additional 10 feet of patio area and a raised planter at the edge as part of their licensed premises.

Application for an available "Class B" Combination License by sissypants!jakes, LLC at 112 S. Broadway for the balance of the license year and the 2014-2015 license year.

Application for a "Class B" Combination License by Heath Hermans at 700 Bodart Street for the 2014-2015 license year. (Transfer from The Cover, LLC)

Application for an Entertainment Facility License by Knutson Ventures, LLC at 1464 Main Street.

Application to keep three dogs at 458 Menlo Park Road.

Applications for various liquor/beer licenses for the 2014-2015 license year.

REPORT OF THE GREEN BAY PLAN COMMISSION
May 6, 2014

The Green Bay Plan Commission, having met on Monday, April 21, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve a Conditional Use Permit (CUP) to exceed the height limitation for a 105 foot silo located in a General Industrial (GI) District, at 607 Liberty Street, subject to:
 - a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan review and approval
 - b. The limitation of one silo not to exceed 105 feet in overall height

2. To deny a Conditional Use Permit (CUP) for a Transient Residential use located at 1254 Shadow Lane.

3. To approve a Conditional Use Permit (CUP) to exceed the height limitation for a 105 foot silo located in a General Industrial (GI) District, at 1530 North Bylsby Avenue, J.P. Pulliam Power plant, subject to:
 - a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan review and approval
 - b. The limitation of one silo not to exceed 105 feet in overall height

4. To approve a Conditional Use Permit (CUP) to construct a detached garage beyond the maximum size and height requirements found in Chapter 13-615, Table 6-4, in a Low Density Residential (R1) District located at 3391 Nicolet Drive, submitted by Lloyd Carpenter, architect on behalf of Brian Michaud, property owner, subject to:
 - a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.
 - b. Continuance of similar style of architecture, exterior construction material, and color of the structure.

5. To approve a modification (variance) from section 14-727 of the Subdivision and Platting Ordinance to allow for a land division not be located on a public street for a parcel currently addressed at 920 Packerland Drive.

6. To approve the discontinuance of three 12-foot utility easements for a property at 920 Packerland Drive.

7. To approve the request to Amend Chapter 13 table 6-2 as follows (emphasis added):

	RR	R-1	R-2	R-3
Building Setback Requirements (feet)				
Side Yard ^{e,f,i}	6/8 ea ^j	6/8 ea ^j	6 ea	10 ea ^j

j. **For single and two family uses**, 6 feet for a single story, 8 feet for a story and a half or greater.

8. To approve the request to amend Chapter 13-605(c)(5) to include the following (emphasis added):

13-605. Unserviced lots, RR District. All lots developed without city sewer and public water service shall meet the following standards:

- (c) (Amd. GO 38-08) The 10-acre limit in the RR District may be reduced subject to the following development standards:

- (1) It is relatively similar to other existing parcels in the area.
- (2) An area development plan is submitted and approved for the remaining property and the parcel being created.
- (3) All efforts should be taken to insure that the existing home and lot will:
 - a. Comply with future setbacks.
 - b. Fit with the surrounding future development and the parcels future development.
 - c. Provides for existing utilities, septic and well currently servicing the home.
- (4) Lot size will be determined by the Planning Commission based on a reasonable determination of the area development plan and future lot lines.
- (5) Remnant parcel shall not be less than 10 acres, **except in cases where a remnant parcel is part of a division of land for the purposes of acquisition of public property and/or public use.**
- (6) The maximum lot to be created should not be greater than 2.5 acres.
- (7) The land division should meet all remaining standards of Ch. 14, Subdivision and Platting, Green Bay Municipal Code.

**REPORT OF THE
TRAFFIC COMMISSION
May 6, 2014**

The Traffic Commission having met Monday, April 14, 2014, 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 2014 1st quarter serious injury and fatality crashes.
2. To receive and place on file the request to conduct a traffic study of the Durham Road and Wiggins Way intersection for consideration of a 2-WAY YIELD condition on Durham Road due to an increase in traffic volume.
3. For DPW staff to conduct a speed and traffic count study of the intersection of Eliza Street at Roosevelt Street.
4. To refer to DPW staff the request to remove the NO PARKING TO CORNER signs on the northwest corner of Mills Street and Henry Street, to make parking on both streets legal on that corner.
5. To receive and place on file the request for discussion with possible action to make improvements for pedestrian safety around Franklin Middle School, specifically Lore Lane.
6. To receive and place on file the request to review the visibility of the traffic signal displays from the stop line over South Ashland Avenue at West Mason Street.
7. To remove and adopt by ordinance the 2-HOUR 7 AM TO 7 PM DAILY zone on the south side of Basten Street from a point 95 feet east of Henry Street to Mech Street.
8. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM DAILY zone on the south side of Basten Street from a point 95 feet east of Henry Street to a point 150 feet east of Mech Street.
9. To remove and adopt by ordinance the NO PARKING zone on both sides of Mech Street from Basten Street to a point 60 feet north of Basten Street.
10. To establish and adopt by ordinance a NO PARKING zone on the west side of Mech Street from Basten Street to a point 60 feet north of Basten Street.
11. To establish and adopt by ordinance a NO PARKING zone on the east side of Mech Street from Basten Street to a point 135 feet north of Basten Street.
12. To remove and adopt by ordinance the 4-HOUR 7 AM TO 4 PM MONDAY THROUGH FRIDAY zone on both sides of Mech Street from a point 60 feet north of Basten Street to a point 135 feet south of Van Deuren Street.
13. To establish and adopt by ordinance a 4-HOUR 7 AM TO 4 PM MONDAY THROUGH FRIDAY zone on the west side of Mech Street from a point 60 feet north of Basten Street to a point 135 feet south of Van Deuren Street.
14. To establish and adopt by ordinance a 4-HOUR 7 AM TO 4 PM MONDAY THROUGH FRIDAY zone on the east side of Mech Street from a point 135 feet north of Basten Street to a point 135 feet south of Van Deuren Street.

15. To establish and adopt by ordinance a NO PARKING 7 AM TO 4 PM SCHOOL DAYS zone on the south side of Basten Street from Newtols Street to a point 135 feet west of Spinnaker Lane.
16. To establish and adopt by ordinance a NO STOPPING OR STANDING 7 AM TO 4 PM SCHOOL DAYS zone on the north side of Basten Street from a point 115 feet west of Spinnaker Lane to Spinnaker Lane.
17. To establish and adopt by ordinance a NO STOPPING OR STANDING 7 AM TO 4 PM SCHOOL DAYS zone on both sides of Spinnaker Lane from Basten Street from a point 75 feet north of Basten Street.

**REPORT OF THE
IMPROVEMENT AND SERVICE COMMITTEE
May 6, 2014**

The Improvement and Service Committee, having met on April 30, 2014 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the election of Ald. Brian Danzinger as Chair and Ald. Joe Moore as Vice-Chair of the Improvement and Services Committee.
2. To receive and place on file the request by Sue Doroba, on behalf of Peace United Methodist Church, for a third garbage cart at 919 Schwartz Street.
3. To approve the request by Garritt Bader to allow overnight on-street parking for three (3) residents from April 1 to August 15, 2014 to accommodate construction of the Whitney Park Townhouses.
4. To approve the request by Adams Street Pub and Grill to establish an agreement for placement of dumpsters in the Cherry Street Ramp dumpster enclosure from May through August of each year and authorize the Mayor and Clerk to sign said agreement.
5. To approve the request by the Fritsch Park Neighborhood Association to place a neighborhood identification sign on City property on the northeast corner of W. Mason Street and La Count Road subject to final location approval by the Department of Public Works, the execution of a Hold Harmless Agreement, and the submission of appropriate insurance.
6. To receive and place on file the request by Ald. Boyce, on behalf of Foxy Lady Cruises, for an update and review of Foxy Lady Agreements, with possible action in regards to docking facilities and handicap access.
7. To approve the request by Ald. Wiezbiskie, on behalf of Timm Schaetz, for street lights near Hart Design & Mfg/University Heights Business Park and request a street light study be conducted by Department of Public Works staff.
8. To receive and place on file the request by Ald. Wiezbiskie, on behalf of John Blom, to correct the drainage and water problems at 2824 Nicolet Drive.
9. To receive and place on file the report on what the City does for flooding prevention on a yearly basis and how this can affect floodplain designations.
10. To receive and place on file the report of the solid waste disposal policy for multi-family properties, specifically those with six or more livable units.
11. To receive and place on file the request by Ald. Tim DeWane for an update on street improvements and repairs in District 4.
12. To approve the request by Department of Public Works to order CN Railroad to repair/replace the following crossings pursuant to §86.12 of Wisconsin Statutes:
 - A. Henry Street approximately 300 feet north of Morrow Street
 - B. Farlin Avenue approximately 730 feet west of Elizabeth Street
 - C. Lombardi Avenue approximately 150 feet east of Ashland Avenue

13. To approve the request by the Department of Public Works to contract with Ayres Associates to complete Professional Engineering Services for Bay Beach Amusement Park Green Infrastructure Parking Lot at a cost of \$32,780.00 and authorize the Director of Public Works to sign the agreement.
14. To approve the Department of Public Works 2013 Annual Report.
15. To approve the report of the Purchasing Agent:
 - A. To award chemical root treatment to the low, responsive vendor, Duke's Root Control, Inc., in the amount of \$38,211.79.
 - B. To award the 2014 contract for mudjacking to Badger Concrete Lifting for \$29,475, with options for three 1-year renewals by mutual agreement.
16. A. To approve to award RESURFACING 1-14 to the low, responsive bidders:

Part A to Martell Construction in the amount of \$297,800.00.
Part B to Northeast Asphalt, Inc. in the amount of \$1,278,150.00.

 - B. To approve to award SEWERS 1-14 (INCLUDING WATER MAIN) to the low, responsive bidder, Feaker & Sons Co., Inc., in the amount of \$653,110.85.
17. To receive and place on file the report of the award of the emergency sanitary repair work in association with Brown County reconstruction of Oneida Street (CTH AAA) from Lombardi Avenue south to Potts Avenue to DeKeyser Construction, Co., in the amount of \$12,404.00.
18. To approve the application for Tree and Brush Trimmer License by A to Z Tree Service LLC.
19. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:
 - A. Bed Rock Concrete
 - B. E & I Concrete Construction
 - C. Frank O. Zeise Construction Co., Inc.
 - D. Helmle Construction, Inc.
 - E. J.C. Santy Construction, LLC.
 - F. KPC Concrete Contractors, LLC.
 - G. Northern Concrete Construction, Inc.
 - H. R.G. Hendricks & Sons Construction, Inc.
 - I. Ray Jaeger Construction, Inc.
 - J. Shier Construction
20. To approve the application for the Underground Sprinkler System License by The Sprinkler Company.
21. To order in asphalt pavement resurfacing improvements and levy special assessments on the following streets: Atkinson Drive- Hurlbut Street to cul-de-sac north.

REPORT OF THE PARK COMMITTEE

May 6, 2014

The Park Committee, having met on Wednesday, April 30, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve Ald. Wiezbiskie for Chairman and Ald. Nennig for Vice Chairman.
2. To accept the donation of plants and planting materials from Thrivent Financial to be installed at Bay Beach Amusement Park contingent upon:
 - Staff supervision of the project;
 - All insurances and hold harmless agreements being obtained;
 - All costs of plants, landscape materials, and labor will be the responsibility of Thrivent Financial.
3. A. To approve the request to purchase a new 2014 Bobcat 5610 tool carrier from Bobcat Plus Inc. for \$51,153.
B. To approve the request to purchase a new 2014 Vermeer SC802 stump cutter from Vermeer Wisconsin Inc. for \$41,980.
4. To accept a \$9,800 donation from the Baird Creek Preservation Foundation to donate and plant trees on recently-acquired property behind McAuliffe Park in the Baird Creek Greenway contingent upon:
 - Baird Creek Preservation Foundation will be responsible for all costs of purchasing and planting the trees;
 - All proper permits, insurances, and hold harmless agreements being obtained;
 - Staff approval of species and placement of trees;
 - Staff supervision of the project.
5. To approve the Baird Creek Preservation Foundation Urban Conservation Capacity grant projects located in the Baird Creek Greenway contingent upon all proper permits, insurances, and hold harmless agreements being obtained with the exception of the prairie burn project which will need to come back to the Park Committee for final approval.
6. To approve the request by the Baird Creek Preservation Foundation to conduct a garlic mustard study on the recently-acquired Baird Creek Preserve property contingent upon:
 - All proper permits, insurances, and hold harmless agreements being obtained;
 - Baird Creek Preservation Foundation will be responsible for all materials and expenses;

- Staff approval of all products and materials being used and location of the study;
 - Removal of fencing materials upon completion of study.
7. To approve the lease agreement with the Green Bay Baseball LLC (Bullfrogs) for lease of the premises located at 315 S. Baird Street.
 8. To approve the request to apply for a DNR stewardship grant and a resolution of support for that grant to purchase properties located at 535 St. George Street (Parcel 7-666) and 529 St. George Street (Parcel 7-667) for the East River Trail expansion.
 9. To receive and place on file a request by Ald. Nicholson on behalf of the Wilder Neighborhood Association to place a community garden at Wilder Park.
 10. A. To receive and place on file a request by Ald. Wery to officially approve a new or rebuilt Colburn Pool as a City priority and project.
B. To direct staff to seek Requests for Proposals for a pool consultant to develop concepts for the Colburn Park Pool, to allow staff to coordinate cost-sharing options with the Friends of Colburn Park Pool, and report back to the Park Committee.
 11. To approve the resolution to officially acknowledge the Friends of Colburn Park Pool as an advocacy and fundraising part of the Green Bay City Parks Department contingent upon the group securing a reputable financial institution that would be responsible for the collection, accountability of handling donations, and securing the funds.
 12. To receive and place on file the Director's Report.

PROTECTION & WELFARE COMMITTEE REPORT
May 6, 2014

The Protection & Welfare Committee, having met on Monday, April 21, 2014 considered all matters on the agenda and wishes to report and recommend the following:

1. All members voted in favor of Ald. Wery being Chairman.

All members voted in favor of Ald. Tim De Wane being Vice-Chairman.
2. To approve the application for a Class "A" Beverage License by Maribella Vargas at 1695 Main Street, with the approval of proper authorities.
3. To approve the application for one of nine "Class B" Combination License by Green Bay Baseball LLC at 1450 E. Walnut Street, with the approval of proper authorities.
4. To approve the request by the owners of Jill's Bar, 613 Bodart Street, to hold outdoor events on July 19 and June 30, 2014. The approval of the request is subject to complaint.
5. To approve the notice of change of agent for Richard Craniums LLC at 840 S. Broadway.
6. To approve the request by Green Bay Sportservice, Inc. to amend their liquor license at 1265 Lombardi.
7. To receive and place on file the appeal by Shellie Brice to the denial of her Public Vehicle Operator License.

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**REPORT OF THE PROTECTION AND WELFARE COMMITTEE
GRANTING OPERATOR LICENSES
May 6, 2014**

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, Rebekah R
Bell, Stevie A
Chavarria, Mark E
Cisler, Sandra J
Crane, Ashley R
Dudley, Brian A
Frigge, Jessica C
Fye, Elyisha M
Hendricks, Earl R
Masuca, Nicole M
Nuss, Darwin L
Ostrand, Russell V
Reynard, Janice L
Ritchie, Joseph R
Schwartz, Jacques S
Stein, Gideon J
Tushoski, Edward J
Whorley, Alexander J
Wolter, Jacob C

FINAL PAYMENTS RESOLUTION
May 6, 2014

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. SEWERS 4-13 (INCLUDING WATER MAIN) PART A

PTS Constructors, Inc.

TOTAL AMOUNT EARNED:	\$1,048,126.88
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$1,048,126.88
LESS AMOUNT PREVIOUSLY PAID:	<u>\$1,003,606.82</u>
AMOUNT DUE THIS ESTIMATE:	\$ 44,520.06

ACCOUNT NUMBERS

501-00-000-000-12201-000000-000-63013: \$995.35
403-50-500-502-55355-000000-000-63013: \$34,876.69
412-50-500-501-55355-000000-000-63013: \$8,648.02
PO #105376

2. SEWERS 4-13 (INCLUDING WATER MAIN) PART B

Visu-Sewer, Inc.

TOTAL AMOUNT EARNED:	\$ 425,755.58
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 425,755.58
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 388,942.74</u>
AMOUNT DUE THIS ESTIMATE:	\$ 36,812.84

ACCOUNT NUMBERS

403-50-500-502-55355-000000-000-63023: \$36,812.84
PO #105377

3. SEWERS 1-13 (INCLUDING WATER MAIN) PART A

David Tenor Corporation

TOTAL AMOUNT EARNED:	\$ 419,643.08
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 419,643.08
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 383,969.55</u>
AMOUNT DUE THIS ESTIMATE:	\$ 35,673.53

ACCOUNT NUMBERS

501-00-000-000-12201-000000-000-63033: \$1,403.50
403-50-500-502-55355-000000-000-63033: \$15,615.81
412-50-500-501-55355-000000-000-63033: \$18,654.22
PO #105348



4. SEWERS 1-13 (INCLUDING WATER MAIN) PART B

David Tenor Corporation

TOTAL AMOUNT EARNED:	\$ 346,545.73
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 346,545.73
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 312,867.05</u>
AMOUNT DUE THIS ESTIMATE:	\$ 33,678.68

ACCOUNT NUMBERS

501-00-000-000-12201-000000-000-63043: \$11,288.80

403-50-500-502-55355-000000-000-63043: \$7,440.76

412-50-500-501-55355-000000-000-63043: \$14,949.12

PO #105349

5. SEWERS 1-08 (INCLUDING WATER MAIN)

Jossart Brothers, Inc.

TOTAL AMOUNT EARNED:	\$ 898,975.19
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 898,975.19
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 893,975.19</u>
AMOUNT DUE THIS ESTIMATE:	\$ 5,000.00

ACCOUNT NUMBERS

412-50-500-501-55355-000000-000-13018: \$5,000.00

PO #103614

Adopted _____, 2014

Approved _____, 2014

Mayor

ATTEST:

City Clerk

mms

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**RESOLUTION APPROVING THE
DUMPSTER PLACEMENT AGREEMENT WITH
ADAMS STREET PUB AND GRILL
May 6, 2014**

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

To approve the request by Adams Street Pub and Grill to establish an agreement for placement of dumpsters in the Cherry Street Ramp dumpster enclosure from May through August of each year and authorize the Mayor and Clerk to sign said agreement.

Adopted _____, 2014

Approved _____, 2014

Mayor

ATTEST:

City Clerk

jld

9

RESOLUTION REQUIRING THE REPAIR OF
AT-GRADE RAILROAD CROSSINGS

May 6, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, HENRY STREET, a public street in the City of Green Bay, crosses the tracks of the Canadian National Railroad at-grade approximately 300 feet north of Morrow Street, having crossing number 281409D; and

WHEREAS, FARLIN AVENUE, a public street in the City of Green Bay, crosses the tracks of the Canadian National Railroad at-grade approximately 730 feet west of Elizabeth Street, having crossing number 281405B; and

WHEREAS, LOMBARDI AVENUE, a public street in the City of Green Bay, crosses the tracks of the Canadian National Railroad at-grade approximately 150 feet east of Ashland Avenue, having crossing number 180095E; and

WHEREAS, § 86.12(1) of the Wisconsin Statutes requires railroads to maintain public at-grade crossings in good condition and repair for public travel; and

WHEREAS, the Henry Street, Farlin Avenue, and Lombardi Avenue crossings are not in good condition and repair for public travel because of failed crossing materials; and

WHEREAS, the City of Green Bay requires that the Canadian National Railroad pave, plank, repair, change or otherwise improve the crossings, as the needs require.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Green Bay hereby directs the City Clerk to serve a copy of this resolution upon the Canadian National Railroad requiring the railroad to repair the rail-highway crossings at Henry Street, approximately 300 feet north of Morrow Street; Farlin Avenue, approximately 730 feet west of Elizabeth Street; and Lombardi Avenue, approximately 150 feet east of Ashland Avenue; with the tracks of the Canadian National Railroad in the City of Green Bay, Brown County, Wisconsin.

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BE IT FURTHER RESOLVED, that in the event the Canadian National Railroad fails to repair the rail-highway crossing within 30 days after service of the resolution, the Common Council of the City of Green Bay hereby directs city staff to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order for the repair of the rail-highway crossings of Henry Street, approximately 300 feet north of Morrow Street; Farlin Avenue, approximately 730 feet west of Elizabeth Street; and Lombardi Avenue, approximately 150 feet east of Ashland Avenue; with the tracks of the Canadian National Railroad in the City of Green Bay, Brown County, Wisconsin.

Adopted _____

Approved _____

Mayor

Clerk

KJD:bc

10 a

RESOLUTION AUTHORIZING
RELEASE OF EASEMENT RIGHTS
AT 920 PACKERLAND DRIVE

May 6, 2014

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

That the Mayor is hereby authorized to release the City's rights to three 12-foot utility easements at 920 Packerland Drive (Tax Parcel Number 6H-1745) as depicted on the attached map.

Adopted _____

Approved _____

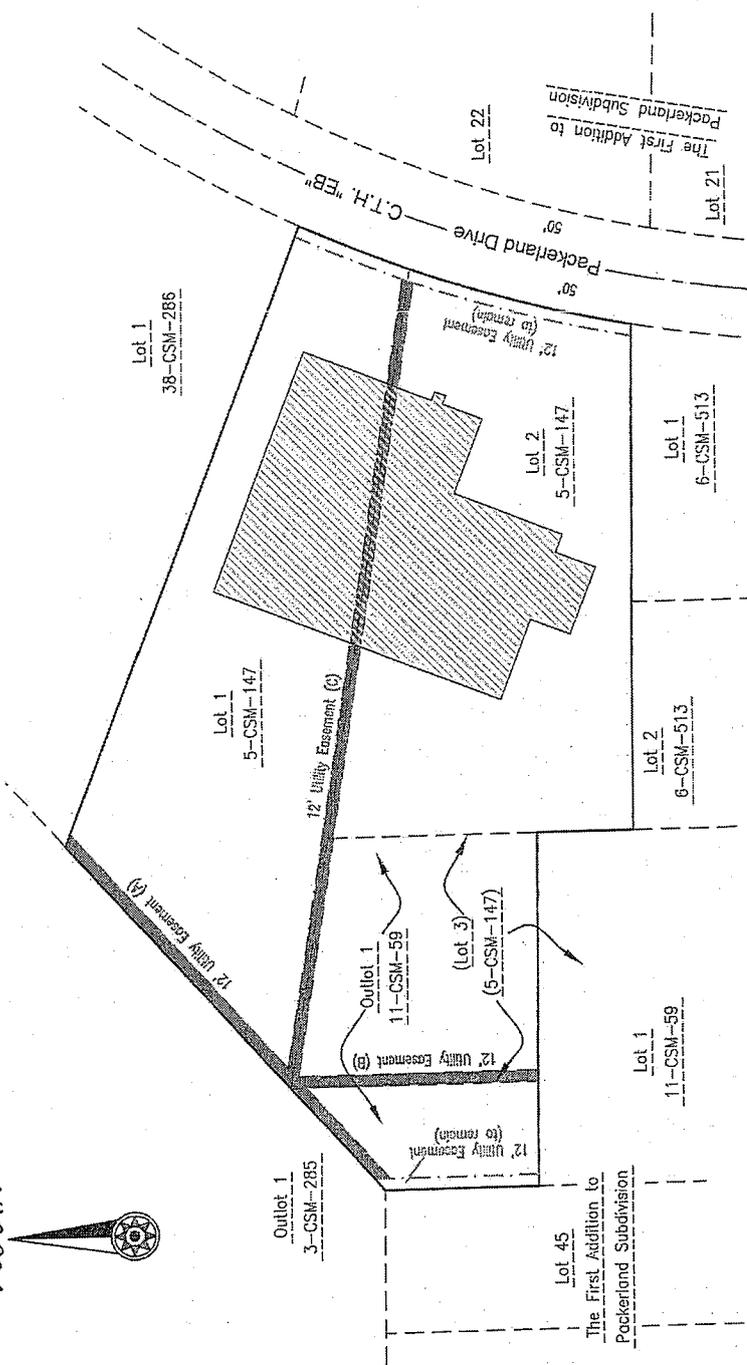
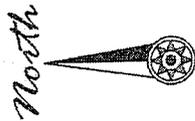
Mayor

Clerk

Attachment – Map

Easement Vacation Exhibit

12' Utility Easements located in Lots 1, 2 & 3, Volume 5, Certified Survey Maps, page 147, Map Number 1353, Document Number 799780, Brown County Records, and Outlot 1, Volume 11, Certified Survey Maps, page 59, Map Number 2364, Document Number 974544, Brown County Records, said Maps being located in part of Lots 42, 43 & 44 of the recorded "The First Addition to Packerland Subdivision", all in the City of Green Bay, Brown County, Wisconsin.



Scale: 1" = 150'

Client: Deleers Const.
 Tax Parcel: 6H-1745
 Drafted By: BAR
 File: L-3189Ease Vac 032514.dwg
 Mau & Associates
 LAND SURVEYING & PLANNING
 CIVIL & WATER RESOURCE ENGINEERING
 Phone: 920-434-9670 Fax: 920-434-9672
 Project No.: L-3189
 Drawing No.: L-8795
 Sheet One of One

11A

**RESOLUTION APPROVING
FRITSCH PARK NEIGHBORHOOD ASSOCIATION
TO PLACE A NEIGHBORHOOD IDENTIFICATION
SIGN ON CITY PROPERTY
HOLD HARMLESS AGREEMENT
May 6, 2014**

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

To approve the request by the Fritsch Park Neighborhood Association to place a neighborhood identification sign on City property on the northeast corner of W. Mason Street and La Count Road subject to final location approval by the Department of Public Works, the execution of a Hold Harmless Agreement, and the submission of appropriate insurance.

Adopted _____, 2014

Approved _____, 2014

Mayor

ATTEST:

City Clerk

jld

RESOLUTION AUTHORIZING APPLICATIONS
FOR OUTDOOR RECREATION AIDS FOR THE
EAST RIVER TRAIL – ST. GEORGE STREET ACQUISITIONS

May 6, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, the City of Green Bay is interested in acquiring lands for public outdoor recreation purposes as described in the attached application; and

WHEREAS, the project is described as the East River Trail – St. George Street Acquisitions, described in detail on the attached application cover sheet and map; and

WHEREAS, financial aid is required to carry out the project.

NOW, THEREFORE, BE IT RESOLVED that the City of Green Bay has budgeted a sum sufficient to complete the project or acquisitions and hereby authorizes the Director of Parks, Recreation and Forestry Department, or a designee, to act on behalf of the City of Green Bay to:

- Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims, along with necessary supporting documentation, within six months of the project completion date;
- Submit signed documents; and
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that the City of Green Bay will comply with state or federal rules for the programs to the general public during reasonable hours consistent with the type of facility and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Adopted _____

Approved _____

Mayor

Clerk

JLM:bc

Attachments

Save

Print

Clear Form

Fiscal Year 2014-15

State of Wisconsin
Department of Natural ResourcesSTEWARDSHIP LOCAL ASSISTANCE, FEDERAL LAND &
WATER CONSERVATION FUND, & RECREATIONAL TRAILS ACT
GRANT APPLICATION Form 8700-191 (Rev. 01/2014)

NOTICE: Use of this form is required by the Department for any application filed pursuant to ss. NR 50.06, NR 50.21, and NR 51, Subchapters XI-XV, Wis. Adm. Code. The Department will not consider your application unless you complete and submit this application form. Personal identifiable information will only be used in conjunction with the programs listed above. If you have any questions contact your local community service specialist. Personally identifiable information provided on this form will be used for program administration and will be available to requesters as required under Wisconsin's Open Records Law [ss. 19.31 - 19.39, Wis. Stats.].

For DNR Use Only

Eligible For:			
<input type="checkbox"/> ACQUISITION & DEVELOPMENT OF LOCAL PARKS	<input type="checkbox"/> ACQUISITION OF DEVELOPMENT RIGHTS		
<input type="checkbox"/> URBAN RIVERS	<input type="checkbox"/> URBAN GREEN SPACE		
<input type="checkbox"/> LAND AND WATER CONSERVATION FUND	<input type="checkbox"/> RECREATIONAL TRAILS ACT		
Applicant		Individual Authorized to Act on Behalf of Applicant:	
City of Green Bay		Dan Ditscheit	
Street or PO Box		Title	
100 North Jefferson Street		Design & Development Supt.	
City, State, Zip Code		Telephone Number:	Fax Number:
Green Bay, WI 54301		() 920-448-3381	(920)448-3393
County	Current Population	Year	E-Mail Address
Brown	104,300	2013	dandi@greenbaywi.gov
Mail Check to (if different from applicant):			
Name:		Address:	
Organization:		City	State Zip

REQUIREMENT: The project must be supported by an adopted comprehensive outdoor recreation plan that has been approved by the DNR.

INSTRUCTIONS:

- Complete Sections 1 and 2 and the appropriate project rating sections - 3, 4 or 5.
- Submit an electronic version (cd, flash drive) of application and applicable materials with hard copy.
- Answer all questions in provided space. Attach additional pages if needed.

SECTION 1: PROJECT INFORMATION

Project Title:						Financial Summary					
East River Trail - St. George Street Acquisitions						Total Project Costs (from Worksheet, Form 8700-014)			Grant Request (up to 50%)		
						\$ 181,800.00			\$ 90,900.00		
Project Type: (Check one) <input type="checkbox"/> Maintenance (RTA only)						Sponsor Match Sources:					
<input type="checkbox"/> Development <input type="checkbox"/> Renovation						Sponsor Funds:					
<input checked="" type="checkbox"/> Land Acquisition <input type="checkbox"/> Easement						Cash \$ _____					
Project Location:						Force Account Labor _____					
Township	Range	Section	1/4	1/4	County	Force Account Equipment _____					
24	21	32	SW	NW	Brown	Force Account Materials _____					
GPS Coordinates:						Donations (Non-Governmental):					
Lat: 44.513558662714 Long: 87.9973971335796						Land \$ _____					
Congressional/Legislative District Numbers						Cash _____					
WI Senate	WI Assembly	US Congress				Labor _____					
88	30	8				Materials _____					
						Equipment _____					
						Other Government's Contributions \$ _____					

D-U-N-S # 074797028						Total Sponsor Match:			\$ 90,900.00		

GRANT PROPERTY #1

PARCEL 7-666
0.20 ACRES
535 ST. GEORGE STREET

GRANT PROPERTY #2

PARCEL 7-667
0.12 ACRES
529 ST. GEORGE STREET



GREEN BAY PARKS, RECREATION,
AND FORESTRY DEPARTMENT



EAST RIVER GREENWAY
2014 DNR STEWARDSHIP GRANT - PROPOSED ACQUISITIONS

DATE DRAWN:
APRIL 2014

SCALE: 1"=100'-0"
LAST REVISION:
ERO-PURCH711

136

RESOLUTION IN SUPPORT OF
FRIENDS OF COLBURN PARK POOL, INC.

May 6, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS, Enos Colburn Park ("Colburn") is one of many excellent parks managed by the City of Green Bay; and

WHEREAS, the funding to maintain and improve Colburn comes from tax dollars; and

WHEREAS, the City of Green Bay is limited in the amount of tax dollars it can allocate to maintain and improve Colburn; and

WHEREAS, Friends of Colburn Park Pool, Inc., is a non-profit group that has an interest in the maintenance and improvement of Colburn Park and its amenities; and

WHEREAS, Friends of Colburn Park Pool, Inc., wishes to provide supplemental funding to the City of Green Bay in order to maintain and improve Colburn; and

WHEREAS, additional funding from Friends of Colburn Park Pool, Inc., would allow the City of Green Bay to perform maintenance on and make improvements to Colburn that the City desires to do but lacks adequate funding.

NOW, THEREFORE, BE IT RESOLVED that the City of Green Bay hereby recognizes "Friends of Colburn Park Pool, Inc." as an official funding partner for maintenance and improvements at Enos Colburn Park.

Adopted _____

Approved _____

Mayor

Clerk

JLM:bc

14.

RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 607 LIBERTY STREET
(ZP 14-09)

May 6, 2014

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

That, pursuant to Zoning Petition 14-09 and the recommendation of the Plan Commission on April 21, 2014, the City of Green Bay recommends approval of the request for a conditional-use permit to exceed the height limitation for a 105 foot silo located in a General Industrial (GI) District on the following described property at 607 Liberty Street:

LOT 1 OF 22 CSM 126 BNG PRT OF LOTS 2, 3 & 6
CLA TANKS SUBD OF PC 12 & N ½ OF PC 13 WSFR (Tax
Parcel Number 1-1413-2)

Said conditional-use permit shall be granted subject to the following conditions:

- a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional-use permit, including standard site plan review and approval.
- b. The limitation of one silo not to exceed 105 feet in overall height.

Adopted _____

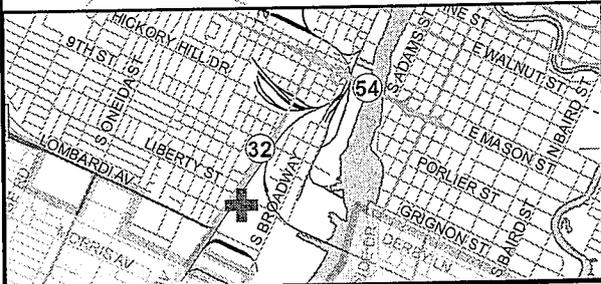
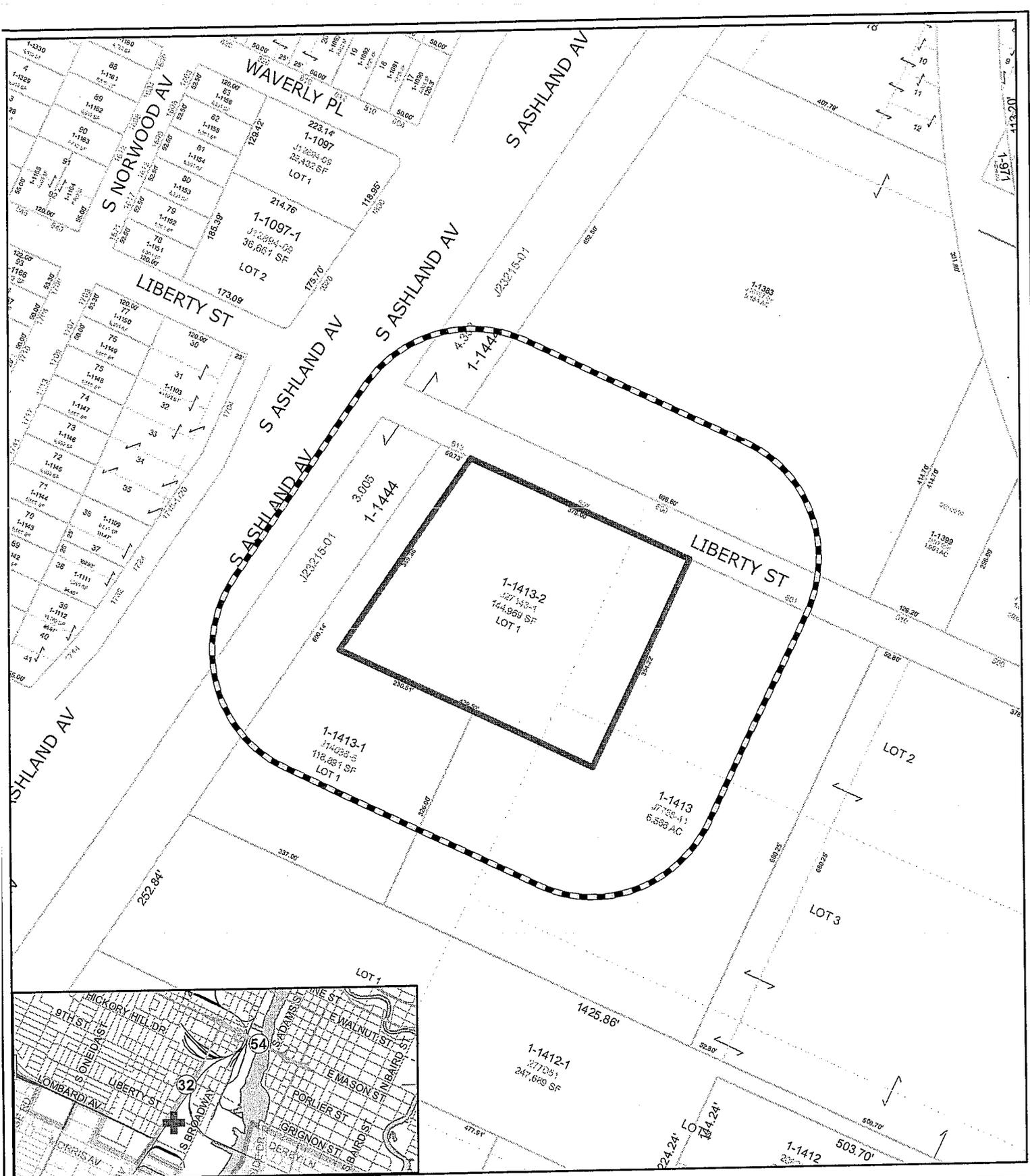
Approved _____

Mayor

Clerk

bc

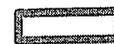
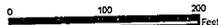
Attachment – Map



Zoning Petition (ZP 14-09)

Request to authorize a Conditional Use Permit (CUP) to exceed the height limitation for a 105 foot silo located in a General Industrial (GI) District, at 607 Liberty Street

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Planning Department. P.N. April 2014. \Planning\CityZPMaps\2014\ZP14-09



Subject Area



200' Notice Area

15A

RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 1530 NORTH BYLSBY AVENUE
(ZP 14-14)

May 6, 2014

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

That, pursuant to Zoning Petition 14-14 and the recommendation of the Plan Commission on April 21, 2014, the City of Green Bay does authorize a conditional-use permit to exceed the height limitation for a 105 foot silo located in a General Industrial (GI) District on the following described property at 1530 North Bylsby Avenue:

MILITARY RESERVE LOT 17 31 ACRES SPECIAL
ASSESSMENT (Tax Parcel Number 6-11)

Said conditional-use permit shall be granted subject to the following conditions:

- a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional-use permit, including standard site plan review and approval.
- b. The limitation of one silo not to exceed 105 feet in overall height.

Adopted _____

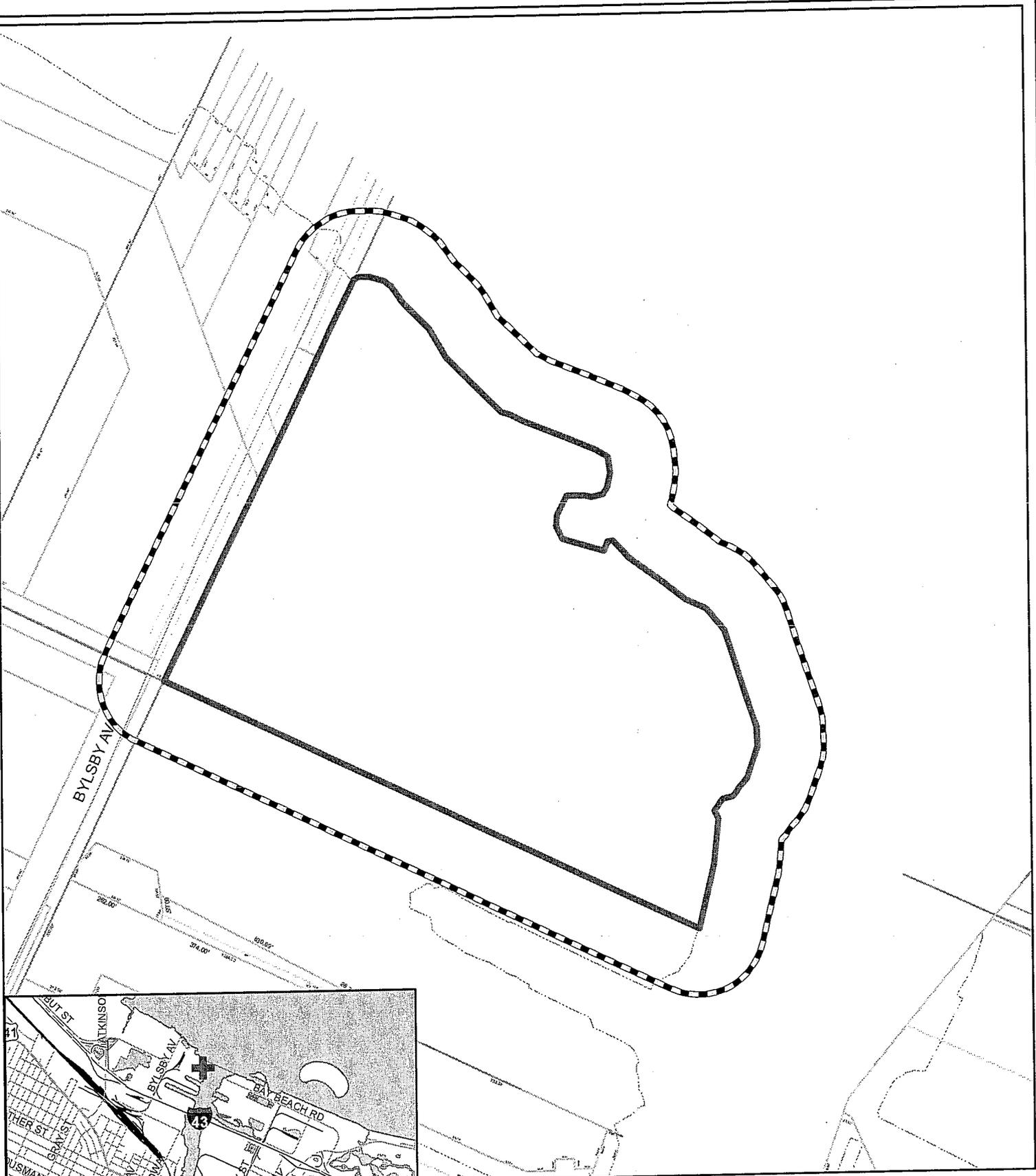
Approved _____

Mayor

Clerk

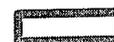
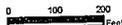
bc

Attachment -- Map



Zoning Petition (ZP 14-14)
Request to authorize a Conditional Use Permit (CUP) to exceed the height limitation
for a 105 foot silo located in a General Industrial (GI) District, at 1530 North Bylsby Avenue

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Subject Area



200' Notice Area

16A

RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 3391 NICOLET DRIVE
(ZP 14-16)

May 6, 2014

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

That, pursuant to Zoning Petition 14-16 and the recommendation of the Plan Commission on April 21, 2014, the City of Green Bay does authorize a conditional-use permit for construction of a detached garage beyond the maximum size and height requirement found in Ch. 13-615, Table 6-4, Green Bay Municipal Code, in a Low Density Residential (R1) District on the following described property at 3391 Nicolet Drive:

PART GOVT LOT 2 SEC 12 T24N R21E COM INSECTN
N/L & W/L NICOLET ROAD SLY ALG ROAD 120 FT TO POB
CONT SLY 60 FT W TO BAY SHORE NLY 60 FT E TO POB
(Tax Parcel Number 22-59-5)

Said conditional-use permit shall be granted subject to the following conditions:

- a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional-use permit, including standard site plan review and approval.
- b. Continuance of similar style of architecture, exterior construction material, and color of the structure.

Adopted _____

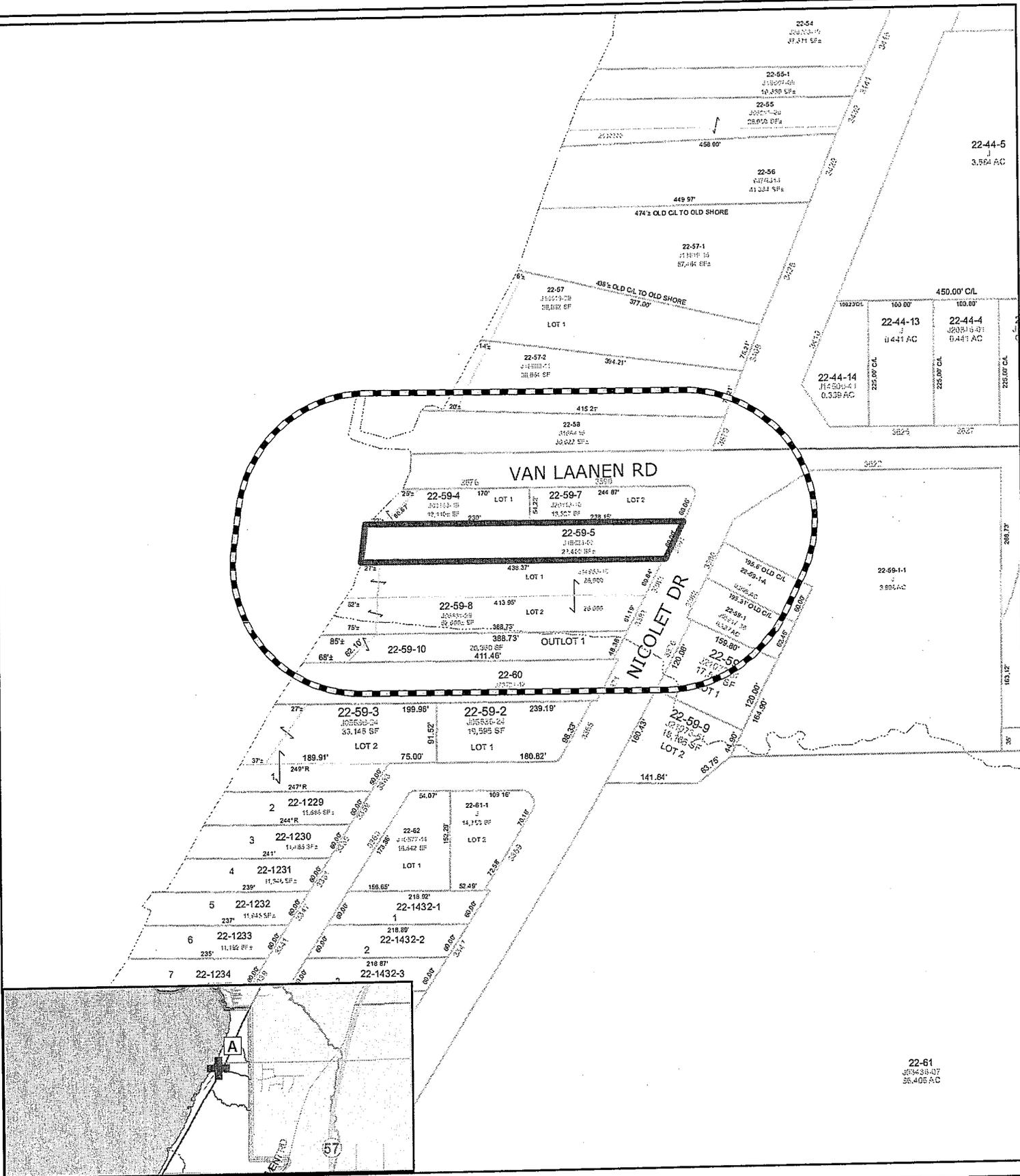
Approved _____

Mayor

Clerk

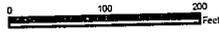
bc

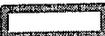
Attachment – Map



Zoning Petition (ZP 14-16)
Request to authorize a Conditional Use Permit (CUP) to construct a detached garage beyond the maximum size and height requirements in a Low Density Residential (R1) District 3391 Nicolet Drive

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-  Subject Area
-  200' Notice Area

17A

RESOLUTION AUTHORIZING
A VARIANCE FROM SECTION 14.727,
SUBDIVISION AND PLATTING,
GREEN BAY MUNICIPAL CODE,
TO ALLOW FOR A LAND DIVISION NOT
TO BE LOCATED ON A PUBLIC STREET
FOR PARCEL CURRENTLY ADDRESSED
AS 920 PACKERLAND DRIVE
(VR 14-01)

May 6, 2014

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

That, pursuant to Variance Request 14-01 and the recommendation of the Plan Commission on April 21, 2014, the City of Green Bay does authorize a variance from Section 14.727, Subdivision and Platting, Green Bay Municipal Code, to allow for a land division not to be located on a public street on the following described parcel currently addressed as 920 Packerland Drive:

PARCELS 1 & 2 OF 5 CSM 147 & OUTLOT 1 OF 11
CSM 59 BNG PRT OF LOTS 42, 43, 44 & 45 1ST ADDN TO
PACKERLAND SUBD (Tax Parcel Number 6H-1745)

Adopted _____

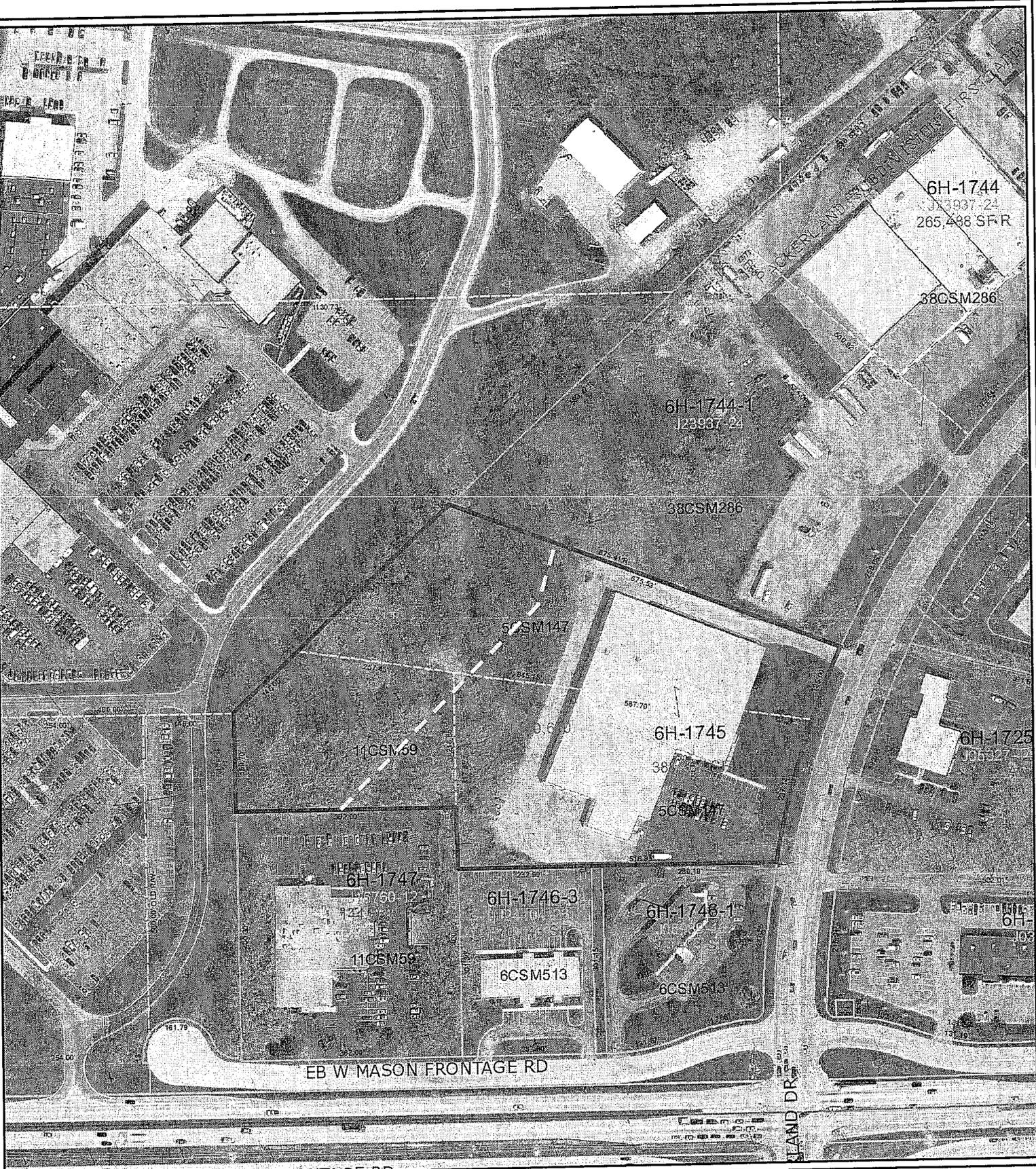
Approved _____

Mayor

Clerk

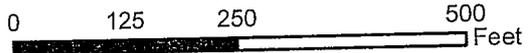
bc

Attachment – Map



Subdivision Variance Request (VR 14-01)
Request to deviate from section 14-727 of the Subdivision and Platting Ordinance
to allow for a land division not be located on a public street for a parcel currently addressed
at 920 Packerland Drive

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Planning Department. D.J.L. April 2014



 Subject Property



18A

Certified Survey Map

All of Lots 1 & 2, Volume 5, Certified Survey Maps, page 147, Map Number 1353, Document Number 799780, Brown County Records, and all of Outlot 1, Volume 11, Certified Survey Maps, page 59, Map Number 2364, Document Number 974544, Brown County Records, said Maps being located in part of Lots 42, 43 & 44 of the recorded "The First Addition to Packerland Subdivision", all in the City of Green Bay, Brown County, Wisconsin.



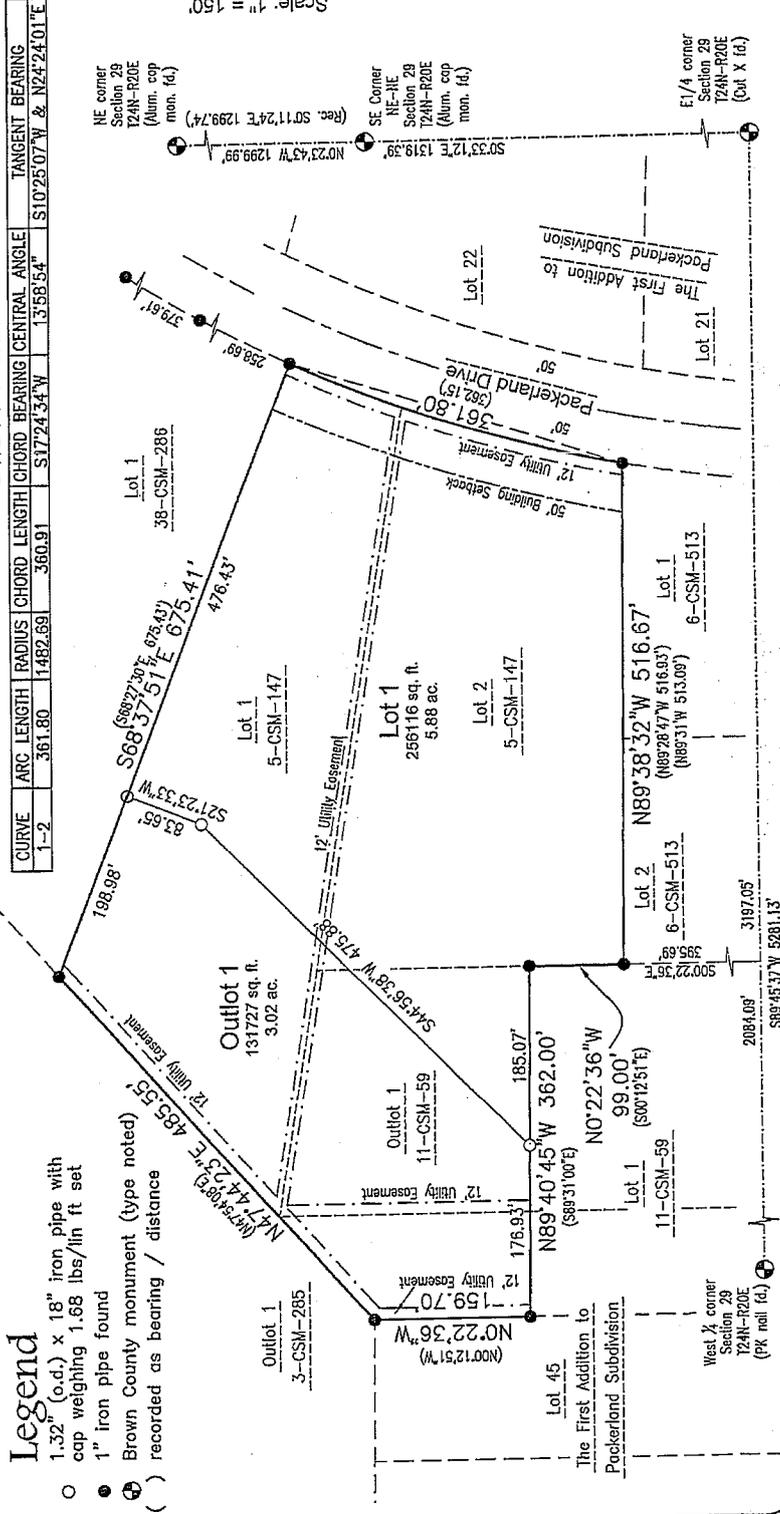
Bearings referenced to the East-West quarter line of Section 29, T24N-R20E, assumed to be S89°45'37"W.

Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD	BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	.361.80	1482.69	S17°24'34"W	13°58'54"	S10°25'07"W & N24°24'01"E	

Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊕ Brown County monument (type noted)
- () recorded as bearing / distance



PRELIMINARY

18 b

GENERAL ORDINANCE NO. 10-14

AN ORDINANCE
AMENDING CHAPTER 13-605(c)(5),
GREEN BAY MUNICIPAL CODE,
RELATING TO REMNANT PARCELS
(TA 14-03)

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

SECTION 1. Chapter 13-605(c)(5), Green Bay Municipal Code, is hereby amended as follows:

13-605. Unserviced lots, RR District. All lots developed without city sewer and public water service shall meet the following standards:

(c) (Amd. GO 38-08) The 10-acre limit in the RR District may be reduced subject to the following development standards:

(5) Remnant parcel shall not be less than 10 acres, **except in cases where a remnant parcel is part of a division of land for the purposes of acquisition of public property and/or public 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 _____ day of _____, 2014.

APPROVED:

Mayor

ATTEST:

Clerk

bc

GENERAL ORDINANCE NO. 11-14

AN ORDINANCE
AMENDING CHAPTER 13, TABLE 6-2,
GREEN BAY MUNICIPAL CODE,
RELATING TO LOT DIMENSION AND
SETBACK REQUIREMENTS IN
RESIDENTIAL DISTRICTS
(TA 14-02)

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

SECTION 1. Chapter 13-604, Table 6-2, Green Bay Municipal Code, is hereby amended as follows:

13-604. Lot dimension and building bulk requirements. Lot area and setback requirements shall be as specified in Table 6-2, Lot Dimension and Setback Requirements.

Table 6-2. Lot Dimension and Setback Requirements, Residential Districts

	RR	R-1	R-2	R-3
Building Setback Requirements (feet)				
Front Yard	20 ^{c,h}	15 ^{c,h}	15 ^{c,h}	15 ^{c,h}
Side Yard ^{e, f,i,j}	6/8 ea. ^j	6/8 ea. ^j	6 ea.	10 ea. ^j
Rear Yard	25	25	25	25
Garages (attached)	25	20	20	20

Notes to Table 6-2:

j. **For single and two-family uses**, 6 feet for a single story, 8 feet for a story and a half or greater.

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 _____, 2014.

APPROVED:

Mayor

ATTEST:

Clerk

bc