



MINUTES OF THE COMMON COUNCIL

MONDAY, MARCH 31, 2014 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. Boyce, seconded by Ald. Warner to approve the minutes of the March 18, 2014, meeting. Motion carried.

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

Moved by Ald. Kocha, seconded by Ald. Thomas DeWane to move the Personnel Report before the Plan Commission Report. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to approve the agenda as amended. Motion carried.

REPORT BY THE MAYOR

The Mayor announced that there will be a Victims of Violence Benefit on April 12. The next Council Meeting will be on April 15, 2014.

PUBLIC HEARINGS

Zoning Ordinance No. 3-14

An ordinance amending Zoning Ordinance No. 21-87 by modifying uses at 2430 Finger Road. (Item #24)

No one appeared.

Zoning Ordinance No. 4-14

An ordinance rezoning property located in the 1600 block of Christina Street and the 1600-1700 block of Shawano Avenue from Varied Density Residential (R3) District to Office Residential (OR) District. (Item #25)

No one appeared.

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

APPOINTMENTS

NEW APPOINTMENTS

Military Avenue BID Board

Ralph Jensen

Term to expire: December 31, 2016

Annexation Commission

Steven Grenier, DPW Director

Term to expire: Term of Office

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

RE-APPOINTMENTS

Ethics Board

Bill VandeCastle

Term to expire: March 1, 2017

Olde Main BID Board

Patrick Beimborn

Term to expire: January 5, 2017

Paul Kosmoski

Term to expire: January 5, 2017

Michele McKinnon

Term to expire: January 5, 2017

On Broadway BID Board

Ray Salter

Term to expire: December 31, 2015

Redevelopment Authority

Gary Delveaux

Term to expire: March 1, 2019

Matt Schueller

Term to expire: March 1, 2019

Traffic Commission

Matt Kuepers

Term to expire: March 1, 2017

Transit Commission

John Withbroe

Term to expire: February 1, 2017

Zoning & Planning Board of Appeals

Don Carlson

Term to expire: May 1, 2016

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

EMPLOYEE OF THE YEAR

The Mayor presented a plaque to Assistant Fire Chief Michael Nieft, Green Bay Metro Fire Department.

PRESENTATION OF PROCLAMATIONS TO OUTGOING COUNCIL MEMBERS

The Mayor and Council President Thomas DeWane presented plaques to the following Alderpersons:

District 5-Ald. Amy Kocha

District 7-Ald. David Boyce

District 8-Ald. Jesse Brunette

District 9-Ald. James Warner

PETITIONS & COMMUNICATIONS

Moved by Ald. Kocha, seconded by Ald. Thomas DeWane 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 March 31, 2014

The Green Bay Plan Commission, having met on Monday, March 24, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve a Conditional Use Permit (CUP) for an educational use within a Light Industrial (LI) District for New Visions Lutheran Social Services (LSS) Daytime Resource Center, 100 East Mason Street, subject to:
 - a. Compliance is required with all applicable City ordinances including, but not necessarily limited to, site plan and building plan review and approval.
 - b. This conditional use approval is limited specifically to the site and operational plans provided with the application. There shall be no alteration or expansion of the use without Plan Commission and City Council approval.
 - c. At the discretion of the Common Council, Plan Commission, or the Planning Director, a periodic review may be required by the Plan Commission and Common Council to ensure compliance with this Conditional Use Permit and to identify any areas of concern with the use as the result of police calls or zoning violations.
 - d. Unless this conditional use approval expires or is revoked sooner for any other circumstances, it will expire on April 30, 2019. If an extension is desired, a CUP amendment can be applied for at that time
2. To approve a Conditional Use Permit (CUP) for the installation of a solar photovoltaic system on the front roof of 846 Ninth Street, subject to compliance with Chapter 13-1611 (c)(1),(d),(e),(f) Development Standards – Solar Energy Systems and the following condition:
 - a. Location and positioning of the solar energy system shall not interfere or cause reflection (glare) to pedestrian or vehicular traffic.

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

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to hold Item #1 for two weeks until the April 15 meeting. Motion carried.

REPORT OF THE FINANCE COMMITTEE
March 31, 2014

The Finance Committee, having met on Tuesday, March 25, 2014 considered all matters on its agenda and wishes to report and recommends the following:

1. To approve the request by the Finance Director, on behalf of the City Assessor, to cancel certain real and personal property taxes.
2. To approve the purchase of a Computer Assisted Mass Appraisal Software from Assessment Technologies of Wisconsin, LLC for \$103,000.
3. To approve the purchase of services and software from Software Consulting Hardware Inc. (SCH) to convert and migrate Personal Property and Mobile Home data to a new software application for \$22,000.

2014 Contingency Fund
\$110,000

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

REPORT OF THE
IMPROVEMENT AND SERVICE COMMITTEE
March 31, 2014

The Improvement and Service Committee, having met on March 26, 2014 considered all matters on its agenda and wishes to report and recommend the following:

1. To hold until the next Improvement & Service Meeting 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.
2. To approve the request by Blue Viper LLC (Dan Schmidt, President) to enter into a Developer's Agreement with the City for the construction of sewer, water, and street improvements for the Kristy Lee Estates Subdivision and authorize the Mayor and Clerk to sign.
3. To approve with a draft agreement to be approved by the Department of Public Works Director the request by Hagemeister Park to use the Main Street Ramp in association with a valet parking program on evenings and weekends.

4. To refer to staff the request by Ald. Wiezbiskie, on behalf of a constituent, to redesign, possibly deepen, the ditch at 719 N. Northview Road.
5. To approve the report of the Purchasing Manager:
 - A. To award the 2014 Basin Sewer Televising contract to Northern Pipe Equipment for \$418,390.
6. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:
 - A. Loch Construction, Inc.
 - B. In the Countryside Concrete
 - C. Scott R. Weidner Concrete Construction, LLC.
 - D. Elmer Weise Construction
7. To order in concrete pavement for the reconstruction of Monroe Avenue from Cass Street to the East River and levy the project-specific special assessments approved by Council on March 4, 2014.
8. To order in asphalt resurfacing improvements and levy special assessments on the following streets:

ALLEN AVENUE - Deckner Avenue to south end
BAUMGART ROAD - 645' N of Ramada Lane to West Point Road
BRETCOE DRIVE - Maryland Avenue to Hillside Lane
BROCOIN WAY - 155' N of Vestco Court to Ramada Lane
CARRIE LANE - Western Avenue to Rowe Lane
CONSERVANCY COURT E - Golf Drive to 140' north
CONSERVANCY COURT W - Golf Drive to 215' north
EAST SHORE CIRCLE - East Shore Drive to cul-de-sac west
EILEEN STREET - Hampton Avenue to Edgewood Drive
FORESTVILLE DRIVE - Packerland Drive to He-Nis-Ra Lane
GOLF DRIVE - Erie Road to E. Conservancy Court
KATERS DRIVE - Langlade Avenue to Biemeret Street
LACOUNT ROAD - W Mason Street to West Point Road
LESLIE DRIVE - Allen Avenue to east end
RAMADA LANE - Baumgart Road to Brocoin Way
ROWE LANE - Pine Terrace to Taylor Street
SANDY LANE - Wesley Avenue to 450' east
SCOTT DRIVE - Western Avenue to Rowe Lane
SHEPHERDS PATH - Summer Place to Sandia Drive
SHERIDAN DRIVE - Leslie Drive to 310' south
SUMMER PLACE - LaCount Road to Shepherds Path
VESTCO COURT - Brocoin Way to 155' west
WALNUT STREET E - Baird Street to 680' east

9. To approve the Compliance Agreement between the Wisconsin Department of Natural Resources and City of Green Bay for the former H&R Landfill and authorize the Department of Public Works Director to execute the agreement.

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

REPORT OF THE PERSONNEL COMMITTEE March 31, 2014

The Personnel Committee, having met on Tuesday, March 25, 2014 considered all matters on its agenda and reports and recommends the following:

1. To approve request to fill the Equipment Operator position in Public Works and all subsequent vacancies resulting from internal transfers.
2. To revise Chapter 9.2.5 of the City's Personnel Policy, Overtime, to include holiday and vacation hours as actual time worked for the purposes of determining eligibility for overtime to be effective at the beginning of the next pay period following approval by City Council, which is April 6, 2014. Recommendation was made on a 2-1 vote. (Revised policy language attached.)
3. To hold the request by Ald. Moore until the next meeting, to delay the October 1, 2014 2%-general salary increase for newly hired employees until they have been employed for 6-months or consider other options.
4. To receive and place on file the report of routine Personnel Actions for regular employees.

Moved by Ald. Wiezbiskie, seconded by Ald. Thomas DeWane to adopt the report with the exception of Item #2. Motion carried.

Moved by Ald. Sladek, seconded by Ald. Moore to refer Item #2 back to the Personnel Committee. Motion carried.

PROTECTION & WELFARE COMMITTEE REPORT March 31, 2014

The Protection & Welfare Committee, having met on Monday, March 24, 2014 considered all matters on the agenda and wishes to report and recommend the following:

1. To deny the application for a Class "A" Beverage License by Everado Curiel at 1807 N. Irwin Avenue.

2. To postpone until the next meeting the request by the owners of Los Brasas at 418 S. Military Avenue to hold an outdoor event on May 3, 2014.
3. To deny the appeal by Joy L. Frank to the denial of her Operator License application.
4. To receive and place on file the request by Ald. Steuer to study various dog leash lengths, which are not specified presently in Section 8.06.

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

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE
GRANTING OPERATOR LICENSES
March 31, 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

Basten, Anne M
Berg, Jordan P
Daniels, Benjamin M
Dimmer, Steve A
Duquaine, Bridgette
Efferson, Kathleen
Griese, Sheila M
Lenz, Julie M
Lewis, Lori A
McMichael, Debra A
Pasterski, Jeffrey S
Peterson-Lardinois, Alexis A
Pfaff, Joshua N
Pharis, Ross A
Poley, Robert C
Reed, Clara D
Sandoval, Jr, Pedro
Schramm, Brianna E
Seidl, Rebecca L
Steffen, Steele D
Vohwinkel, Alicia R
Wautlet, Nicole M

Wenninger, Daniel L

Moved by Ald. Thomas DeWane, seconded by Ald. Boyce to adopt the report. Motion carried with Ald. Danzinger abstaining on the approval of Anne M. Basten, Bridgette Duquaine, Lori A. Lewis and Clara D. Reed.

RECEIVE & PLACE ON FILE

Municipal Court Report for February, 2014.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to receive the report and place it on file. Motion carried.

RESOLUTIONS

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to suspend the rules for the purpose of adopting all of the resolutions, with the exception of the conditional-use approval at 100 East Mason Street, with one roll call vote. Motion carried.

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 8

**An Initial Resolution Authorizing the
Issuance of Not to Exceed
\$3,610,000 General Obligation Bonds
for Street Improvements**

BE IT RESOLVED, by this Common Council, that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City of Green Bay, Wisconsin (the “**City**”), shall issue its negotiable, general obligation bonds in a principal sum not to exceed \$3,610,000 for street improvements; *provided, however*, that said 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.

BE IT FURTHER RESOLVED, that notice of the adoption of this Resolution shall be published in the official newspaper of the City as a class 1 notice, such publication to occur no later than 15 days after the adoption of this Resolution.

Adopted: March 31, 2014

Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 9

**An Initial Resolution Authorizing the
Issuance of Not to Exceed
\$205,000 General Obligation Bonds
for Garbage or Refuse or Rubbish Disposal**

BE IT RESOLVED, by this Common Council, that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City of Green Bay, Wisconsin (the "**City**"), shall issue its negotiable, general obligation bonds in a principal sum not to exceed \$205,000 for garbage or refuse or rubbish disposal, including, but not limited to, the purchase of garbage trucks; *provided, however*, that said 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.

BE IT FURTHER RESOLVED, that notice of the adoption of this Resolution shall be published in the official newspaper of the City as a class 1 notice, such publication to occur no later than 15 days after the adoption of this Resolution.

Adopted: March 31, 2014
Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 10

**An Initial Resolution Authorizing the
Issuance of Not to Exceed
\$1,280,000 General Obligation Bonds
for Parking Lots or Other Parking Facilities**

BE IT RESOLVED, by this Common Council, that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City of Green Bay, Wisconsin (the "**City**"), shall issue its negotiable, general obligation bonds in a principal sum not to exceed \$1,280,000 for parking lots or other parking facilities; *provided, however*, that said 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.

BE IT FURTHER RESOLVED, that notice of the adoption of this Resolution shall be published in the official newspaper of the City as a class 1 notice, such publication to occur no later than 15 days after the adoption of this Resolution.

Adopted: March 31, 2014
Approved: April 1, 2014

James J. Schmitt
Mayor

Kim A. Teske
Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 11

**An Initial Resolution Authorizing the
Issuance of Not to Exceed
\$370,000 General Obligation Bonds
for Construction of Engine Houses
for the Fire Department**

BE IT RESOLVED, by this Common Council, that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City of Green Bay, Wisconsin (the “**City**”), shall issue its negotiable, general obligation bonds in a principal sum not to exceed \$370,000 for construction of engine houses for the fire department, including, but not limited to, roof improvements at fire station No. 2; *provided, however*, that said 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.

BE IT FURTHER RESOLVED, that notice of the adoption of this Resolution shall be published in the official newspaper of the City as a class 1 notice, such publication to occur no later than 15 days after the adoption of this Resolution.

Adopted: March 31, 2014
Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 12

**An Initial Resolution Authorizing the
Issuance of Not to Exceed
\$855,000 General Obligation Bonds
for Parks and Public Grounds**

BE IT RESOLVED, by this Common Council, that under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City of Green Bay, Wisconsin (the “**City**”), shall issue its negotiable, general obligation bonds in a principal sum not to exceed \$855,000 for parks and public grounds; *provided, however*, that said 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.

BE IT FURTHER RESOLVED, that notice of the adoption of this Resolution shall be published in the official newspaper of the City as a class 1 notice, such publication to occur no later than 15 days after the adoption of this Resolution.

Adopted: March 31, 2014
Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 13

**A Resolution Authorizing and Providing for the Issuance of Not to Exceed
\$6,320,000 General Obligation Corporate Purpose Bonds;
Providing for the Notification and Sale of Said Obligations;
and Other Related Details**

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 in need of funds for the following purposes: \$3,610,000 for street improvements; \$205,000 for garbage or refuse or rubbish disposal, including, but not limited to, the purchase of garbage trucks; \$1,280,000 for parking lots or other parking facilities; \$370,000 for construction of engine houses for the fire department, including, but not limited to, roof improvements at fire station No. 2; and \$855,000 for parks and public grounds (collectively, the “**Project**”).

2. On the date hereof and prior to the adoption of this resolution, the Governing Body has adopted separate initial resolutions for each of the purposes above that constitute the Project.

3. The City may choose to issue one or more separate series of obligations to finance portions of the Project.

4. The Governing Body deems it in the best interests of the City that the funds needed be borrowed in the aggregate amount stated above and for the purposes of the Project, pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, and upon the terms and conditions set forth below.

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Authorization to Combine and Purposes of Obligations.

The purposes of the Project are each hereby authorized to be undertaken and are hereby authorized to be combined into a single bond issue designated as “Corporate

Purpose Bonds” as more fully provided below; *provided, however*, that the City may choose to issue one or more separate series of obligations to finance portions of the Project.

Section 2. Authorization of Issuance of Obligations.

For the purposes of the Project, there shall be, and there are hereby, authorized and ordered to be prepared, executed, and issued, fully registered, negotiable, general obligation corporate purpose bonds of the City in an aggregate principal amount not to exceed \$6,320,000 (the “**Obligations**”). The Obligations will be issued under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes.

Section 3. Authorization of Sale of Obligations.

The Obligations are hereby authorized and ordered to be sold to a purchaser to be determined by competitive bid (the “**Purchaser**”).

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

The Mayor, the 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 to cause a preliminary offering document for the Notes (the “**Official Statement**”) to be prepared and distributed to any banks, underwriters, investment houses, or the like deemed to be advisable, and to enclose therewith copies of a “Notice of Sale” and a “Bid Form”. The Mayor and the Clerk are hereby authorized, on behalf of the City, to approve the form of Official Statement and determine 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 Obligations 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 as the City routinely posts notices for its official business.

Section 5. Bids for Obligations.

Written bids for the sale of the Obligations 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 for the Obligations.

Section 6. Further Actions.

The issuance of the Obligations shall be subject to the condition that the Governing Body has adopted a resolution to award the sale of the Obligations to the Purchaser, to

approve the purchase contract submitted by the Purchaser to evidence the purchase of the Obligations, which may be in the form of an executed bid form (the “**Purchase Contract**”), to fix the interest rate or rates on the Obligations in accordance with the Purchase Contract, to provide for the form of the Obligations, to set forth any early redemption provisions, to levy taxes to pay the principal of, and interest on, the Obligations as required by law, to designate a fiscal agent for the Obligations, 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 Obligations.

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: March 31, 2014

Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 14

**A Resolution Authorizing and Directing
the Publication of Notice of the
Adoption of Initial Resolutions**

BE IT RESOLVED, by this Common Council, that the City Clerk of the City of Green Bay, Wisconsin (the “**City**”) is hereby authorized and directed to publish one time in the City’s official newspaper (as a class 1 notice under Chapter 985 of the Wisconsin Statutes) a Notice to Electors of the City in substantially the form attached hereto as Exhibit A, with such modifications as are necessary to accurately reflect the action taken on the initial resolutions described therein (the “**Initial Resolutions**”) by the Common Council at its meeting on March 31, 2014, such publication to occur no later than 15 days after the Initial Resolutions have been adopted by the Common Council.

Adopted: March 31, 2014

Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

EXHIBIT A

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

Notice is hereby given that on March 31, 2014, the Common Council of the City of Green Bay, Wisconsin (the “City”) adopted five initial resolutions under and pursuant to the provisions of Chapter 67 of the Wisconsin Statutes authorizing the issuance of negotiable, general obligation bonds of the City in the following maximum principal amounts for the following purposes: (1) a sum not to exceed \$3,610,000 for street improvements; (2) a sum not to exceed \$205,000 for garbage or refuse or rubbish disposal, including, but not limited to, the purchase of garbage trucks; (3) a sum not to exceed \$1,280,000 for parking lots or other parking facilities; (4) a sum not to exceed \$370,000 for construction of engine houses for the fire department, including, but not limited to, roof improvements at fire station No. 2; and (5) a sum not to exceed \$855,000 for parks and public grounds.

If within 30 days after the adoption of the foregoing resolutions there is filed in the office of the City Clerk a petition for referendum on one or more of said resolutions conforming to the requirements of Section 8.40 of the Wisconsin Statutes, signed by electors numbering at least 10% of the number of votes cast in the City for governor at the last general election, then the resolution or resolutions for which such a petition is filed 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 one or more of the foregoing resolutions, then the resolution or resolutions for which no such petition is filed shall be effective without a referendum.

Publication Date: April 4, 2014

/s/ Kris A. Teske

City Clerk

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

**COMMON COUNCIL
OF THE
CITY OF GREEN BAY, WISCONSIN**

March 31, 2014

Resolution No. 15

**An Initial Resolution Authorizing the Sale and Issuance of
Taxable General Obligation Promissory Notes;
and Certain Related Details**

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 in need of funds to finance replacement of software, improvements to City Hall, repair and improvement of the Baylake Bank façade, and a grant to a private developer relating to the Titledown Brewery expansion (collectively, 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 Section 67.12 (12) of the Wisconsin Statutes and upon the terms and conditions set forth below.

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Authorization of Issuance and Purposes of Notes.

Under and by virtue of the provisions of Section 67.12 (12) of the Wisconsin Statutes, the City shall issue its negotiable taxable general obligation promissory notes in an aggregate principal amount of approximately \$1,180,000 (the “**Notes**”) to finance the Project; *provided, however*, that the Notes 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. Authorization of Sale of Notes.

The Notes are hereby authorized and ordered to be sold to a purchaser to be determined by competitive bid (the “**Purchaser**”)

Section 3. Preparation of Official Statement and Notice of Sale.

The Mayor, the 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 to cause a preliminary offering document for the Notes (the “**Official Statement**”) to be prepared and distributed to any banks, underwriters, investment houses, or the like deemed to be advisable, and to enclose therewith copies of a “Notice of Sale” and a “Bid Form”. The Mayor and the Clerk are hereby authorized, on behalf of the City, to approve the form of Official Statement and to deem it 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 Notes 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 as the City routinely posts notices for its official business.

Section 4. Bids for Notes.

Written bids for the sale of the Notes 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 for the Notes.

Section 5. Further Actions.

The issuance of the Notes shall be subject to the condition that the Governing Body has adopted a resolution to award the sale of the Notes to the Purchaser, to approve the purchase contract submitted by the Purchaser to evidence the purchase of the Notes, which may be in the form of an executed bid form (the “**Purchase Contract**”), to fix the interest rate or rates on the Notes in accordance with the Purchase Contract, to provide for the form of the Notes, to set forth any early redemption provisions, to levy taxes to pay the principal of, and interest on, the Notes as required by law, to designate a fiscal agent for the Notes, 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 Notes.

Section 6. 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 7. 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 8. 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 9. Effective Date.

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

* * * * *

Adopted: March 31, 2014

Approved: April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

RESOLUTION AUTHORIZING CANCELLATION
OF 2013 PERSONAL PROPERTY TAXES

March 31, 2014

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

That, as per the recommendation of the Finance Committee at its meeting of March 25, 2014, the following 2013 personal property taxes are cancelled:

<u>Account</u>	<u>Amount</u>
23498	\$575.60
22879	\$ 69.10
18772	\$276.30
7860	\$ 46.50
9689	\$373.00

Adopted March 31, 2014

Approved April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

RESOLUTION AUTHORIZING CANCELLATION
OF 2013 REAL ESTATE TAXES

March 31, 2014

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

That, pursuant to the recommendation of the Finance Committee at its meeting of March 25, 2014, the following 2013 real estate taxes are cancelled:

<u>Parcel No.</u>	<u>Amount</u>
14-232	\$3,149.50
14-232-A	\$ 82.90

Adopted March 31, 2014

Approved April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 100 EAST MASON STREET
(ZP 14-08)

March 31, 2014

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

That, pursuant to Zoning Petition 14-08 and the recommendation of the Plan Commission on March 24, 2014, the City of Green Bay does authorize a conditional-use permit to allow for an educational use within a Light Industrial (LI) District on the following described property at 100 East Mason Street:

LOT 1 OF 11 CSM 99 BNG PRT OF LOTS 1-8 BLK 6
PLAT OF ASTOR (Tax Parcel Number 15-168-A)

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

a. Compliance is required with all applicable City ordinances, including, but not necessarily limited to, site plan and building plan review and approval.

b. This conditional-use approval is limited specifically to the site and operational plans provided with the application. There shall be no alteration or expansion of the use without Plan Commission and Common Council approval.

c. At the discretion of the Common Council, Plan Commission, or the Planning Director, a periodic review may be required by the Plan Commission and Common Council to ensure compliance with this conditional-use permit and to identify any areas of concern with the use as the result of police calls or zoning violations.

d. Unless this conditional-use approval expires or is revoked sooner for any other circumstances, it will expire on April 30, 2019. If an extension is desired, a conditional-use permit amendment can be applied for at that time.

Adopted _____

Approved _____

Mayor

Clerk

Action held until the next meeting.

RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 846 NINTH STREET
(ZP 14-07)

March 31, 2014

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

That, pursuant to Zoning Petition 14-07 and the recommendation of the Plan Commission on March 24, 2014, the City of Green Bay does authorize a conditional-use permit to allow for the installation of a solar photovoltaic system on the front roof of the following described property at 846 Ninth Street:

Pine Crest Addition, Lot 1, Block 1 (Tax Parcel Number 1-178)

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

- a. Compliance with Sections 13-1611(c)(1), (d), (e), and (f), Development Standards – Solar Energy Systems, Green Bay Municipal Code.
- b. The location and positioning of the solar energy system shall not interfere or cause reflection (glare) to pedestrian or vehicular traffic.

Adopted March 31, 2014

Approved April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 1660 CHRISTIANA STREET AND
PART OF THE 1600 BLOCK OF SHAWANO AVENUE
(ZP 14-06)

March 31, 2014

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

That, pursuant to Zoning Petition 14-06 and the recommendation of the Plan Commission on March 10, 2014, the City of Green Bay does authorize a conditional-use permit to allow for an existing emergency shelter on the following described property at 1660 Christiana Street and part of the 1600 block of Shawano Avenue:

1660 Christiana Street (Parcel Number 6-374): WILLARD
PLAT LOTS 1 & 2 EX THE NLY 10 FT THEREOF & LOTS
33, 34 & 35 BLK 1

1600 Block of Shawano Avenue (Parcel Number 6-344):
WILLARD PLAT LOT 3 EX NLY 10 FT THEREOF BLK 1

Said conditional-use permit shall be granted subject to the submitted program statement/operating plan for the emergency shelter.

Adopted March 31, 2014

Approved April 1, 2014

James J. Schmitt
Mayor

Kris A. Teske
Clerk

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

**RESOLUTION APPROVING
BLUE VIPER, LLC TO ENTER INTO A
DEVELOPER'S AGREEMENT
March 31, 2014**

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

To approve the request by Blue Viper LLC (Dan Schmidt, President) to enter into a Developer's Agreement with the City for the construction of sewer, water, and street improvements for the Kristy Lee Estates Subdivision and authorize the Mayor and Clerk to sign.

Adopted March 31, 2014

Approved April 1, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

**FINAL RESOLUTION AUTHORIZING
CONCRETE PAVEMENT IMPROVEMENTS
AND LEVYING SPECIAL ASSESSMENTS
AGAINST PROPERTY
MARCH 31, 2014**

WHEREAS, the Improvement & Service Committee of the City of Green Bay, Wisconsin, held a public hearing at the City Hall at 6:30 pm on the 26TH day of March, 2014 for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the Director of Public Works on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portions of streets:

MONROE AVENUE – CASS STREET TO MAIN STREET

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement & Service Committee, is hereby adopted and approved.
2. That the Improvement & Service Committee is directed to advertise for bids and

to carry out the work of such improvement in accordance with the Report of the Director of Public Works as approved and authorized by the appropriate Committee.

3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the Director of Public Works.
4. That the assessments shown on and confirmed by the Report of the Director of Public Works as modified are true and correct, and found to be in the public interest are hereby confirmed.
5. That those special assessments not paid in cash shall be payable to the City of Green Bay in five (5) annual installments with interest thereon at the rate of five and one-quarter percent (5.25%) per annum.
6. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.
7. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted March 31, 2014

Approved April 1, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

**FINAL RESOLUTION AUTHORIZING
ASPHALT RESURFACING IMPROVEMENTS AND
LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY
March 31, 2014**

WHEREAS, the Improvement & Service Committee of the City of Green Bay, Wisconsin, held a public hearing at the City Hall at 6:30 p.m. on the 26th day of March 2014 for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the Director of Public Works on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portion of streets:

ALLEN AVENUE - Deckner Avenue to south end
BAUMGART ROAD - 645' N of Ramada Lane to West Point Road
BRETCOE DRIVE - Maryland Avenue to Hillside Lane
BROCOIN WAY - 155' N of Vestco Court to Ramada Lane
CARRIE LANE - Western Avenue to Rowe Lane
CONSERVANCY COURT E - Golf Drive to 140' north
CONSERVANCY COURT W - Golf Drive to 215' north
EAST SHORE CIRCLE - East Shore Drive to cul-de-sac west
EILEEN STREET - Hampton Avenue to Edgewood Drive
FORESTVILLE DRIVE - Packerland Drive to He-Nis-Ra Lane
GOLF DRIVE - Erie Road to E. Conservancy Court
KATERS DRIVE - Langlade Avenue to Biemeret Street
LACOUNT ROAD - W Mason Street to West Point Road
LESLIE DRIVE - Allen Avenue to east end
RAMADA LANE - Baumgart Road to Brocoin Way
ROWE LANE - Pine Terrace to Taylor Street
SANDY LANE - Wesley Avenue to 450' east
SCOTT DRIVE - Western Avenue to Rowe Lane
SHEPHERDS PATH - Summer Place to Sandia Drive
SHERIDAN DRIVE - Leslie Drive to 310' south
SUMMER PLACE - LaCount Road to Shepherds Path
VESTCO COURT - Brocoin Way to 155' west
WALNUT STREET E - Baird Street to 680' east

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement and Service Committee, is hereby adopted and approved.
2. That the Improvement & Service Committee is directed to advertise for bids and to carry out the work of such improvements in accordance with the Report of the Director of Public Works as approved and authorized by the appropriate Committee.
3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the Director of Public Works.

4. That the assessments shown on and confirmed by the Report of the Director of Public Works as modified are true and correct, and found to be in the public interest are hereby confirmed.
5. That those special assessments not paid in cash shall be payable to the City of Green Bay in five (5) annual installments with interest thereon at the rate of five and one-quarter percent (5.25%) per annum.
6. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.
7. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted March 31, 2014

Approved: April 1, 2014

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

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

ORDINANCES - THIRD READING

ZONING ORDINANCE NO. 3-14

AN ORDINANCE
AMENDING ZONING ORDINANCE NO. 21-87
BY MODIFYING USES AT 2430 FINGER ROAD
(ZP 14-05)

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. 21-87 is hereby amended on the following described property:

Parcel Number 21-4578: SCOTTLAND COMPANY SUBD
LOTS 15, 16 & 17

SECTION 2. That pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, Zoning Ordinance No. 21-87 is hereby amended to allow the following changes:

A. Permitted Uses.

1. Professional Office uses as defined in Chapter 13, Green Bay Municipal Code.
2. Boutique Retail.
 - a. The following uses are permitted:
 - (1) Clothing
 - (2) Jewelry
 - (3) Crafts
 - (4) Home décor
 - (5) Antiques, collectables and memorabilia
 - (6) Sale of vitamins, supplements and related products
 - (7) Other similar uses as approved by the Zoning Administrator
 - b. Uses are not to exceed 4,500 square feet in total area.
3. Health and fitness.
 - a. The following uses are permitted:
 - (1) Medical-related rehabilitation facilities
 - (2) Personal training
 - (3) Other similar uses as approved by the Zoning Administrator

B. Signage. All proposed signs shall comply with the OR-Office/Residential District requirement of Chapter 13-2008, Green Bay Municipal Code.

C. All other standards of the City of Green Bay Municipal Code.

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

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

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

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

SECTION 7. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin this 31st day of March, 2014.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Moore, seconded by Ald. Steuer to adopt the ordinance.

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

ZONING ORDINANCE NO. 4-14

AN ORDINANCE
REZONING PROPERTY LOCATED
IN THE 1600 BLOCK OF CHRISTINA STREET AND
THE 1600-1700 BLOCK OF SHAWANO AVENUE
FROM VARIED DENSITY RESIDENTIAL (R3) DISTRICT
TO OFFICE RESIDENTIAL (OR) DISTRICT
(ZP 14-06)

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

SECTION 1. Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property from Varied Density Residential (R3) District to Office Residential (OR) District:

1660 Christiana Street (Parcel Number 6-374): WILLARD PLAT LOTS 1 & 2 EX THE NLY 10 FT THEREOF & LOTS 33, 34 & 35 BLK 1

1600 Block of Shawano Avenue (Parcel Number 6-344): WILLARD PLAT LOT 3 EX NLY 10 FT THEREOF BLK 1

1677 Shawano Avenue (Parcel Number 6-346): WILLARD PLAT LOT 5 EX NLY 10 FT THEREOF BLK 1

1679 Shawano Avenue (Parcel Number 6-347): WILLARD PLAT LOT 6 EX NLY 10 FT THEREOF BLK 1

1685 Shawano Avenue (Parcel Number 6-348): WILLARD PLAT LOT 7 EX NLY 10 FT THEREOF BLK 1

1691 Shawano Avenue (Parcel Number 6-349): WILLARD PLAT LOT 8 & EX NLY 10 FT THEREOF BLK 1

1695 Shawano Avenue (Parcel Number 6-350): WILLARD PLAT LOT 9 & E 1/2 OF LOT 10 EX NLY 10 FT THEREOF BLK 1

Part of 1711 Shawano Avenue (Parcel Number 6-368): WILLARD PLAT LOT 27 BLK 1 ALSO VACATED ST DESC 75 J 180-15

1680 Christiana Street (Parcel Number 6-369): WILLARD PLAT LOTS 28 & 29 BLK 1 & VAC ST LYG ADJ AS DES IN 75 J180-15

1676 Christiana Street (Parcel Number 6-371): WILLARD PLAT LOTS 30, 31 & 32 BLK 1

1667 Shawano Avenue (Parcel Number 6-345): WILLARD PLAT LOT 4 EX NLY 10 FT THEREOF BLK 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 31st day of March, 2014.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Moore, seconded by Ald. Steuer 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.

COMMITTEE OF THE WHOLE

Review and possible action on Oneida Seven Generation's lawsuit and Court of Appeal's decision related to the Conditional Use Permit at 1230 Hurlbut St.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to direct legal staff to prepare a review for the Supreme Court.

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

Review and possible action on land transfer and related agreements regarding 100 Main Street.

Moved by Ald. Sladek, seconded by Ald. Danzinger to convene in closed session pursuant to Section 19.85(1)(g), Wis. Stats., for purpose 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.

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

Moved by Ald. Kocha, seconded by Ald. Tim DeWane to 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. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to direct legal staff to execute the agreement to transfer property and proceed with the legal strategy outlined.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: Moore. Motion carried.

Moved by Ald. Brunette and Boyce, seconded by Ald. Warner and Kocha to adjourn at 8:20 P.M. Motion carried.

Kris A. Teske
Green Bay City Clerk