



# **MINUTES OF THE COMMON COUNCIL**

**MONDAY, NOVEMBER 3, 2014, 7:00 P.M.**

**COUNCIL CHAMBERS  
ROOM 203, CITY HALL**

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney James Mueller. Alderpersons: J. Wiezbiskie, Thomas DeWane, A. Nicholson, Tim DeWane, D. Nennig, J. Moore, R. Scannell, C. Wery, M. Steuer, B. Danzinger, T. Sladek. Excused: None. Tardy: G. Zima.

Pledge of Allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Nicholson, seconded by Ald. Tim DeWane to approve the minutes of the October 21, 2014, meeting. Motion carried.

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

## **REPORT BY THE MAYOR**

City Attorney James Mueller gave an update on the Larsen Green property.

## **PUBLIC HEARINGS**

Zoning Ordinance No. 11-14

An ordinance amending the sign standards for an existing Planned Unit Development located at 300 North Broadway.

No one appeared.

Zoning Ordinance No. 12-14

An ordinance amending Zoning Ordinance No. 38-79 relating to the East Town Mall Planned Unit Development Outlot Signage, 2219 Main Street.

No one appeared.

Moved by Ald. Moore, seconded by Ald. Scannell to suspend the rules for the purpose of adopting the Zoning Ordinances with one roll call vote. Motion carried.

## **RE-APPOINTMENTS BY THE MAYOR**

Room Tax Commission

Wendy Townsend

Martin Webber

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

## **RECONSIDERATION**

Request by Ald. Scannell to reconsider his vote in regards to the Colburn Pool Agenda #1 on the Park Committee Report which was voted by the Common Council on October 21, 2014.

Ald. Scannell withdrew his reconsideration request.

## **PETITIONS & COMMUNICATIONS**

### **FINANCE COMMITTEE**

Request by Ald. Nennig to include funding in the 2015 Budget (Elections) to extend the hours for early voting to those permitted by State law.

## IMPROVEMENT & SERVICE COMMITTEE

Application for a Concrete Sidewalk Builder's License by Stone Artifex.

Request by Ald. Wiezbiskie, on behalf of constituents of the Red Smith School Area, for the continuation of the walking path which currently connects Glenn Abbey and Bay Watch to extend the connection from Glenn Abbey to Bay Harbor.

## LAW DEPARTMENT

Request by Ald. Steuer to allow the City Council the ability to discuss HPC (Historic Preservation Commission) matters with the ability to report out on the "Reports for Council Action".

Request by Ald. Moore for the following:

1. A resolution supporting the establishment of a Religious Freedom Restoration Act at the State level and work closely with local representation in the drafting and enactment.
2. A resolution recognizing Religious Liberty and Diversity of Belief by safeguarding the trust of Religious Institutions and their Congregants.

## PARK COMMITTEE/LAW DEPARTMENT

Request by Ald. Steuer to draft a form letter to adjoining property owners who are dealing with problem trees and/or vegetation on their respective properties.

## POLICE DEPARTMENT

Request by Ald. Steuer for a report dealing with the "Human Trafficking" issue in the City of Green Bay.

## PROTECTION & WELFARE COMMITTEE

Application for a Class "A" Beverage and a Class "A" Liquor License by Kwik Trip, Inc. at 840 S. Huron Road. (Formerly I-43 Business Center Shell)

Application for a "Class B" Combination License by J & M Group, LLC at 715 S. Broadway. (Transfer from JD's Bar, LLC)

Appeal by Daniel White to the denial of his Public Vehicle Operator License application.

## DPW/FIRE/POLICE/LAW

Request by Ald. Steuer for a report that deals with possible duplications of materials, methodologies and labor in the various garage/maintenance areas at each department.

## TRAFFIC COMMISSION

Request by Ald. Nennig to review the parking restrictions on the west side of Bornemann Street between Brook Street and Mills Street to accommodate a new business.

Request by Ald. Steuer to have a study of parking regulations in the residential areas between Taylor Street on the west, St. Mary's Hospital properties on the east, Dousman Street to the north, and Shawano Avenue to the south, specifically looking at Fellow Drive, Gary Lane, and Sundale Drive.

Moved by Ald. Tim DeWane, seconded by Ald. Moore 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 November 3, 2014**

The Green Bay Plan Commission, having met on Monday, October 27, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request for a Conditional Use Permit (CUP) to authorize and permit the expansion of an existing two-family dwelling in a Low Density Residential (R1) District located at 1865 Deckner Avenue, subject to standard site plan review.

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

#### **REPORT OF THE TRAFFIC COMMISSION November 3, 2014**

The Traffic Commission having met Monday, October 20, 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 3<sup>rd</sup> quarter serious injury and fatality crashes.
2. To receive and place on file the request to remove or modify the parking restrictions on Langlade Avenue from Spence Street to Oneida Street.
3. To postpone until the November 17, 2014 Traffic Commission meeting the request for a traffic study and consideration of installing traffic signals at the intersection of Seventh Street and Military Avenue.

4. That the Traffic Engineer requests the Brown County Public Works Department to install FINES HIGHER and END SCHOOL ZONE signs on Packerland Drive near Southwest High School.
5. That the Traffic Engineer request the administrative staff at Southwest High School to change their south driveway to an ingress-only and north driveway to an egress-only traffic pattern.
6. To receive and place on file the request to discuss, with possible action, removal of 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, in order to accommodate a new business.
7. To establish and adopt by ordinance a NO PARKING zone on the north side of Fifth Street from Broadway to a point 80 feet west of Broadway.

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

## **REPORT OF THE FINANCE COMMITTEE NOVEMBER 3, 2014**

The Finance Committee, having met on Tuesday October 28, 2014 considered all matters on its agenda and wishes to report and recommends the following:

1. To approve the request of the Finance Director, on behalf of the City Assessor, to cancel certain real and personal property taxes.
2. To award the purchase of Video Teleconferencing Equipment for GBMFD to CDW Government LLC for \$47,358.
3. To receive and place on file the Finance Committee review of the cost of running the Clarion Hotel property while it was under the city ownership and for the finance report to also include a finance recap sheet along with the net profit or loss statements.
4. To receive and place on file the report and map that Finance and Economic Development created to show any areas that have designated blighted development.
5. To hold the request to review the total number of lawsuits since 2002 including a break down by year showing the cost of each lawsuit a brief description per year and amount paid in attorney fees and lawsuits.

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

**REPORT OF THE  
IMPROVEMENT AND SERVICE COMMITTEE  
November 3, 2014**

The Improvement and Service Committee, having met on October 29, 2014 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Rhonda F. Matzke, Senior Director of Finance & Administration for Boys & Girls Club of Green Bay, for a refund of overpaid storm water charges from 2004 to 2014, in the amount of \$16,282.93 at 311 South Oneida Street 4 FLC.
2. To approve the request by Chris Pierquet to reduce the deferred special assessments for parcels 21-5442 and 21-5443 from \$14,097.80 to \$8,116.00.
3. To receive and place on file the request by Ald. Zima for a review and update on the City's maintenance schedules for all public works activities including pot holes, crack filling, weeds in City medians and all functions that affect the City's appearance.
4. To approve the request by Ald. Wery, on behalf of Timothy Sauer, 1438 Rockdale, for additional on-street overnight parking exemptions with up to 12 occurrences per year for the remainder of 2014 and all of 2015.
5. To approve the request by Caroline Quinn (tenant) on behalf of Yellow Dog Investments, LLC (owner) for an Air Rights Easement to allow for the installation of a sign in the right-of-way adjacent to 1236 Main St. contingent upon obtaining all necessary approvals, executing an Air Rights Easement/Hold Harmless Agreement, placing on file with the City applicable insurance and authorizing the Mayor and City Clerk to execute the easement agreement.
6. To approve the request by Keli Bieble (tenant) on behalf of BETT, LLC (owner) to allow for the installation of an awning and replacement of a sign in the right-of-way adjacent to 133 N Broadway contingent upon obtaining all necessary approvals, executing an Air Rights Easement/Hold Harmless Agreement, placing on file with the City applicable insurance and authorizing the Mayor and City Clerk to execute the easement agreement.
7. To approve the application for a Tree & Brush Trimmer License by Hutch.

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

**REPORT OF THE PERSONNEL COMMITTEE**  
**November 3, 2014**

The Personnel Committee, having met on Tuesday, October 28, 2014 considered all matters on its agenda and reports and recommends the following:

1. To approve the revised minutes from the September 30, 2014 meeting.
2. To approve the minutes from the October 16, 2014 meeting.
3. To receive and place on file the report of the 2015 employee health benefit design and employee dental benefit.
4. To approve a 3-year contract for benefit administration of Flex Spending, Health Reimbursement and COBRA programs to Employee Benefits Corporation at a projected total cost of \$130,308 (\$43,436 annually), plus one 2-year renewal option. This contract represents an annual savings of \$6,068 or \$18,204 over the 3-year term of the contract.
5. To approve the requests to fill the following positions and all subsequent vacancies resulting from internal transfers.
  - a. Assistant City Attorney II - Law
  - b. Division Chief of Emergency Medical Services (EMS) – Fire
6. To approve the revised language regarding the process of submitting communications to Committees.
7. To hold until the next meeting of the Personnel Committee the request to contract for an attorney to advise the Council on any issues at a contract salary of \$30,000 per year.
8. To receive and place on file the request by Ald. Tom DeWane to look at bringing back sergeants in the Police Department with possible action.
9. To approve contracting with an outside consultant to conduct a broad study of the Green Bay Police Department to include reviewing and recommending potential operational changes to be more cost effective and reviewing the organizational design and providing pros and cons on whether sergeants should be incorporated into the department at a cost of approximately \$50,000.
10. To receive and place on file the report of routine Personnel Actions for regular employees.
11. To have staff provide additional information at the next Personnel Committee meeting regarding the update on labor negotiations.

## Informational Only

12. To uphold the Green Bay Professional Police Association (GBPPA) Recruit Academy Grievance on a 3-1 vote with Ald Sladek voting no.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt the report with the exception of Items #8 and #9. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #8.

Moved by Ald. Zima, seconded by Ald. Thomas DeWane to refer Item #8 back to the Personnel Committee. Motion carried.

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

Moved by Ald. Moore, seconded by Ald. Thomas DeWane to amend Item #9 to contract with an outside consultant based on RFQ of no more than \$50,000.

Moved by Ald. Danzinger, seconded by Ald. Moore to add to the previous motion "report back to Committee".

Moved by Ald. Zima, seconded by Ald. Nennig to refer Item #9 back to the Personnel Committee.

*Roll call:* Ayes: Wiezbiskie, Nicholson, Tim DeWane, Nennig, Scannell, Zima. Noes: Thomas DeWane, Moore, Wery, Steuer, Danzinger, Sladek. Motion tied with the Mayor casting the deciding aye vote.

## **PROTECTION & WELFARE COMMITTEE REPORT November 3, 2014**

The Protection & Welfare Committee, having met on Monday, October 27, 2014 considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the application for one of nine available "Class B" Combination Liquor License by Chanmina LLC at 1423 S. Broadway.
2. To approve the request by Ald. Moore to amend the Green Bay Municipal Ordinance 16.11(2)(C)(2) of the Plumbing Code, with the condition that staff amends the language prior to the Common Council meeting.
3. To deny the notice of the change of agent for Kokoro, LLC at 301 N. Adams Street (postponed from the October 13, 2014 meeting).
4. To postpone until the next meeting the request by Ald. Wery to amend the Green Bay Municipal Ordinance 33.08(2) regarding restrictions on alcohol license locations.

5. To postpone until the next meeting the request by Ald. Wery to review, with possible action, the taxicab licensing ordinance, Section 6.21 (postponed from the October 13, 2014 meeting).
6. To postpone until the next meeting the timeline for liquor license applicants as it pertains to their security plan (held up from the September 22, 2014 and October 13, 2014 meetings).
7. No Recommendation to the appeal by Carissa Meunier to the denial of her Operator License application.
8. To receive and place on file the update from Law Department and Police Department regarding the efforts of bars on Washington to address their police calls issues (held up from the September 22, 2014 meeting).

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Items #2 & #7. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #2.

Moved by Ald. Moore, seconded by And Nicholson to amend Section 16.11(2)(c)2 of the proposed Plumbing Code by changing the number of days from 90 to 60. Motion carried.

Moved by Ald. Moore, seconded by Ald. Wiezbiskie to adopt Item #2 as amended. Motion carried.

Moved by Ald. Zima, seconded by Ald. Moore to amend Item #7 to approve the appeal by Carissa Meunier.

Moved by Ald. Wery, seconded by Ald. Wiezbiskie to suspend the rules to allow interested parties to speak. Motion carried.

Carissa Meunier, 822 Pine Street, spoke in favor of granting the license.

Bill Meindl, 125 W. Mission Road, spoke in favor of granting the license.

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

A vote was then taken on the motion to approve the appeal.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Zima, Steuer, Danzinger, Sladek. Noes: Scannell, Wery. Motion carried.

**REPORT OF THE PROTECTION AND WELFARE COMMITTEE  
GRANTING OPERATOR LICENSES  
November 3, 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**

Acosta, Alexander  
Albrecht, Chad F  
Alvet, Yvonne M  
Anderson, Colleen M  
Arcand, Ben D  
Babcook, Eric R  
Balistreri, Joseph G  
Baranowski, Ryan A  
Berrios, Erasmo  
Blake, Keith L  
Bonnin, Jodi R  
Booker, Tamika L  
Bosetski, Cari A  
Callahan, Cassidy M  
Campbell, Kathleen M  
Christensen, Jeri L  
Clark, Matthew L  
Couillard, Camie R  
Crevier, Molly R  
Denny, Lila M  
Dick, Oscar A  
Faase, Chelsea J  
Gregoire, Jennifer L  
Gubbels, Richard A  
Haas-Parker, Karlee L  
Heintzkill, Reed T  
Hoops, Tyler A  
Katers, Mary E  
Kazik, Jan M  
Koenig, Jason P  
LaPointe, Amy J

Lindstrom, Cynthia J  
Lotto, Jessica N  
Majka, Steven A  
Maronek, Thomas C  
Marquardt, Benjamin P  
Mathwig, Mark D  
Matson, Adrian I  
Perez, Oscar D  
Peters, Jenna L  
Robles, Ruby N  
Rompa, Vanessa L  
Rosenberg, Kari L  
Schneider, Marlene A  
Schuh, Jenna M  
Schultz, Eric  
Stevens, Daniel J  
Tomazevic, Jennifer L  
Tucker, Simone M  
Vanrooy, Alex T  
Vokracka, Christian J  
Wainwright, Cheri L  
Weber, Jeremy P  
Wurtz, Joshua G  
Xiong, Toujay J

Moved by Ald. Zima, seconded by Ald. Wiezbiskie to adopt the report. Motion carried with Ald. Danzinger abstaining on the approval of Colleen M. Anderson and Mary E. Katers.

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

City of Green Bay Check Registers for August and September, 2014.

City of Green Bay Trial Balance Report for September, 2014.

Moved by Ald. Zima, seconded by Ald. Nicholson to receive the matters and place them on file. Motion carried.

## RESOLUTIONS

Moved by Ald. Moore, seconded by Ald. Scannell to suspend the rules for the purpose of adopting all of the resolutions with one roll call vote. Motion carried.

### FINAL PAYMENTS RESOLUTION NOVEMBER 3, 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:

<b>1. MAIN AND PINE STREET PARKING RAMP RECLADDING</b>	
<b>SMA Construction Services, LLC.</b>	
<b>TOTAL AMOUNT EARNED:</b>	<b>\$ 1,055,272.06</b>
<b>LESS AMOUNT RETAINED:</b>	<b>\$ 0.00</b>
	<b>\$ 1,055,272.06</b>
<b>LESS AMOUNT PREVIOUSLY PAID:</b>	<b>\$ 1,021,890.26</b>
<b>AMOUNT DUE THIS ESTIMATE:</b>	<b>\$ 33,381.80</b>

ACCOUNT NUMBERS

**439500 55305 64083: \$33,381.80**

**PO #105428**

Adopted November 3, 2014

Approved November 4, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

Moved by Ald. Moore, seconded by Ald. Nennig to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

RESOLUTION AUTHORIZING CANCELLATION  
OF 2012 AND 2013 PERSONAL PROPERTY TAXES

November 3, 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 October 28, 2014, the following 2012 and 2013 personal property taxes are cancelled:

<u>Account</u>	<u>Amount</u>
07570 The Trailers (2013)	\$414.40
20827 Waypoint Financial Solutions (2012)	16.20
20827 Waypoint Financial Solutions (2013)	18.40
23507 Jackson Hewitt Tax Service (2013)	115.00

Adopted November 3, 2014

Approved November 4, 2014

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

Moved by Ald. Moore, seconded by Ald. Nennig to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING  
AIR RIGHTS EASEMENT  
WITHIN THE MAIN STREET RIGHT-OF WAY  
November 3, 2014**

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

To approve the request by Caroline Quinn (tenant) on behalf of Yellow Dog Investments, LLC (owner) for an Air Rights Easement to allow for the installation of a sign in the right-of-way adjacent to 1236 Main St. contingent upon obtaining all necessary approvals, executing an Air Rights Easement/Hold Harmless Agreement, placing on file with the City applicable insurance and authorizing the Mayor and City Clerk to execute the easement agreement.

Adopted November 3, 2014

Approved November 4, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

Moved by Ald. Moore, seconded by Ald. Nennig to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING  
AIR RIGHTS EASEMENT  
WITHIN THE NORTH BROADWAY RIGHT-OF WAY  
November 3, 2014**

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

To approve the request by Keli Bieble (tenant) on behalf of BETT, LLC (owner) to allow for the installation of an awning and replacement of a sign in the right-of-way

adjacent to 133 N Broadway contingent upon obtaining all necessary approvals, executing an Air Rights Easement/Hold Harmless Agreement, placing on file with the City applicable insurance and authorizing the Mayor and City Clerk to execute the easement agreement.

Adopted November 3, 2014

Approved November 4, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

Moved by Ald. Moore, seconded by Ald. Nennig to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

RESOLUTION AUTHORIZING CONDITIONAL-USE  
APPROVAL AT 1865 DECKNER AVENUE  
(ZP 14-35)

November 3, 2014

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

That pursuant to Zoning Petition 14-35 and the recommendation of the Plan Commission on October 27, 2014, the City of Green Bay authorizes approval of the request for a conditional-use permit to allow for the expansion of an existing two-family dwelling in a Low Density Residential (R1) District located on the following described property at 1865 Deckner Avenue:

SMITH BROS GARDEN ADD LOT 2 & ELY 10 FT OF  
LOT 3 BLK 4 (Tax Parcel Number 21-2597)

Said conditional-use permit shall be granted subject to standard site plan review.

Adopted November 3, 2014

Approved November 4, 2014

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

Moved by Ald. Moore, seconded by Ald. Nennig to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

## **ORDINANCES - FIRST READING**

GENERAL ORDINANCE NO. 24-14

AN ORDINANCE  
AMENDING SECTION 16.11(2)(c),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO THE STORM DRAINAGE APPELLATE  
PROCEDURE OF THE PLUMBING CODE

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

**SECTION 1.** Section 16.11(2)(c), Green Bay Municipal Code, is hereby amended as follows:

### 16.11 **STORM DRAINAGE**

(2) SUMP PUMPS. (Rep. & Rec. GO 24-07) Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified in §15.29(2), Green Bay Municipal Code.

(c) Appeal.

1. The sump pump connection requirement mandated in §16.11(2)(b)2, Green Bay Municipal Code, may be appealed by filing a written appeal with the City Clerk within 45 days of the official closing date for the sale of the affected property. The appeal shall specify all bases for

the challenge and include documentation from a ~~professional engineer~~ **professional with suitable hydrogeological training as determined by the Director of Public Works** supporting the appeal. Failure to file a timely challenge and specify all bases for the challenge waives all rights to a later challenge of the requirement.

2. The written appeal shall be referred to the ~~Improvement and Services Committee~~ **Department of Public Works**. In considering an appeal, the ~~Improvement and Services Committee~~ **Director of Public Works** shall determine whether the sump pump connection requirement is fair and reasonable or whether it should be waived. The ~~Committee~~ **Director, at his/her sole discretion**, shall conduct a formal or informal hearing and obtain sufficient facts upon which to make a determination. The ~~Committee's~~ **Director's** decision shall be based upon the evidence presented to ~~it~~ **him/her**. After making such determination, the ~~Improvement and Services Committee shall forward its recommendation to the Common Council for final approval.~~ **Director shall notify the Petitioner in writing of his/her decision within 90 60 days of the date the appeal was filed under sub. 1. Upon denial from the Director, the Petitioner may appeal to the Improvement and Services Committee by filing a notice of appeal of the Director's decision within 15 days of notification of denial. Considering the appeal, the Improvement and Services Committee shall determine the decision of the Director of Public Works and may affirm or reverse the Director's decision.**

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

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

Dated at Green Bay, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Common Council 11-3-14

Moved by Ald. Wiezbiskie, seconded by Ald. Wery to advance the ordinance, as previously amended, to the third reading. Motion carried.

GENERAL ORDINANCE NO. 25-14

AN ORDINANCE  
AMENDING SECTION 2.06(9),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO REFERENCES TO COMMITTEES

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

**SECTION 1.** Section 2.06(9), Green Bay Municipal Code, is hereby amended as follows:

**2.06 RULES OF COUNCIL PROCEDURE.**

(9) REFERENCE TO COMMITTEES. All communications, petitions, requests, and complaints shall be in writing and shall be referred to a committee before action is taken thereon by the Council. **Referral to committee can be done by referral of the Common Council or by consent of the chairperson of the committee.**

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

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

Dated at Green Bay, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to advance the ordinance to the third reading. Motion carried.

### **ORDINANCES - THIRD READING**

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

#### **GENERAL ORDINANCE NO. 20-14**

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

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

**SECTION 1.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING zones:

VOYAGER DRIVE, south side, from a point 335 feet west of Goddard Way to Goddard Way

GODDARD WAY, west side, from a point 145 feet south of Voyager Drive to Voyager Drive

HOWE STREET, south side, from Madison Street to a point 40 feet east of Madison Street

MORAVIAN STREET, north side, from Madison Street to a point 55 feet east of Madison Avenue

MORAVIAN STREET, north side, from a point 50 feet west of Monroe Avenue to Monroe Avenue

WASHINGTON STREET, east side, from a point 140 feet south of Cherry Street to a point 110 feet north of Pine Street

WASHINGTON STREET, east side, from a point 75 feet south of Walnut Street to a point 50 feet north of Walnut Street

WASHINGTON STREET, west side, from a point 40 feet south of Walnut Street to a point 190 feet north of Walnut Street

WASHINGTON STREET, west side, from a point 50 feet south of Cherry Street to a point 60 feet north of Cherry Street

WASHINGTON STREET, west side, from a point 115 feet south of CityDeck Court to Main Street

**SECTION 2.** Section 29.208, Green Bay Municipal Code is hereby amended by removing therefrom the following TWO-HOUR METERED PARKING zones:

HOWE STREET, south side, from Madison Street to a point 43 feet west of Monroe Avenue

MORAVIAN STREET, north side, from Madison Street to Monroe Avenue

**SECTION 3.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING zones:

HOWE STREET, south side, from a point 43 feet west of Monroe Avenue to Monroe Avenue

WASHINGTON STREET, east side, from a point 75 feet south of Walnut Street to a point 110 feet north of Pine Street

WASHINGTON STREET, west side, from a point 37 feet south of Walnut Street to a point 60 feet north of Cherry Street

WASHINGTON STREET, west side, from a point 190 feet north of Pine Street to Main Street

**SECTION 4.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following TWO-HOUR PARKING 7:00 AM – 6:00 PM MONDAY – FRIDAY zones:

HOWE STREET, south side, from a point 40 feet east of Madison Street to a point 43 feet west of Monroe Avenue

MORAVIAN STREET, north side, from a point 55 feet east of Madison Street to a point 50 feet west of Monroe Avenue

**SECTION 5.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following METERED PARKING zones:

WASHINGTON STREET, east side, from a point 50 feet north of Walnut Street to a point 140 feet south of Cherry Street

WASHINGTON STREET, west side, from a point 110 feet north of Pine Street to a point 115 feet south of CityDeck Court

**SECTION 6.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following PARKING REGULATED BY POSTED SIGN (RESERVED ONE-HOUR NICOLET BANK OFFICE CUSTOMERS ONLY 7:00 AM – 6:00 PM MONDAY – FRIDAY) zone:

WASHINGTON STREET, west side, from a point 190 feet north of Walnut Street to a point 50 feet south of Cherry Street

**SECTION 7.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following 15-MINUTE LOADING ONLY DAILY zone:

WASHINGTON STREET, west side, from a point 30 feet north of Pine Street to a point 190 feet north of Pine Street

**SECTION 8.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING LOADING ONLY 7:00 AM – 7:00 PM DAILY zone:

WASHINGTON STREET, west side, from a point 30 feet north of Pine Street to a point 110 feet north of Pine Street

**SECTION 9.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 10.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 3rd day of November, 2014.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to adopt the ordinance.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 21-14

AN ORDINANCE  
AMENDING SECTION 29.307,  
GREEN BAY MUNICIPAL CODE,  
RELATING TO TRAFFIC REGULATIONS

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

**SECTION 1.** Section 29.307, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-WAY YIELD condition:

LOUISE STREET at HEYRMAN STREET

**SECTION 2.** Section 29.307, Green Bay Municipal Code, is hereby amended by adding thereto the following TWO-WAY STOP condition:

LOUISE STREET at HEYRMAN STREET

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

**SECTION 4.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 3rd day of November, 2014.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to adopt the ordinance.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

GENERAL ORDINANCE NO. 22-14

AN ORDINANCE  
AMENDING SECTION 2.01(2),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO SPECIAL MEETINGS  
OF THE COMMON COUNCIL

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

**SECTION 1.** Section 2.01(2) Green Bay Municipal Code, is hereby amended as follows:

2.01 COUNCIL MEETINGS.

(2) SPECIAL MEETINGS. The Mayor, **upon permission from the Council President, or in the absence of the Council President, the Vice-President**, may call a special meeting at any time by a written notice to each member of the Council, delivered personally to the alderman or left at the usual abode at least ~~six~~ **twenty-four** hours before the time set for the meeting. **In cases of emergency or natural disaster, the notice requirement may be reduced to two hours before the time set for the meeting.** Upon a petition filed with the City Clerk, containing the signatures of at least one-third of the members of the Council, a special meeting shall be called and notice given as provided herein. Such notice shall specify the object of the meeting and the business to be transacted, and no business may be transacted at a special meeting except that for which the meeting was called.

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

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

Dated at Green Bay, Wisconsin this 3rd day of November, 2014.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to adopt the ordinance.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

ZONING ORDINANCE NO. 11-14

AN ORDINANCE  
AMENDING THE SIGN STANDARDS FOR AN  
EXISTING PLANNED UNIT DEVELOPMENT  
LOCATED AT 300 NORTH BROADWAY  
(ZP 14-33)

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

**SECTION 1.** Section 13-108, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by modifying the established Planned Unit Development (PUD) District on the following described property:

GREEN BAY BROADWAY CONDOMINIUM UNIT 100  
TOGETHER WITH UND INTEREST IN COMMON ELEMENTS ETC IN  
2370860 (Tax Parcel Number 5-1737)

**SECTION 2.** Pursuant to Section 13-1900, et seq., Green Bay Municipal Code, as they apply, the following conditions are imposed:

A. Signage.

1. A second tenant wall sign for the Greater Green Bay Chamber of Commerce is permitted along the east side of the existing building.
2. The sign shall not exceed 62 square feet in size.
3. No roof signage is permitted.

B. Additional Applicable Regulations. Unless stated above, the development must comply with all other regulations of the Green Bay Municipal Code.

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

**SECTION 4.** In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

**SECTION 5.** This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 3rd day of November, 2014

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

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

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

ZONING ORDINANCE NO. 12-14

AN ORDINANCE

AMENDING ZONING ORDINANCE NO. 38-79  
RELATING TO THE EAST TOWN MALL  
PLANNED UNIT DEVELOPMENT OUTLOT SIGNAGE  
2219 MAIN STREET  
(ZP 14-34)

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. 38-79 is hereby amended on the following described property:

THAT PART OF LOT 1 PLAT OF EAST TOWN SHOPPING  
CENTER AS DESCRIBED IN J5706-6 EX SLY 30 FT M/L AS DESC IN  
J5706-18 (Tax Parcel Number 21-126-4)

**SECTION 2.** That pursuant to Section 13-1900 et seq., Green Bay Municipal Code, as they apply, Zoning Ordinance No. 38-79 is hereby amended to allow the following changes:

A. Wall Signage.

1. A maximum of three wall signs are permitted along the west elevation of the building for a total sign area not to exceed 71 square feet.
2. One wall sign is permitted along both the north and east elevation not to exceed 30 square feet per sign.

B. All other standards of Chapter 13-2000, Green Bay Municipal Code shall be met.

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

**SECTION 4.** In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

**SECTION 5.** This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance and has no financial impact on the City.

Dated at Green Bay, Wisconsin, this 3rd day of November, 2014.

APPROVED:

James A. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

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

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Wery to adjourn at 8:02 P.M. Motion carried.

Kris A. Teske  
Green Bay City Clerk