



MINUTES OF THE COMMON COUNCIL

MONDAY, FEBRUARY 16, 2015, 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, Tim DeWane, D. Nennig, J. Moore, R. Scannell, C. Wery, M. Steuer, B. Danzinger, T. Sladek. Excused: None. Tardy: A. Nicholson, G. Zima.

Pledge of Allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to approve the minutes of the February 3, 2015, meeting. Motion carried.

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

REPORT BY THE MAYOR

The Mayor introduced Dave Steffens, Assembly District 4.

PUBLIC HEARING

General Ordinance No. 2-15

An ordinance amending Chapter 13 of the Code to permit self-service storage units within the General Commercial (C1) District.

No one appeared.

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

PETITIONS & COMMUNICATIONS

ADVISORY COMMITTEE

Request by Ald. Zima that the Advisory Committee review the policy regarding storage of garbage and recycling carts, with possible recommendations.

IMPROVEMENT & SERVICE COMMITTEE

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

- A. IEI General Contractors, Inc.
- B. Ken's Concrete LLC.

Applications for Tree & Brush Trimmer Licenses by the following:

- A. A to Z Tree Service LLC,
- B. Best Stump Grinding
- C. S & D Tree Services, LLC
- D. Carl's Tree Service

IMPROVEMENT & SERVICE COMMITTEE AND PLAN COMMISSION

Request by Ald. Wery to amend Ordinance No. 9.02(7) to allow storage of garbage/recycling carts next to a house/garage, or in front of a garage without a fence or shrub screen.

PARK COMMITTEE

Request by Ald. Wery to work with the Green Bay Swim Club and Friends of Colburn Pool to hold a mock swim meet at Colburn Pool in August, 2015, and consider allowing the full use of the facility for a day and sale of items by the GB Swim Club and Friends of Colburn Pool.

PERSONNEL COMMITTEE

Request by Ald. Nicholson to review the number of warranty issues with the new Dodge police vehicles.

PLAN COMMISSION

Request by Ald. Nennig and Moore to direct staff to take the next steps in exploring the creation of a University Avenue TID to support the recommendations of the University Avenue Brownfields Plan.

PROTECTION & WELFARE COMMITTEE

Request by the owners of Anduzzi's, 900 Kepler Drive, to hold an outdoor event July 24 to 26 and to allow music until 1:00 A.M. on July 24 & 25.

Appeal by Patrick Ronsmans to the denial of his Public Vehicle Operator License application.

Moved by Ald. Scannell, seconded by Ald. Moore to refer the petitions & communications to the appropriate committee or commission. Motion carried.

REPORTS FOR COUNCIL ACTION

REPORT OF THE GREEN BAY PLAN COMMISSION February 16, 2015

The Green Bay Plan Commission, having met on Monday, February 9, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve a Conditional Use Permit (CUP) for a proposed Staybridge Suites Hotel and for the hotel to exceed the maximum height limitations located at 1004 Brett Favre Pass, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan and building plan review and approval.
2. To approve a Conditional Use Permit (CUP) for a 4-bed expansion of an existing 15-bed Community Based Residential Facility (CBRF) located at 2670 University Avenue.
3. To approve a Conditional Use Permit (CUP) to authorize a single-family dwelling in an Office/Residential (OR) District located at 212 North Maple Street, subject to compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit.
4. To refer to Planning staff and Legal Department a request from Ald. C. Wery to clearly define the protest petition requirements.

Moved by Ald. Nennig, seconded by Ald. Steuer to adopt the report with the exception of Item #2. Motion carried.

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

Troy Hoekstra, Green Bay Hotel Partners, LLC spoke regarding the proposed Staybridge Suites Hotel at 1004 Brett Favre Pass.

Moved by Ald. Moore, seconded by Ald. Scannell to return to the regular order of business. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to adopt Item #2.

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

Vicki Trebian, ACS Clinical Services, LLC, spoke regarding the expansion.

Moved by Ald. Zima, seconded by Ald. Moore to return to the regular order of business. Motion carried.

A vote was then taken on the motion to adopt Item #2.

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

Moved by Ald. Scannell, seconded by Ald. Moore to suspend the rules for the purpose of adopting the resolution pertaining to the conditional-use. Motion carried.

REPORT OF THE IMPROVEMENT AND SERVICE COMMITTEE February 16, 2015

The Improvement and Service Committee, having met on February 11, 2015 considered all matters on its agenda and wishes to report and recommend the following:

1. To refer to Department of Public Works staff the request by Ald. Wiezbiskie, on behalf of a constituent, to develop a City ordinance with reference to bill posting, i.e. affixing, distributing, posting handbills.
2. To receive and place on file an Appurtenant Construction Policy.
3. To receive and place on file the selection of the consultant for Gray Street and Mather Street reconstruction projects.
4. To approve a 5-year Solid Waste Agreement with Brown County with Addendum #1 updated to the 2015 Preferred Rate.
5. To approve the 2015 Special Assessment factors and rates.
6. To approve the report of the Purchasing Manager:
 - A. To award the purchase of five V-Box Stainless Steel Spreaders to Monroe Truck Equipment for \$86,905.
 - B. To award the purchase of a V-Box Salter/Sander & V-Plow to Olson Trailer & Body for \$10,166.
 - C. To award the purchase of Traffic Control Equipment to TAPCO for \$48,709.
7. To approve the applications for Tree & Brush Trimmer Licenses by the following:
 - A. Ripley's Stump Grinding
 - B. Wright Tree Service, Inc.

8. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Fischer Ulman Construction, Inc.
- B. Larry VanRite Truck & Excavating, Inc.

And hold the application for Louie's General Construction & Concrete until references can be verified.

9. To approve the request by Brown County Port & Resource Recovery Department for a permanent easement for causeway to Renard Island with a provision that the item may be referred back to staff if Parks and Department of Public Works staff have concerns during their review prior to the next Council meeting.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report with the exception of Items #4 and #9. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #4.

Moved by Ald. Wiezbiskie, seconded by Ald. Steuer to amend Item #4 by adding a clause to the contract so that if new technology or cost savings are found, it would be an out for the City. Motion failed.

Moved by Ald. Moore, seconded by Ald. Scannell to adopt Item #4. Motion carried.

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

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to refer Item #9 back to the Improvement & Service Committee. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to suspend the rules for the purpose of taking action on the resolution pertaining to the easement. Motion carried.

REPORT OF THE PARK COMMITTEE February 16, 2015

The Park Committee, having met on Wednesday, February 11, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the revisions to the 2015 Community Development Block Grant park proposals and to forward the request to the Redevelopment Authority for approval.
2. To approve the request by Wisconsin Public Service for a utility easement in Jackson Square Park.
3. To approve to award a two-year contract for portable toilet rentals to AAA Portables for \$22,186 with options for three 1-year contract renewals by mutual consent.
4. To approve \$109,114.32 from the Bay Beach fund to be used for repairs, labor, ND testing, and parts for the Zippin Pippin cars.

5. To receive and place on file the Director's Report.

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

PROTECTION & WELFARE COMMITTEE REPORT February 16, 2015

The Protection & Welfare Committee, having met on Monday, February 9, 2015, considered all matters on the agenda and wishes to report and recommend the following:

1. To deny the application for a "Class A" Liquor and a Class "A" Beverage License by Thao Pao Lee at 316 S. Broadway. (postponed from the January 26, 2015 meeting)
2. To refer back to the City Attorney's Office for further research Municipal Ordinance 33.08(2) as it pertains to grandfathering the premises of the alcohol licensing restrictions.
3. To approve the application for a Class "A" Beverage License by Dousman Fuel, Inc. at 606 Dousman. (Currently Express Convenience) (Postponed from the January 26, 2015 meeting)
4. To approve the application for a "Class B" Combination License by Thunder Kitten LLC at 1423 S. Broadway with the approval of the proper authorities. (currently Chanmina LLC)
5. To refer to the City Attorney's Office to draft an ordinance pertaining to "Pedal Pubs"/Commercial Quadricycles.

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

REPORT OF THE PROTECTION AND WELFARE COMMITTEE GRANTING OPERATOR LICENSES February 16, 2015

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted. Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Anderson III, William A

Bain, Jodi L

Bernetzke, Cullen M
Bianco, Lauren S
Damscheuser, Jason C
Edwards, Lewis M
Fischer, Mattea O
Grinsteiner, Joseph J
Kanikula, Kathleen M
Kellner, Noelle M
Kiley, Jessica A
Klabunde, Steven A
Kramer, Sara K
Lukowicz, David J
Maes, Jerod D
Malcore, Melissa J
Mitchell, Taylor L
Osterberg, Mark A
Pate, Jakori E
Reynolds, Karl J
Rinehard-Lotter, Amber D
Roskoski, Derek M
Wendricks, Elizabeth A
Williams, Paige N

Moved by Ald. Wiezbiskie, seconded by Ald. Sladek to adopt the report. Motion carried with Ald. Moore abstaining on the approval of Lauren S. Bianco and Ald. Danzinger abstaining on the approval of Lauren S. Bianco, Jessica A. Kiley, Sara K. Kramer, Melissa J. Malcore, Elizabeth A. Wendricks and Paige N. Williams.

RECEIVE & PLACE ON FILE

Building Permit Report for January, 2015.

Municipal Court Report for January, 2015

Account Trial Balances for October, November and December, 2014.

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

RESOLUTIONS

Moved by Ald. Scannell, seconded by Ald. Wiezbiskie to suspend the rules for the purpose of adopting Resolutions 7 and 8 and 11 through 14 with one roll call vote. Motion carried.

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

February 16, 2015

Resolution No. 7

**An Initial Resolution Authorizing the Sale and Issuance of
General Obligation Refunding Bonds;
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 currently in need of funds to finance the advance refunding of some of or all the outstanding maturities of the Issuer’s (i) \$7,390,000 General Obligation Corporate Purpose Bonds, Series 2007A, dated June 5, 2007, and (ii) \$5,240,000 General Obligation Corporate Purpose Bonds, Series 2008B, dated August 4, 2008 (collectively, the “**Refunding**”).

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

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Authorization of Issuance and Purposes of Bonds.

Under and by virtue of the provisions of Chapter 67 of the Wisconsin Statutes, the City shall issue its negotiable, general obligation refunding bonds in a principal amount of not to exceed \$7,000,000 (the “**Bonds**”) to finance the Refunding; *provided, however*, that the Bonds shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

Section 2. Authorization of Sale of Bonds.

The Bonds shall be sold by negotiated sale to Robert W. Baird & Co. Incorporated (the “**Purchaser**”).

Section 3. Preparation of Official Statement.

The Mayor and the Clerk are hereby authorized and directed to cause a preliminary offering document for the Bonds (the “**Official Statement**”) to be prepared. The Mayor and the Clerk are hereby authorized on behalf of the City, to approve the form of Official Statement and authorize it to be deemed final as of its date for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1)), and to supply copies of the Official Statement upon request.

Section 4. Further Actions.

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

Section 5. 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 6. 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 7. 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 8. Effective Date.

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

Adopted: February 16, 2015

Approved: February 17, 2015

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell 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.

**FINAL PAYMENTS RESOLUTION
FEBRUARY 16, 2015**

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

That the City Clerk be and is hereby instructed to draw FINAL ORDERS in favor of the following contractors for their projects in the amounts listed as follows:

1. RESURFACING 1-14 PARTA

Martell Construction, Inc.

TOTAL AMOUNT EARNED: \$ 317,897.87

LESS AMOUNT RETAINED: \$ 0.00

\$ 317,897.87

LESS AMOUNT PREVIOUSLY PAID: \$ 139,145.27

AMOUNT DUE THIS ESTIMATE: \$ 178,752.60

ACCOUNT NUMBERS

401500E-55301-61034: \$178,752.60

PO #105636

2. MORaine TERRACE LIFT STATION REHABILITATION

DeGroot, Inc.

TOTAL AMOUNT EARNED: \$ 68,418.84

LESS AMOUNT RETAINED: \$ 0.00

\$ 68,418.84

LESS AMOUNT PREVIOUSLY PAID: \$ 65,600.33

AMOUNT DUE THIS ESTIMATE: \$ 2,818.51

ACCOUNT NUMBERS

403500-55355-63024: \$2,818.51

PO #105689

3. SEWERS 1-14 (INCLUDING WATER MAIN)

Feaker & Sons Co., Inc.

TOTAL AMOUNT EARNED: \$ 631,358.68

LESS AMOUNT RETAINED: \$ 0.00

\$ 631,358.68

LESS AMOUNT PREVIOUSLY PAID:	\$ 631,358.68
AMOUNT DUE THIS ESTIMATE:	<u>\$ 592,289.99</u>
	\$ 39,068.69

ACCOUNT NUMBERS
501-12201-63014: \$40.00
403500-55355-63014: \$427.90
412500E-55355-63014: \$38,600.79
PO #105631

Adopted February 16, 2015
Approved February 17, 2015

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Moore, seconded by Ald. Scannell 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
PERMANENT EASEMENT
FOR CAUSEWAY TO RENARD ISLAND
February 16, 2015**

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

To approve the request by Brown County Port & Resource Recovery Department for a permanent easement for causeway to Renard Island with a provision that the item may be referred back to staff if Parks and Department of Public Works staff have concerns during their review prior to the next Council meeting.

Adopted _____, 2015

Approved _____, 2015

Mayor

ATTEST:

City Clerk

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to refer the resolution back to the Improvement & Service Committee.

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 2670 UNIVERSITY AVENUE
(ZP 15-03)**

February 16, 2015

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

That, pursuant to Zoning Petition 15-03 and the recommendation of the Plan Commission on February 9, 2015, the City of Green Bay does authorize a conditional-use permit for a four-bed expansion of an existing 15-bed community based residential facility located on the following described property at 2670 University Avenue:

THAT PRT GOVT LOT 1 S33 T24 N R21E COM SE
COR P C 44 TH SE TO CL HWY NELY ALG C-L 905.3 FT
TO BEG N 55 DEG 16 MIN 43 SEC W TO NE COR PC 44
NELY TO SEC LINE E TO NE COR S 660 FT W TO W LINE
C BAUERS LAND N TO CL HWY NELY TO BEG EX 305 D
461 BC (Tax Parcel No. 21-1233)

Adopted February 16, 2015

Approved February 17, 2015

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell to adopt the resolution.
Roll call: Ayes: Wiezbiskie, Thomas DeWane, Nennig, Moore, Scannell, Steuer, Danzinger, Sladek. Noes: Nicholson, Tim DeWane, Wery, Zima. Motion carried.

**RESOLUTION AUTHORIZING CONDITIONAL-USE
APPROVAL AT 1004 BRETT FAVRE PASS
(ZP 15-02)**

February 16, 2015

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

That, pursuant to Zoning Petition 15-02 and the recommendation of the Plan Commission on February 9, 2015, the City of Green Bay does authorize a conditional-use permit for a proposed Staybridge Suites Hotel and to allow the hotel to exceed the maximum height limitations located on the following described property at 1004 Brett Favre Pass:

LOT 2 OF 37 CSM 99 BNG PART OF LOT 9
MORRIS & BROMLEY'S SUBD OF S1/2 OF PC 13 WSFR &
BNG PART OF PC 14 & 15 WSFR (Tax Parcel No. 1-1841-
C-2)

Said conditional-use permit shall be granted subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the conditional-use permit, including standard site plan and building plan review and approval.

Adopted February 16, 2015

Approved February 17, 2015

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell 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 212 NORTH MAPLE AVENUE
(ZP 15-04)**

February 16, 2015

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

That, pursuant to Zoning Petition 15-04 and the recommendation of the Plan Commission on February 9, 2015, the City of Green Bay does authorize a conditional-use permit to allow a single-family dwelling in an Office/Residential (OR) District located on the following described property at 212 North Maple Avenue:

Lot 107, Dousmans Addition (Tax Parcel No. 4-99)

Said conditional-use permit shall be granted subject to compliance with all other regulations of the Green Bay Municipal Code not covered under the conditional-use permit.

Adopted February 16, 2015

Approved February 17, 21015

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Moore, seconded by Ald. Scannell 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.

**PRELIMINARY RESOLUTION DECLARING INTENT
TO EXERCISE SPECIAL ASSESSMENT POWERS
UNDER SECTION 66.0703, WISCONSIN STATUTES**

February 16, 2015

ASPHALT PAVEMENT

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

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of ASPHALT PAVEMENT on said streets:

S. MAPLE AVENUE – Walnut Street to Howard Street
MARSHALL AVENUE – Mather Street to Desnoyers Street
S. OAKLAND AVENUE – Shawano Avenue to Howard Street
2. Said public improvement shall include the grading of these streets to the grade established therefore by City ordinance as recorded in the Office of the City Clerk, installation of gravel base and ASPHALT pavement with curb and gutter on both sides of the street in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing, or in five (5) annual installments with interest thereon at four percent (4.00%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.
6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Service Committee in the City Hall at such times as set by the City Clerk.

Adopted February 16, 2015

Approved February 17, 2015

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Moore, seconded by Ald. Scannell 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.

**PRELIMINARY RESOLUTION DECLARING INTENT
TO EXERCISE SPECIAL ASSESSMENT POWERS
UNDER SECTION 66.0703, WISCONSIN STATUTES
FEBRUARY 16, 2015**

ASPHALT RESURFACING

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

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of ASPHALT RESURFACING on said streets:

**ADMIRAL COURT – Fisk Street to cul-de-sac east
ARGONNE DRIVE – Ninth Street to Biemeret Street
ARGONNE DRIVE – Biemeret Street to Kennedy Drive
ARGONNE DRIVE – Kennedy Drive to cul-de-sac south
DIVISION STREET – Platten Street to Fisk Street
FRANZ AVENUE – Main Street to west end
KENNEDY COURT – Kennedy Drive to cul-de-sac south
KENNEDY DRIVE – 230' W of Careful Court to Wiesner Street
LANGLADE AVENUE – Briquetet Street to Military Avenue
MT CAROL DRIVE – St Charles Drive to Mt Mary Drive
MT MARY DRIVE – Humboldt Road to St Anthony Drive
ST ANTHONY DRIVE – 230' E of Mt Mary Drive to Curry Lane
VAN OSS COURT – Kennedy Drive to cul-de-sac south**

2. Said public improvement shall include placing of a hot mix ASPHALT surface over the existing street in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing, or in five (5) annual installments with interest thereon at four percent (4.00%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.
6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Service Committee in the City Hall at such times as set by the City Clerk.

Adopted February 16, 2015

Approved February 17, 2015

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
City Clerk

Moved by Ald. Moore, seconded by Ald. Scannell 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. 4-15

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

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

SECTION 1. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING 7:00 AM – 7:00 PM MONDAY – FRIDAY zone:

ELIZA STREET, north side, from Clay Street to Roosevelt Street

SECTION 2. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING zones:

CHESTNUT AVENUE, west side, from and including the cul-de-sac south of Dousman Street to Mather Street

NINTH STREET, south side, from a point 100 feet west of Ridge Road to a point 100 feet east of Ridge Road

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

CHESTNUT AVENUE, west side, from and including the cul-de-sac south of Dousman Street to James Street

MARY QUEEN ROAD, at the west terminus

SECTION 4. Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING BUS LOADING ONLY 7:00 AM – 4:00 PM SCHOOL DAYS zone:

NINTH STREET, south side, from a point 200 feet west of Ridge Road to a point 100 feet west of Ridge Road

SECTION 5. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

NINTH STREET, south side, from a point 200 feet west of Ridge Road to a point 100 feet west of Ridge Road

SECTION 6. Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO STOPPING OR STANDING zone:

NINTH STREET, south side, from a point 100 feet west of Ridge Road to a point 100 feet east of Ridge Road

SECTION 7. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this _____ day of _____, 2015.

APPROVED:

Mayor

ATTEST:

Clerk

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

GENERAL ORDINANCE NO. 5-15

AN ORDINANCE
AMENDING CHAPTER 13-904,
GREEN BAY MUNICIPAL CODE,
REGARDING OUTDOOR STORAGE AND DISPLAY
IN THE BUSINESS PARK (BP) DISTRICT
(CORRECTING GENERAL ORDINANCE NO. 16-14)
(TA 14-06)

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

SECTION 1. Section 13-904, Green Bay Municipal Code, is hereby amended as follows:

13-904. Outdoor storage and display.

(a) Outdoor storage and display is permitted in the Business Park (BP) District, subject to the following standards.

~~a.~~ **(1)** Outdoor storage areas shall not exceed 25% of the lot area and shall be contiguous.

~~b.~~ **(2)** A fence 90% impervious to sight is required to enclose all outdoor storage areas from view. The fence shall not exceed eight ft. in overall height and shall consist of wood, vinyl or masonry material.

~~c.~~ **(3)** No material/product may be stored higher than the required fencing.

~~d.~~ **(4)** A five-foot-wide landscaped area shall be provided along all fenced areas with ground cover, shrubs or trees planted at an average spacing of 30 ft. on center.

~~e.~~ **(5)** All outdoor storage areas shall be surfaced compliant with Chapter 13-1714.

~~f.~~ **(6)** No outdoor storage shall encroach within a required setback.

(b) In the Light Industrial and General Industrial districts, outdoor storage shall be completely screened from any adjacent street, sidewalk, public walkway, public park, or residential property, in compliance with Chapter 13-1820, Site Plan Review. Outdoor sales and display areas shall be separated from any adjacent street,

sidewalk, or public walkway by a low landscaped screen, in compliance with Chapter 13-1814, Site Plan Review.

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

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2015.

APPROVED:

Mayor

ATTEST:

Clerk

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

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

ORDINANCE - THIRD READING

GENERAL ORDINANCE NO. 2-15

AN ORDINANCE
AMENDING CHAPTER 13,
GREEN BAY MUNICIPAL CODE,
TO PERMIT SELF-SERVICE STORAGE
UNITS WITHIN THE GENERAL
COMMERCIAL (C1) DISTRICT
(TA 15-01)

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

SECTION 1. Section 13-800, Table 8-3, Green Bay Municipal Code, is amended as follows:

Table 8-3. Permitted Accessory Uses in the Commercial Districts

Use	C1	C2	C3	Dev. Stds.
Uses Accessory to Nonresidential Uses				
Antennas, satellite dishes, and similar equipment	P	P	P	X
Carwash (automatic) when accessory to a service station in compliance with Chapter 13-1600		C	C	X
Music (outdoor live or amplified music)	C	C	C	X
Off-street loading docks	C	P	P	X
Outdoor display of vehicles		P	C	X
Outdoor commercial recreation	C	C	C	X
Outdoor sales, display, and storage	*	**	*	X
Parking (surface)	P	P	P	
Parking (structured)		C	P	X
Parking and storage of vehicles licensed to a business	P	P	P	X
Self-Service Storage Units	C	--	--	X
Signs, as regulated by Chapter 13-2000	P	P	P	
Small Wind Energy Systems	C	C	C	X
Solar Energy Systems	P	P	P	X
Telecommunication facilities	C	C	C	X
Warehousing, incidental repair, or processing necessary to conduct a permitted principal use, conducted within the principal building, not exceeding 40 percent of total floor area		P	P	X
Waste and recycling storage	P	P	P	X

SECTION 2. Section 13-1612, Development Standards – Self-Service Storage Units, Green Bay Municipal Code, is created as follows:

13-1612. Development Standards – Self Service Storage Units.

(a) No unit shall not have an individual external entrance; instead, units shall share common entrance(s) and internal hallways.

(b) The self-service storage use shall not exceed 30 percent of the total floor area of a building.

(c) The approved site plan and building plan shall delineate the extent of the self-storage use.

(d) A principal permitted use shall be established prior to creation of a self-storage accessory use.

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

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

Dated at Green Bay, Wisconsin this 16th day of February, 2015.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Moore, 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.

Moved by Ald. Scannell, seconded by Ald. Thomas DeWane to adjourn at 7:50 P.M.
Motion carried.

Kris A. Teske
Green Bay City Clerk