



# **MINUTES OF THE COMMON COUNCIL**

**TUESDAY, MAY 5, 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, A. Nicholson, D. Nennig, J. Moore, R. Scannell, C. Wery, G. Zima, M. Steuer, B. Danzinger, T. Sladek. Excused: Tim DeWane.

Pledge of Allegiance.

Mayor Schmitt led the invocation.

Moved by Ald. Wiezbiskie, seconded by Ald. Nicholson to approve the minutes of the April 21, 2015, meeting. Motion carried.

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

## **REPORT BY THE MAYOR**

The Mayor announced that the State of the City will be on May 26 at the Meyer Theater.

## **PUBLIC HEARING**

Planning Ordinance No. 1-15

An ordinance amending the Official Map of the City to approve a plat of right-of-way for a sewer easement, from Franz Avenue to Baird's Creek.

No one appeared.

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

## **PETITIONS & COMMUNICATIONS**

### **FINANCE COMMITTEE**

Request by Ald. Wery to fund the architect for Colburn Pool from the \$2.4 million in excess 2014 revenues.

### **FINANCE COMMITTEE & MAYOR'S OFFICE**

Request by Ald. Nennig to adopt a resolution opposing legislation which would end personal property taxes, as well as state payments for the computer tax exemption, unless alternative revenue sources are provided by the State without increasing property taxes for other classes of property.

### **IMPROVEMENT & SERVICE COMMITTEE**

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

- A. Brian's Quality Concrete, Inc.
- B. Sommers Construction
- C. Weidner Concrete Construction, LLC

Application for a Tree & Brush Trimmer License by David Warden Tree Service.

Request by Ald. Thomas DeWane to discuss, with possible action, whether the homeowner or the City should be responsible for damage in front of 641-645 Wellen Drive.

Request by Ald. Scannell to study downtown pedestrian traffic at crossing points without lights taking into account the increase of foot traffic downtown apartments will bring.

### **LAW DEPARTMENT**

Request by Ald. Steuer to make sure that those alderpersons, officials and citizens that attend City committee meetings are all listed on the subsequent minutes of said meetings.

## NEIGHBORHOOD ASSOCIATION

Request by Ald. Steuer to study the feasibility of a Neighborhood Association team or teams of volunteers to assist in raking, shoveling, grass mowing, and other chores for those who are in need in City neighborhoods.

## PERSONNEL COMMITTEE

Request by the Mayor, on behalf of the residents of Green Bay, to review the conduct and actions of Guy Zima in regard to the Council meeting of April 8 which included giving the finger and swearing at constituent.

Request by Ald. Nicholson to review Robert's Rules of Order, etc. on public disruption during public meetings, with possible action.

Request by Ald. Nicholson that the Chief of Police organize a full-time Gang Task Force within the Green Bay Police Department, with possible action.

Request by Ald. Nicholson for a review of all calls for service in the last 24 months, where the lieutenants in the Police Department were the primary responder.

## PROTECTION & WELFARE COMMITTEE

Request by the owner of Cool Hand Luke's Bar, 1238 State Street, to hold an outdoor event on May 16.

Request by the owner of the Hotbox Bar, 2056 Main Street, to hold an outdoor event on June 6, with music until midnight.

Application for a "Class A" Liquor License by Supermercado La Popular, LLC at 1740 E. Mason Street for the 2015-16 License Year. (Currently has beer only.)

Request by the owners of Nic's Bar & Grill, 1657 Main Street, to amend their liquor license to include an outdoor smoking deck as part of their licensed premises.

Applications for various licenses for the 2015-16 License Year.

Request by Ald. Wery for a report by the Green Bay Police Department's "Gang Unit" on gang activity within the City and the unit's strategies on dealing with them.

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

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to allow the Protection and Welfare Committee to be the final approving authority for the outdoor event at 1238 State Street on May 16. Motion carried.

## **REPORTS FOR COUNCIL ACTION**

### **REPORT OF THE PARK COMMITTEE May 5, 2015**

The Park Committee, having met on Wednesday, April 29, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by West Side Youth Baseball to add batting cages and an expansion to the existing concessions building contingent upon the following:
  - All proper permits and insurances being obtained by West Side Youth Baseball;
  - All costs of materials, construction, and installation are the responsibility of the West Side Youth Baseball group;
  - Park staff approval of the final site design and installation of all materials must meet City building and inspection codes.
2. To approve the request by Wisconsin Public Service for a 30' x 60' utility easement in Fisk Park.
3. To approve a request for \$90,000 to update the electrical control panels and disconnect switches on nine rides at Bay Beach Amusement Park.
4. To approve the request to purchase \$72,800 of TreeAzin to treat ash trees for Emerald Ash Borer with purchasing half of the product now and the remaining half in late summer.
5. To approve \$1,150,000 for the Parks, Recreation, & Forestry Department 2015 Capital Improvements Plan and to forward the plan to the Finance Committee for approval.
6. To receive and place on file the Director's Report.

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

### **Report of the Green Bay Plan Commission May 5, 2015**

The Green Bay Plan Commission, having met on Monday, April 27, 2015, considered all matters on its agenda and wishes to report and recommend the following:

1. To refer to Planning staff a request by Ald. Joe Moore, on behalf of several University Avenue Business owners, to prepare a plan, including a cost analysis, of installing a large roundabout at the "triangle" on University Avenue.

2. To amend the Comprehensive Plan to revise properties generally located in the 1580 Block of East Mason Street and Kimball Street as well as the 500 Block of Bellevue Street from Low Density Housing (LDH) to Commercial (C).
3. To amend the Planned Unit Development (PUD) for the third phase of the Whitney Park Townhomes from 3 units to 4 units located in the 300 Block of North Van Buren Street, subject to the draft Planned Unit Development.
4. To rezone the easterly 20 ft. of 2590 University Avenue and 2594 University Avenue from General Commercial (C1) to Highway Commercial (C2).
5. To authorize a Conditional Use Permit (CUP) for a Transient Residential use located at 1249 Shadow Lane, subject to compliance with the Development Standards found in Chapter 13-1602(j).
6. To create an ordinance to regulate the use of community gardens, subject to draft ordinance.
7. To approve the request of the Law Department to amend Chapter 13-1603(b)(5) regarding exceptions for Community Living Arrangements (CLAs), subject to draft ordinance amendment.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Items #6 & #7. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #6.

Moved by Ald. Moore, seconded by Ald. Nicholson to amend Item #6 by adding "Personal Gardens, on private property, used as an accessory, does not apply." after the definition of Community Gardens. Motion carried.

Moved by Ald. Zima, seconded by Ald. Wery to refer the draft ordinance back to the Plan Commission. Motion failed on a voice vote.

Moved by Ald. Moore, seconded by Ald. Nennig to adopt the draft ordinance as amended. Motion carried.

Moved by Ald. Danzinger, seconded by Ald. Moore to further amend the draft ordinance by striking "Crops planted in any minimum front yard setback are limited to those that will grow to a heights of 3 feet or less."

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

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #7.

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

Robin Oshefsky, 1024 N. Locust, and Mary Sturzl, 1029 N. Locust, spoke against the ordinance.

Nancy Collette, 708 Twelfth Avenue, asked a question.

Moved by Ald. Wiezbiskie, 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 #7, thereby approving the draft ordinance.

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

## **REPORT OF THE TRAFFIC COMMISSION May 5, 2015**

The Traffic Commission having met Monday, April 20, 2015, considered all matters on its agenda and wishes to report and recommends the following:

1. To elect Dan Theno as vice chair.
2. To receive and place on file the report by the Police Department of the 2015 1<sup>st</sup> quarter serious injury and fatality crashes.
3. To receive and place on file the request by Ald. Steuer to perform a pedestrian safety study of the West Side Trail at its Bond Street, Military Avenue, and Shawano Avenue crossings with consideration of installing safety lights and features.
4. To rescind the motion from the March 16, 2015 meeting to establish a NO PARKING zone on the east side of Hazel Street from Christiana Street to a point 70 feet north of Christiana Street.
5. To remove and adopt by ordinance the NO PARKING 6 PM TO 2 AM zone on both sides of Newhall Street from Main Street to Proper Street.
6. To remove and adopt by ordinance the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of St. Anthony Drive from a point 247 feet east of Mount Mary Drive to a point 1162 feet east of Mount Mary Drive.
7. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of St. Anthony Drive from a point 247 feet east of Mount Mary Drive to a point 790 feet east of Mount Mary Drive.
8. To establish and adopt by ordinance a NO PARKING zone on the north side of St. Anthony Drive from a point 790 feet east of Mount Mary Drive to a point 925 feet east of Mount Mary Drive.
9. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of St. Anthony Drive from a point 925 feet east of Mount Mary Drive to a point 1162 feet east of Mount Mary Drive.

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

## **REPORT OF THE FINANCE COMMITTEE MAY 5, 2015**

The Finance Committee, having met on Wednesday, April 29, 2015 considered all matters on its agenda and wishes to report and recommends the following:

1. To approve the request by the Finance Director to review 2014 year end results for the general fund and to transfer \$1,200,000 to the sick pay escrow fund to cover costs of retirements in 2014.
2. To approve the request by the Finance Director to make recommended changes by the City's bond counsel that incorporates additional language related to post-issuance tax compliance procedures to the City's Debt Policy.
3. To forward to Common Council the request by Ald. Chris Wery to review, with possible action, the lawsuit regarding John Kennedy including legal expenses to date.
4. To approve the report of the Claims Committee submitted by the City Attorney's Office.
5. To receive and place on file the request by Ald. Tom De Wane the summary of all costs associated with the Watermark project and the update to include the debt that was abandoned by the developers, guaranties in place for the property, taxes outstanding and City money that was put toward tenant improvements for CH Robinson

2015 Contingency Fund  
\$110,000

Moved by Ald. Thomas DeWane, seconded by Ald. Scannell to adopt the report with the exception of Item #3. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #3.

Moved by Ald. Wery, seconded by Ald. Scannell to convene in closed session.

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

Ald. Wery read the following: With regard to Item #3, the Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the 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. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed

session and consider the balance of the agenda.

Moved by Ald. Scannell, seconded by Ald. Danzinger to reconvene in open session.

Motion carried.

Moved by Ald. Wery, seconded by Ald. Steuer to proceed as directed by counsel and staff. Motion carried.

## **REPORT OF THE IMPROVEMENT AND SERVICE COMMITTEE May 5, 2015**

The Improvement and Service Committee, having met on April 29, 2015 considered all matters on its agenda and wishes to report and recommend the following:

1. To receive and place on file the 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.
2. To approve the request by the Department of Public Works to award a sole source contract for repair of a storm water pump to Rotating Equipment Repair Corporation in the amount of \$70,340.
3. To approve the 2015 Department of Public Works Capital Improvement Program and forward the bond request to Common Council.
4. To approve the report of the Purchasing Manager:
  - A. To approve to award the purchase of Signal Poles to TAPCO for \$32,401.
5. To approve the award of the contract PAVEMENT REPAIR – 2015 to the low, responsive bidder Fischer-Ulman Construction, Inc., in the amount of \$715,351.50.
6. To approve the request by Department of Public Works to grant Director of Public Works authority to approve minor encroachments into the City rights-of-way for items that meet zoning requirements and forward the Hold Harmless Agreements to Mayor and City Clerk for execution.
7. To approve the request by Department of Public Works to award contract in the 2015 Capital Improvement Program (CIP) at a staff level subject to the following conditions:
  - A. The 2015 CIP provides sufficient funding for each program fund.

- B. Delay in bringing forward a recommendation to award at the next regularly scheduled Committee meeting would result in an unacceptable delay in starting construction.
  - C. Any projects so awarded would be reported out at the next regularly scheduled meeting of the Improvement & Services Committee.
8. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:
    - A. Frank O. Zeise Construction Co., Inc.
    - B. Melnarik Concrete, Inc.
    - C. JD Concrete Corporation
    - D. Loch Construction Co., Inc.
    - E. Precision Flatwork
  9. To approve the applications for Underground Sprinkler System Licenses by the following:
    - A. Steinie's Water Gardens
  10. To approve the applications for Tree & Brush Trimmer Licenses by the following:
    - A. Selner Tree & Shrub Care, LLC
  11. To approve the request by Ald. Danzinger, on behalf of Ron Hertly, for an exemption to §16.11(b)2, Green Bay Municipal Code, requiring the mandatory connection of sump pump discharge to City's storm sewer system at 1804 DeGrand Street.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to adopt the report with the exception of Items #1 & #2. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #1.

Moved by Ald. Wery, seconded by Ald. Zima to amend Item #1 to allow storage of City-issued garbage bins next to the garage or behind setback of side of the house.

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

Nancy Collette, 708 Twelfth Avenue, gave an example on Lombardi Avenue.

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

A vote was then taken on the motion to amend Item #1.

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

Moved by Ald. Zima, seconded by Ald. Wery to allow storage on the side of the garage.

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

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to receive Item #1 and place it on file. Motion carried with Ald. Zima and Wery voting no.

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

Moved by Ald. Zima, seconded by Ald. Thomas DeWane to refer Item #2 back and to give it to the lowest qualifying bidder with granting final authority to the Director of DPW and reporting back to Council. Motion carried.

## **REPORT OF THE PERSONNEL COMMITTEE May 5, 2015**

The Personnel Committee, having met on Wednesday, April 29, 2015 considered all matters on its agenda and reports and recommends the following:

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
  - a. Electrician – Public Works
  - b. 2-Signs and Marking Operators – Public Works
  - c. Planner II – Community Services
2. No recommendation to fill the new Assistant City Attorney I position which was approved as part of the 2015 budget effective July 1, 2015 and all subsequent vacancies resulting from internal transfers.
3. To receive and place on file the recommended modifications to Personnel Policy, Chapter 19 – Electronic Communication & Information systems Usage Policy regarding the use of cell phones.
4. To hold until Committee members review the EDA audio regarding the Mayor's conduct when contacting commission, committee and authority members before, during and after meetings and to not intimidate or bully the members on how they vote or voted.
5. To receive and place on file the Report of Routine Personnel Actions for regular employees.
6. To approve the 2015 – 2017 labor agreement between the City of Green Bay and Local 420, Bus Mechanics on a 2-1 vote with Ald. Zima abstaining .

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt the report with the exception of Items #2 & #3. Motion carried.

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

Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to fill the new Assistant City Attorney I position.

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

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

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

Moved by Ald. Wiezbiskie, seconded by Ald. Scannell to adopt Item #3.

Moved by Ald. Wery, seconded by Ald. Scannell to amend the policy regarding the use of cell phones to prohibit the use of cell phones while driving a City vehicle and to allow for hands-free activations for all City Departments.

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

Moved by Ald. Wery, seconded by Ald. Scannell to adopt Item #3 as amended.

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

## **PROTECTION & WELFARE COMMITTEE REPORT May 5, 2015**

The Protection & Welfare Committee, having met on Monday, April 27, 2015, considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the application for a Class "C" Wine License by Timothy Cleary at 1247 Velp Avenue, with the approval of the proper authorities. (Currently has beer only.)
2. To approve the application for one of seven available "Class B" Combination License by The Cannery Market, LLC at 320 N. Broadway, with the approval of the proper authorities.
3. To approve the request by the owner of Brewski's on Broadway, 1100 S. Broadway, to hold an outdoor event on June 27. The approval of the request is subject to complaint.
4. To deny the appeal by Rachel E. Anker to the denial of her Operator License application.

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

## **REPORT OF THE PROTECTION AND WELFARE COMMITTEE GRANTING OPERATOR LICENSES May 5, 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**

Arendt, Amanda L  
Bourbonnais, Michael L  
Brickham, John P  
Brown Jr., Robert A  
Burton, Megan M  
Carney, Mitchell J  
DeMars, Brittney J  
Everts, Nicole M  
Farah, Emily C  
Gerczak, John A  
Gerondale, Jamie L  
Hansen, Lynn J  
Herman, Mary Jo A  
Hill, Patricia A  
Holtmeier, Russell F  
Huempfner, Matthew J  
Jacobe, Jill M  
Kissner, Meagan V  
Loch, Kathy M  
Lyons, Ariana J  
Nuss, Cathy L  
Paulson, Michelle A  
Pleau, Rosemary  
Sandoval, Brandon A  
Seeger, Elizabeth M  
Skenandore, Webster S  
Smith, Joshua S  
Tesnow, Stephanie J  
Valentyn, Daniel J  
Vania, Josie R  
Wenzel, Brienna N

Yang, See

Moved by Ald. Scannell, seconded by Ald. Wiezbiskie to adopt the report. Motion carried with Ald. Danzinger abstaining on the approval of Emily C. Farah, Lynn J. Hansen, Mary Jo A. Herman, Patricia A. Hill, Kathy M. Loch, Ariana J. Lyons.

**RECEIVE & PLACE ON FILE**

2014 Department of Public Works Annual Report.

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

## RESOLUTIONS

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

### RESOLUTION AUTHORIZING TRANSFER OF FUNDS May 5, 2015

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

Pursuant to the recommendation of the Finance Committee at its meeting of April 29, 2015, the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	10110-59970 General Fund	\$1,200,000
To:	704100-49210 Sick Pay Escrow Fund	\$1,200,000

Adopted May 5, 2015

Approved May 6, 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, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.



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

**RESOLUTION AUTHORIZING CONDITIONAL-USE  
APPROVAL AT 1249 SHADOW LANE  
(ZP 15-11)**

**May 5, 2015**

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

That pursuant to Zoning Petition 15-11 and the recommendation of the Plan Commission on April 27, 2015; the City of Green Bay authorizes approval of the request for a conditional-use permit for a transient-residential use located on the following described property at 1249 Shadow Lane:

Lot 5, Block 1, Deneys Subdivision No. 4 (Tax Parcel  
Number 1-2213)

Said conditional-use permit shall be granted subject to subject to compliance with the Development Standards found in Chapter 13-1602(j).

Adopted May 5, 2015

Approved May 6, 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, Nennig, Moore, Scannell, Wery, Zima, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**ORDINANCES - FIRST READING**

**GENERAL ORDINANCE NO. 9-15**

**AN ORDINANCE  
AMENDING SECTION 13-1603(b)(5),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO COMMUNITY  
LIVING ARRANGEMENTS**

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

**SECTION 1.** Section 13-1603(b)(5), Green Bay Municipal Code, is hereby amended to read:

13-1603. Congregate living uses

...

(b) Community Living Arrangements in all districts:

...

**(5) Exceptions from conditional use permit process.**

**a.** In accordance with Ch. 62.23(7)(i), Wis. Stats., in all cases where a community living arrangement has capacity for eight (8) or fewer persons being served by the program, meets the criteria listed in sections (2) through (4) above, and is licensed, operated, or permitted under the authority of the Department of Health Services or the Department of Children and Families, that facility is entitled to locate in any residential zone without being required to obtain a conditional use permit.

**b. Adult Family Home or Small Group Shelter Care Facility.**  
**All adult family homes or small group shelter care facilities which serve disabled residents are entitled to locate in any residential zone without being required to obtain a conditional-use permit. All residents of the adult family home or small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as defined by the required state license application.**

**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 \_\_\_\_\_,  
2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Moved by Ald. Moore, 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. 10-15**

### **AN ORDINANCE AMENDING CHAPTER 13, GREEN BAY MUNICIPAL CODE, TO REGULATE THE USE OF COMMUNITY GARDENS (TA 14-08)**

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

**SECTION 1.** Section 13-302, Green Bay Municipal Code, is amended by adding the following definition:

**13-302. General Definitions.** Unless otherwise expressly stated or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. All words and phrases not defined shall have their common meaning. Definitions of land uses listed in this ordinance are listed in Section 13-303. Definitions of signs are listed in Section 13-304.

**Community Gardens:** Sectioned plots of land for individual or group use for the planting, growing and cultivation of fruits, vegetables, plants, flowers, and herbs. **Personal gardens on private property used as an accessory use do not apply.**

**SECTION 2.** Section 13-1613, Green Bay Municipal Code, is created as follows:

**13.1613. Development Standards – Community Gardens.** All Community Gardens are to meet or exceed the following Development Standards:

(a) Site users shall have an established set of operating rules addressing the governance structure of the garden, maintenance and general responsibilities. The name and telephone number of the garden coordinator and a copy of the operating rules shall be kept on file with the Community Services Agency. Hours of operation are limited to sun up/sun down. The entire site shall be maintained in a manner, including noise and odors, so that it does not become a nuisance in any way.

(b) The cultivated area shall have a minimum setback of 5 feet from all property lines. **Crops planted in any minimum front yard setback are limited to those that will grow to a height of 3 feet or less.** Dead garden plants shall be removed regularly and no later than November 15th of each year. **Plants intended for pollination habitat and perennial plans may remain.** Weeds, grass, undergrowth and uncultivated plants shall not exceed a height of 9 inches. Any exposed cultivated areas shall be stabilized with a natural ground cover such as mulch, leaves, hay or other natural-cover during the non-growing seasons.

(c) No more than two accessory structures, such as a storage shed and/or greenhouse, shall be permitted and may not exceed 150 square feet per structure. Such structures may not be located in a required front yard, 5 feet from a side and rear property line and not exceed 10 feet in overall height. Other **accessory related** uses such as, **but not limited to** benches, raised/accessible planting beds, compost or waste bins, water tank enclosure, **garden kiosk,** picnic tables, garden art, and children's play areas shall be permitted no closer than 5 feet from a property line and shall be less than 3 feet in height within any required front yard setback. Impervious coverage shall not exceed 20 percent of the lot area.

(d) A site plan shall be submitted in compliance with Chapter 13-1800, **Green Bay Municipal Code.** The site shall be designed and

maintained so that water and fertilizer will not drain onto adjacent properties.

(e) Fences shall comply with the standards of Chapter 13-521, **Green Bay Municipal Code**.

(f) Signage is limited to one sign per street frontage not to exceed 25 square feet per sign, compliant with the standards found in Chapter 13-2004, **Green Bay Municipal Code**.

**Prohibitions**

(a) Keeping of chickens and animal husbandry.

(b) No commercial uses are permitted beyond retail sales of harvested crops produced on-site.

(c) Use of heavy cultivation equipment **and electric generators as part of day-to-day activity**.

~~(d) (e) Electric generators~~ On-site parking and driveway cuts

~~(e) (f)~~ Temporary on-site restrooms not longer than 5 days

**SECTION 3.** Section 13-602, Table 6-1, Green Bay Municipal Code, is amended as follows:

**Table 6-1. Principal Uses in the Residential Districts.**

Use	District				Dev. Stds.
	R-1	R-2	R-3	RR	
<b><i>Institutional and Civic Uses</i></b>					
Cemetery	C	C	C	P	
Community center, neighborhood center	C	C	C	-	X
Cultural institution	C	C	C	-	X
Library	C	P	P	-	X
Religious institution, place of worship	C	P	P	C	X
Public park, playground, recreation center	P	P	P	P	
Existing School, elementary or secondary* (Cr. GO 34-09)	C	C	C	-	x
<b>Community Gardens</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>x</b>
**"Existing" means those elementary and secondary schools existing and in operation prior to the effective date of the Zoning Code: August 19, 2006					

**Note: P = Permitted Use; C = Conditional Use**

**SECTION 4.** Section 13-706, Table 7-1, Green Bay Municipal Code, is amended as follows:

**Table 7-1. Principal Uses in the Mixed-Use Districts**

Use	OR	NC	D	Dev. Stds.
<b>Residential Uses</b>				
<b>Institutional and Civic Uses</b>				
Cemetery		-	-	
Community center, neighborhood center	P	P	P	
Cultural Institution	P	P	P	x
Library	P	P	P	
Public park, playground, recreational center	P	P	P	
Religious institution, place of worship	P	P	P	x
Clinic, healthcare facility	P	P	P	x
<b>Community Garden</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>x</b>

**SECTION 5.** Section 13-1002, Table 10-1, Green Bay Municipal Code, is amended as follows:

**Table 10-1. Principal Uses in the Public Institutional District**

Use	Public Inst.	Dev. Stds.
<b><i>Institutional and Civic Uses</i></b>		
Cemetery	P	
Community center, neighborhood center	P	
Cultural institution	C	X
Library	P	X
Public park, playground, recreation center, or other recreational facility	P	
Religious institution, place of worship	P/C <sup>1</sup>	X
Hospital	C	X
Clinic, healthcare facility	C	X
Government office	P	
Other public or semi-public facilities not listed in this table	C	
<b>Community Gardens</b>	<b>P</b>	<b>X</b>

<sup>1</sup> Any facility with seating capacity of greater than 600 persons in the sanctuary or main activity area shall be a conditional use. Such facility shall be located with access to an arterial or collector street.

**SECTION 6.** Section 13-1100, Table 11-1, Green Bay Municipal Code, is amended as follows:

**Table 11-1. Principal Uses in the Conservancy District**

Use	Dev.
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		<b>Stds.</b>
Agriculture, forestry, fishing, and recreation	P	
Agricultural uses that do not involve the use of fertilizer, including field crops, specialty crops, and similar uses but not livestock or animal husbandry	P	
Forest nurseries, tree and forest product gathering	P	
Fish hatcheries and preserves	C	
Hunting, trapping, and game propagation	P	
Campgrounds, public or private	P	X
Arboreta, wildlife preserves, botanical gardens, trails for non-motorized use, and similar non-intensive or passive recreational facilities	C	
<b>Community Gardens</b>	<b>P</b>	<b>X</b>

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

**SECTION 8.** 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. Moore, 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, as amended, to the third reading. Motion carried.

## **ZONING ORDINANCE NO. 2-15**

### **AN ORDINANCE AMENDING THE PLANNED UNIT DEVELOPMENT FOR THE WHITNEY PARK TOWNHOMES LOCATED IN THE 300 BLOCK OF NORTH VAN BUREN STREET**

**(ZP 15-09)**

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 located in the 300 block of North Van Buren Street:

LOT 2 OF 25 CSM 180 BNG PRT OF LOTS 169 & 170 PLAT OF NAVARINO (Tax Parcel No. 9-1)

WHITNEY PARK TOWNHOMES LOT 4 (Tax Parcel No. 9-162)

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

A. Permitted Uses. A four-unit townhome may be permitted as part of Phase Three and shall be compliant with standards established in the original PUD.

B. Accessory Building.

1. One 16' x 16' garage may be constructed as part of Phase Three.

2. The structure shall meet the setbacks established with the original PUD.

3. The architecture and exterior building materials shall be consistent with the principal buildings.

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

**SECTION 4.** If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

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Mayor

ATTEST:

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

### **ZONING ORDINANCE NO. 3-15**

#### **AN ORDINANCE REZONING THE EASTERLY 20 FEET OF 2590 UNIVERSITY AVENUE AND 2594 UNIVERSITY AVENUE FROM GENERAL COMMERCIAL (C1) DISTRICT TO HIGHWAY COMMERCIAL (C2) DISTRICT (ZP 15-10)**

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

**SECTION 1.** Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property from General Commercial (C1) District to Highway Commercial (C2) District:

2590 University Avenue: PIERRE ADDN WLY 20 FT OF LOT 9 EX ST  
BLK 1 (Parcel No. 21-2455)

2594 University Avenue: PIERRE ADDN LOT 9 EX WLY 20 FT & ALL  
OF LOT 8 & WLY 20 FT OF LOT 7 BLK 1 (Parcel No. 21-2454)

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

## **MISCELLANEOUS ORDINANCE NO. 1-15**

### **AN ORDINANCE ADOPTING AN AMENDMENT TO THE SMART GROWTH 2022 COMPREHENSIVE PLAN OF THE CITY OF GREEN BAY PERTAINING TO PROPERTY GENERALLY LOCATED IN THE 1580 BLOCKS OF EAST MASON STREET AND KIMBALL STREET, AS WELL AS THE 500 BLOCK OF BELLEVUE STREET (CPA 15-02)**

WHEREAS, pursuant to §§62.23(2) and (3), Wis. Stats., the City of Green Bay is authorized to prepare, adopt, and amend a comprehensive plan as defined in §66.1001(4)(a), Wis. Stats.; and

WHEREAS, the Common Council of the City of Green Bay has adopted written procedures (known as the Public Participation Plan for Periodic Comprehensive Plan Amendments) designed to foster public participation in every stage of the preparation of periodic comprehensive plan amendments required by §66.1001(4)(a), Wis. Stats.; and

WHEREAS, the Plan Commission of the City of Green Bay, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending the Common Council adopt Comprehensive Plan Amendment CPA 15-02; and

WHEREAS, the City of Green Bay has held at least one public hearing on this ordinance in compliance with the requirements of §66.1001(4)(d), Wis. Stats. It is the Common Council's belief that this comprehensive plan amendment is necessary and consistent with the overall goals, policies, and other related elements of the plan.

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

**SECTION 1.** The Common Council has adopted the Smart Growth 2022 Comprehensive Plan for the purpose of guiding future land-use decision making, but recognizes that from time to time amendments may be necessary to reflect changes in the land use and planning needs of the community.

**SECTION 2.** The Common Council does hereby enact this ordinance to formally adopt Comprehensive Plan Amendment CPA 15-02 pursuant to §66.1001(4)(c), Wis. Stats. A copy of the comprehensive plan amendment is attached to this ordinance.

**SECTION 3.** This ordinance shall take effect upon passage by a majority of the members-elect of the Common Council and publication as required by law.

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

**ORDINANCES - THIRD READING**

**GENERAL ORDINANCE NO. 8-15**

**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 adding thereto the following NO PARKING zone:

BORNEMANN STREET, west side, from a point 185 feet north of Mills Street to a point 140 feet south of Brook Street

**SECTION 2.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following 15-MINUTE LOADING DELIVERY ONLY zone:

BROADWAY, east side, from a point 180 feet north of Dousman Street to a point 270 feet north of Dousman Street

**SECTION 3.** 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:

BROADWAY, east side, from a point 270 feet north of Dousman Street to a point 335 feet north of Dousman Street

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

BROADWAY, east side, from a point 180 feet north of Dousman Street to a point 335 feet north of Dousman Street

GARY LANE, both sides, from a point 180 feet east of Fellows Drive to its easterly terminus

**SECTION 5.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 6.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 5th day of May, 2015.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

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

## **PLANNING ORDINANCE NO. 1-15**

### **AN ORDINANCE AMENDING THE OFFICIAL MAP OF THE CITY OF GREEN BAY TO APPROVE A PLAT OF RIGHT-OF-WAY FOR A SEWER EASEMENT, FROM FRANZ AVENUE TO BAIRD'S CREEK (ROW 15-01)**

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

**SECTION 1.** The Official Map of the City of Green Bay, as created by Section 12.02, Green Bay Municipal Code, is hereby amended by approving a Plat of Right-of-Way for a sewer easement, from Franz Avenue to Baird's Creek, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

**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 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 5th day of May, 2015.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 1 GRANTOR: Spencer J Kilp  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Permanent Limited Easement for Storm Sewer  
Construction, Maintenance and Repair

That part of Lot A, according to the recorded Hagemeister's Referee Plat, recorded in Brown County Document Number 2203901, in the City of Green Bay, East Side of the Fox River, Brown County, Wisconsin, described as follows:

Beginning at the southeast corner of said Lot A, Hagemeister's Referee Plat;  
thence N00°-19'-00"E, 256.76 feet, along the east line of said Lot A, to a point being S00°-19'-00"W, 160 feet more or less from the waters edge of Baird's Creek and the start of a meander line;  
thence S67°-24'-00"W, 17.03 feet along said meander line to a point being S22°-36'-36"E, 88 feet more or less from the waters edge of Baird's Creek and the end of said meander line;  
thence S22°-36'-36"E, 30.00 feet, to a point lying 4.00 feet westerly of and parallel with said east line of Lot A;  
thence S00°-19'-00"W, 222.50 feet, along said parallel line to the north right-of-way line of Franz Avenue;  
thence S89°-41'-00"E, 4.00 feet, along said north right-of-way line of Franz Avenue to the point of beginning.

Parcel contains 5950 square feet of land more or less including all lands lying between the meander line and Baird's Creek.

Part of tax parcel number 21-1950.

**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 1      GRANTOR: Spencer J Kilp  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Temporary Limited Easement for Equipment  
Access, Storage of Materials and Grading

That part of Lot A, according to the recorded Hagemeister's Referee Plat, recorded in Brown County Document Number 2203901, in the City of Green Bay, East Side of the Fox River, Brown County, Wisconsin, lying northerly of the following described line, excepting that part required as a Permanent Limited Easement for Storm Sewer Construction, Maintenance and Repair;  
Commencing at the southeast corner of said Lot A, Hagemeister's Referee Plat;  
thence N89°-41'-00"W, 4.00 feet, along said north right-of-way line of Franz Avenue;  
thence N00°-19'-00"E, 222.50 feet, to the start of said described line;  
thence N45°-01'-00"W, 77.02 feet, to the west line of said Document Number 2203901, and the end of said described line.  
Parcel contains 2066 square feet of land more or less.  
Part of tax parcel number 21-1950.

**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 2      GRANTOR: Ruben Mosqueda  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Permanent Limited Easement for Storm Sewer  
Construction, Maintenance and Repair

The westerly 12.0 feet of Lot 1, according to the recorded Subdivision of Tract B, Hagemeister's Referee Plat, recorded in Brown County Document Number 2203901, in the City of Green Bay, East Side of the Fox River, Brown County, Wisconsin.  
Parcel contains 2698 square feet of land more or less.  
Part of tax parcel number 21-1993.

**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 2      GRANTOR: Ruben Mosqueda  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Temporary Limited Easement for Equipment  
Access, Storage of Materials and Grading

That part of Lot 1, according to the recorded Subdivision of Tract B, Hagemeister's Referee Plat, recorded in Brown County Document Number 2203901, in the City of Green Bay, East Side of the Fox River, Brown County, Wisconsin, described as follows: Commencing at the southwest corner of said Lot 1, Subdivision of Tract B Hagemeister's Referee Plat;  
thence N55°-47'-48"E, 14.56 feet along the south line of said Lot 1;  
thence N00°-19'-00"E, 22.39 feet, to the point of beginning;  
thence continuing N00°-19'-00"E, 115.89 feet;  
thence N46°-39'-42"E, 125.46 feet;  
thence N26°-52'-46"E, 120.97 feet to the southerly right-of-way line of Main Street;  
thence southeasterly along the arc of a 618.27 foot radius curve to the right, 105.55 feet, said curve having a chord which bears S52°-31'-14"E, 105.42 feet, along said southerly right-of-way line of Main Street;  
thence S54°-56'-31"W, 257.65 feet;  
thence S34°-00'-56"E, 67.11 feet;  
thence S53°-28'-45"W, 70.78 feet, to the point of beginning.  
Parcel contains 17140 square feet of land more or less.  
Part of tax parcel number 21-1993.

**DESCRIPTION OF SEWER EASEMENT REQUIRED  
FROM FRANZ AVENUE TO BAIRD'S CREEK**

Parcel 4 GRANTOR: Tedford Enterprises, LLC  
GRANTEE: City of Green Bay, a Wisconsin Municipal Corporation  
INTEREST REQUIRED: Temporary Limited Easement for Equipment  
Access, Storage of Materials and Directional  
Boring

That part of Lots 16 through 21, Newhall's Addition, and that part of the southwest ¼, Section 32, Township 24 North, Range 21 East, and that part of the west ½ of Lot K, according to the recorded Plat of (Hagemeister) Referee Plat, City of Green Bay, Brown County, Wisconsin described as follows:  
Commencing at the southwest corner of said Lot 21, Newhall's Addition;  
thence S89°-54'-11"E, 24.12 feet, along the south line of said Lot 21, to the point of beginning;  
thence N00°-10'-27"E, 224.92 feet;  
thence N64°-16'-21"E, 123.11 feet;  
thence S28°-19'-49"W, 36.96 feet;  
thence S23°-53'-49"W, 35.80 feet;  
thence S22°-43'-49"W, 71.60 feet;  
thence S58°-41'-37"E, 11.54 feet;  
thence S00°-00'-00"E, 67.79 feet;  
thence N90°-00'-00"W, 9.52 feet;  
thence southwesterly along the arc of a 79.00 foot radius curve to the right, 98.66 feet, said curve having a chord which bears S34°-26'-07"W, 92.37 feet;

thence N00°-10'-27"E, 2.76 feet, to the point of beginning.  
Part of tax parcel number 19-290.

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

Moved by Ald. Scannell, seconded by Ald. Wery to adjourn at 9:54 P.M. Motion carried.

Kris A. Teske  
Green Bay City Clerk