

**MINUTES OF THE
IMPROVEMENT & SERVICE COMMITTEE
Wednesday, October 29, 2014
ROOM 207, CITY HALL
5:30 p.m.**

MEMBERS: Brian Danzinger, Joe Moore, David Nennig, Jerry Wiezbiskie

1. Approval of the minutes from the regular meeting on October 15, 2014.

A motion was made by Ald. Moore and seconded by Ald. Nennig to approve the minutes from the regular meeting on October 15, 2014. Motion carried.

2. Approval of the agenda.

To accommodate those in attendance, items number 1, 2, 4, 6 and 7 were taken out of order, then the Committee returned to the proposed agenda.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the agenda. Motion carried.

3. 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.

Matthew Heckenlaible, Assistant City Engineer, summarized the request by the Boys and Girls Club of Green Bay for a refund of overpaid storm water charges. Customer's bills are generated based upon water meters. In this case Green Bay Water Utility created an account for a fire suppression water line along with their normal water service. As such they were being double billed for storm water fees for the past ten years. Department of Public Works (DPW) Staff recommends approval of the request.

A motion was made by Ald Wiezbiskie and seconded by Ald. Nennig 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. Motion carried.

4. 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.

Director Grenier reviewed the request of Chris Pierquet to reduce the deferred special assessment for the two parcels located at 3190 Tobermory Drive. The two parcels have since been combined into one parcel. The improvements in front of this property began in 2002 with underground utilities being installed on Tobermory Drive to service a multifamily develop east of what is now Welland Avenue. As there was no direct access to the property, these special assessment charges were deferred until used or the property was sold. Welland Avenue and the remaining infrastructure improvements to Tobermory Drive were completed in 2003 with additional special assessments being applied to these parcels. The property is now being built upon and remaining consistent with assessment requirements, the deferred special assessments are now due at the current year's rates.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to open the floor for public comment and input. Motion carried.

Chris Pierquet, 2555 Sage Drive, was present to speak upon the matter. Mr. Pierquet stated that he didn't know there were outstanding assessments due on the property until he took out a building permit for the house that is presently under construction. He stated that if he would have known about the assessment that he would have paid for it up front similar to what he did with the 2003 special assessments. Mr. Pierquet also feels that the additional benefit that the newly constructed home adds to the City should offset the difference in costs and requests that the special assessments be reduced back to the 2002 rates.

Director Grenier stated that the notification of special assessments went to the original LLC's mailing address.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to close the floor for public comment and input. Motion carried

Ald. Nennig is aware of our assessment policy and is concerned about setting a precedence if we altered this assessment. Ald. Nennig inquired if there was a different methodology available in determining a fair and equitable assessment rate such as a cost of living index verses basing it on construction costs. Director Grenier stated that we review the construction costs on an annual basis and the assessment rates reflect current trends and in his opinion trend closely with a cost of living index.

Director Grenier also stated that steps in the past have been taken to attempt to reduce the number of long term deferred special assessments that are out there. Present policy is that deferred special assessments will come due at the time of use, time of sale, or 5-years after the assessments were imposed. There have been a few cases that after the 5-years, individuals have requested an extension but it makes those parties come and take action and not let the assessments unknowingly hang out there. There have also been steps taken in the past to clean up outstanding deferred assessment role by looking for those parcels in the Department of Public Work's opinion we will never collect on. Those special assessments have been brought forth and by Council action were removed from the assessment role.

Ald. Wiezbiskie was also concerned about developing a precedence and creating a slippery slope of having a landslide of requests come to the Improvement and Service Committee for reconsideration. Has there been any consideration for just splitting the cost? Director Grenier stated he is not sure of past practice but would not think splitting the cost is a wise avenue to take and that would be completely new grounds. At least the current policy is defensible as was the old standards.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Danzinger 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. Motion carried by a 2 to 1 vote with Ald. Nennig opposing and Ald. Moore abstaining.

5. 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 (Referred back from October 15, 2014 Improvement & Service Committee meeting).

Director Grenier stated that he had forwarded the memo that was discussed at the October 15, 2014 Improvement & Service Committee meeting to all of the City Alderpersons and invited them to contact himself if they had any questions. He has not heard from Ald. Zima on this matter.

DPW staff recommend receiving and placing on file the request by Ald. Zima.

Ald. Moore stated that the original request by Ald. Zima was to review and update regarding the City's maintenance schedules. In Ald. Moore's opinion, the memo drafted by staff and provided to the Alders has satisfied this request. As such, Ald. Moore supports an action to receive and place on file this request.

Chris Pirlot, Director of Operations and Parking, offered to reach out to Ald. Zima to discuss the staff report and answer any additional questions he may have. The Committee requested that Mr. Pirlot follow through on this action.

Ald. Danzinger further wished to make note that he believes that appropriate action has been taken to address the action item and merely wanted to ensure that the Committee has resolution on the action item contained in the request.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie 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 (Referred back from October 15, 2014 Improvement & Service Committee meeting). Motion carried.

6. Request by Ald. Wery, on behalf of Timothy Sauer, 1438 Rockdale, for an increase in overnight parking allowances.

Director Grenier stated that he has not had any conversation with Ald. Wery regarding this request. Director Grenier reminded the Committee that it is generally required that a need be demonstrated prior to granting exceptions to the policy.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to open the floor for public comment and input. Motion carried.

Tim and Colleen Sauer of 1438 Rockdale Street were present to speak on the matter. Mrs. Sauer stated that they have two children that do not live in the area. One of their children have obtained season Packer tickets which are 7 different events, along with holidays and special family gatherings they well exceed the 6 occurrence standard.

Director Grenier and Chris Pirlot, Director of Operations, Traffic and Parking conferred and determined that the Sauer's property was not within the special Packer event parking zone. Therefore, additional parking exemptions could be granted for Packer games.

Ald. Danzinger wanted to make sure the Sauer's were aware of the overnight parking policy and what an occurrence was and that each occurrence could last up to 14 continuous days.

A motion was made by Ald. Nennig and seconded by Ald. Moore to close the floor for public comment and input. Motion carried

Director Grenier stated that remaining consistent with past actions would be to increase the number of acceptable occurrences, not to exceed 12 per year. Typically this is for a calendar year but considering that it is now October he suggested that it be extended for the remainder of 2014 and through all of 2015. The property owner then is responsible to come back and make an additional request if conditions warrant further action

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie 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. Motion carried.

7. Request by Caroline Quinn (tenant) on behalf of Yellow Dog Investments, LLC (owner) to install a sign in the right-of-way adjacent to 1236 Main St.

Director Grenier reviewed the request by Caroline Quinn (Tenant) on behalf of Yellow Dog Investments, LLC (Owner) located at 1236 Main Street, for an Air Rights Easement within the Main Street right-of-way to for the installation of the existing sign. At this time, the sign does not meet all planning and zoning requirements and is installed at a height of 9.1 feet above the sidewalk, not the minimum required 10 feet.

A motion was made by Ald. Nennig and seconded by Ald. Moore to open the floor for public comment and input. Motion carried.

Caroline Quinn of 3370 Paula Street (Home) and 1236 Main Street (Work) was present to discuss the matter. Ms. Quinn stated that she put a sign application request into the City back in June and had not heard back from anybody. There was a great media publicity opportunity that presented itself and she took it upon herself to have the sign installed without any additional follow-up with the City. She acknowledged she did not know what the rules were. Ms. Quinn stated that she would be open to modifying the sign within reason.

Ald. Wiezbiskie inquired whether the business improvement district of Olde Main has had any input into this matter. Director Grenier stated that he did not believe it has taken place and that it would be part of the additional approvals that would be necessary for approval.

Ald. Wiezbiskie and Nennig both inquired as to the 10 foot minimum requirement and what the basis for that height was. They did not see an immediate safety issue with that. Ald. Wiezbiskie inquired since they didn't have all the information would it be appropriate for this item to be referred back to another meeting.

Director Grenier stated that DPW and Community Services have been working on a policy for placing appurtenances within the public right-of-way. The policy will potentially be presented to the Committee in December for action. Director Grenier provided a brief verbal overview of the draft policy which included obtaining all necessary approvals from planning, zoning, business improvement districts, historic preservation districts, etc. Once all approvals are granted, then the easement agreement, hold harmless agreement can be executed.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to close the floor for public comment and input. Motion carried

Ald. Moore stated that he is fine with the sign being installed within the right-of-way and believes that it could be modified by taking a few slates off the top and bottom to make it comply with the height requirement. Ald. Moore expressed a concern regarding the weight of the wooden sign and the bar and connection to the building and whether that poses a safety hazard.

Director Grenier requests the approval of this request contingent upon obtaining all necessary approvals, executing a Hold Harmless Agreement, placing on file with the City the applicable insurance and authorizing the Mayor and City Clerk to execute the easement agreement.

A motion was made by Ald. Nennig and seconded by Ald. Moore 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. Motion carried.

8. Request by Keli Bieble (tenant) on behalf of BETT, LLC (owner) to install an awning and replace a sign in the right-of-way adjacent to 133 N Broadway.

Director Grenier reviewed the request by Keli Bieble (tenant) on behalf of BETT, LLC (Owner) located at 133 N Broadway, for an Air Rights Easement within the North Broadway right-of-way to allow for the installation of an awning and to replace a sign. The awning and sign do meet planning requirements however this property is located within a historic district and needs the approval of the Historic Preservation Committee and will be presented at their next meeting scheduled for November 10, 2014. Director Grenier requests the approval of this request contingent upon obtaining all necessary approvals, executing a Hold Harmless Agreement, placing on file with the City the applicable insurance and authorizing the Mayor and City Clerk to execute the easement agreement.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig 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. Motion carried.

9. Application for a Tree & Brush Trimmer License by Hutch.

DPW staff recommends approval.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the application for a Tree & Brush Trimmer License by Hutch. Motion carried.

10. To receive and place on file the verbal Director's Report on the recent activities of the Public Works Department.

DPW staff has been working on the preparation for the budget open house that is scheduled for October 30, 2014.

Director Grenier then openly discussed the Committees upon schedule and suggested that there be no meeting within the month of November and that the next Improvement and Service Committee meeting would take place December 10, 2014. If something would raise to the importance of a special meeting he would work with Ald. Danzinger to make such arrangements.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place on file the verbal Director's Report on the recent activities of the Public Works Department. Motion carried.

A motion was made by Ald. Moore and seconded by Ald. Nennig to adjourn the meeting. Motion carried.

Meeting adjourned at 6:46 p.m.