

**MINUTES OF THE  
IMPROVEMENT & SERVICE COMMITTEE  
Wednesday, March 26, 2014  
ROOM 207, CITY HALL  
Public Hearing 6:30 p.m.  
Regular Meeting to follow**

MEMBERS: Brian Danzinger, Joe Moore, Jim Warner, Jerry Wiezbiskie

1. Approval of the minutes from the regular meeting on March 12, 2014.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the minutes from the regular meeting on March 12, 2014.

Motion carried.

2. Approval of the agenda.

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

3. Request by Garritt Bader to allow overnight on-street parking for three (3) residents from April 1 to August 15, 2014 to accommodate construction of the Whitney Park Townhouses.

Mr. Bader was unable to attend this Committee meeting. Department of Public Works (DPW) staff recommended delaying this item to the next Improvement & Service (I&S) meeting so Mr. Bader could address some questions regarding this request.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to hold until the next Improvement & Service Meeting the request by Garritt Bader to allow overnight on-street parking for three (3) residents from April 1 to August 15, 2014 to accommodate construction of the Whitney Park Townhouses. Motion carried.

4. Request by Blue Viper LLC (Daniel Schmidt, President) to enter into a Developer's Agreement with the City for the construction of sewer, water, and street improvements for the Kristy Lee Estates Subdivision.

The Kristy Lee Estates Subdivision is proposed east of the intersection of Sitka Street and Ontario Road, immediately south of McAuliffe Park. It is currently proposed as a seventeen (17) lot development. By entering into a Developer's Agreement, Blue Viper LLC will fund and manage the construction of the infrastructure for the subdivision, but will construct it to City standards. Once the infrastructure is completed, inspected, and accepted, the City will take over maintenance of the infrastructure, to include plowing of streets, collection of trash and recyclables, sewer maintenance and pavement maintenance.

Several subdivisions have been built in this manner in the past. DPW staff recommends approval of this request.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by Blue Viper LLC (Dan Schmidt, President) to enter into a Developer's Agreement with the City for the construction of sewer, water, and street improvements for the Kristy Lee Estates Subdivision and authorize the Mayor and Clerk to sign. Motion carried.

5. Request by Hagemeister Park to use the Main Street Ramp in association with a valet parking program on evenings and weekends.

DPW received a request from the Hagemeister Park General Manager to allow up to twenty (20) parking spots for valet parking in the Main Street Ramp, to be used on evenings and weekends only. They would also like to discuss the possibility of reserving twenty (20) spots by placing cones to block the spots, to be supplied by the restaurant. Republic Chop House offers a similar service at the Pine Street Ramp, though spaces are not dedicated to the restaurant.

After some discussion, it was decided that spots could not be reserved at the Main Street Ramp. Tax free bond funds were used to construct the ramp, which prevents the dedication of any parking spot within the ramp.

Some logistical issues need to be addressed before an agreement can be finalized. Of note, the Main Street Ramp does not currently charge for parking on evenings or weekends, but the recent parking study recommends changing City policy to charge at those times. Also, the City may wish to have the valet spots restricted to less utilized areas within the ramp, to keep more utilized areas open for individual parking.

The Committee approved of the concept of valet parking in the ramp, but wanted an agreement in place to address logistical issues, assure that any increase in liability seen by the City is addressed, and provide an opportunity to renegotiate the terms of the agreement if needed. If the Main Street Ramp starts to experience capacity issues in the future, this agreement may have to be rescinded or altered.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve with a draft agreement to be approved by the Department of Public Works Director the request by Hagemeister Park to use the Main Street Ramp in association with a valet parking program on evenings and weekends. Motion carried.

6. Request by Ald. Wiezbiskie, on behalf of a constituent, to redesign, possibly deepen, the ditch at 719 N. Northview Road.

Currently this ditch is full of snow, making this evaluation impracticable. DPW staff requests this issue be referred to allow evaluation once the snowpack has melted.

A motion was made by Ald. Warner and seconded by Ald. Wiezbiskie to refer to staff the request by Ald. Wiezbiskie, on behalf of a constituent, to redesign, possibly deepen, the ditch at 719 N. Northview Road. Motion carried.

7. Report of the Purchasing Manager:

- A. Request approval to award the 2014 Basin Sewer Televising contract to Northern Pipe Equipment for \$418,390.

Director Grenier referred the Committee to the bid summary included in their packets. DPW has contracted for this work for the last three to four years. We started televising in the downtown area, and are now moving outward from the core of the City. By televising, DPW staff can visually assess the need for repairs. The contractor also cleans pipes as needed, which maintains the system.

The cost for this contract was included in the Capital Improvement Program, which was previously approved by the Committee. Northern Pipe Equipment, the low responsive

vendor, performed the work on this contract last year. The cost compares favorably to the Government estimate prepared by DPW staff.

A motion was made by Ald. Moore and seconded by Ald. Warner to approve the report of the Purchasing Manager:

- A. To award the 2014 Basin Sewer Televising contract to Northern Pipe Equipment for \$418,390.

Motion carried.

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

- A. Loch Construction, Inc.
- B. In the Countryside Concrete
- C. Scott R. Weidner Concrete Construction, LLC.
- D. Elmer Weise Construction

DPW staff has reviewed all applicants and recommends approval.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Loch Construction, Inc.
- B. In the Countryside Concrete
- C. Scott R. Weidner Concrete Construction, LLC.
- D. Elmer Weise Construction

Motion carried.

9. **PUBLIC HEARING**

**CONCRETE PAVEMENT**

MONROE AVENUE – Cass Street to Main Street

**ASPHALT RESURFACING**

ALLEN AVENUE - Deckner Avenue to south end  
BAUMGART ROAD - 645' N of Ramada Lane to West Point Road  
BRETCOE DRIVE - Maryland Avenue to Hillside Lane  
BROCOIN WAY - 155' N of Vestco Court to Ramada Lane  
CARRIE LANE - Western Avenue to Rowe Lane  
CONSERVANCY COURT E - Golf Drive to 140' north  
CONSERVANCY COURT W - Golf Drive to 215' north  
EAST SHORE CIRCLE - East Shore Drive to cul-de-sac west  
EILEEN STREET - Hampton Avenue to Edgewood Drive  
FORESTVILLE DRIVE - Packerland Drive to He-Nis-Ra Lane  
GOLF DRIVE - Erie Road to E. Conservancy Court  
KATERS DRIVE - Langlade Avenue to Biemeret Street  
LACOUNT ROAD - W Mason Street to West Point Road  
LESLIE DRIVE - Allen Avenue to east end  
RAMADA LANE - Bamgart Road to Brocoin Way  
ROWE LANE - Pine Terrace to Taylor Street

SANDY LANE - Wesley Avenue to 450' east  
SCOTT DRIVE - Western Avenue to Rowe Lane  
SHEPHERDS PATH - Summer Place to Sandia Drive  
SHERIDAN DRIVE - Leslie Drive to 310' south  
SUMMER PLACE - LaCount Road to Shepherds Path  
VESTCO COURT - Brocoin Way to 155' west  
WALNUT STREET E - Baird Street to 680' east

Director Grenier read the Engineer's Report for the projects. Mr. Grenier identified in the Engineer's Report pertinent information regarding the Monroe Avenue project and the streets in the 2014 Resurfacing program. Mr. Grenier also gave an overview of the estimated costs and sources of funding for the construction.

For the Monroe Avenue project, Mr. Grenier identified that sanitary sewer and water main construction, amounting to approximately \$696,000 and \$720,000, respectively, have already been completed by the City of Green Bay and assessments will not be levied for this work. Mr. Grenier stated that all real estate required for the project has been acquired and assessments will not be levied for real estate acquisition. The estimated pavement costs will be approximately \$5,220,000. The Federal government has committed over \$4,435,000 toward this construction. The City of Green Bay will recover approximately \$287,000 through pavement special assessments, and the City will contribute the remaining \$498,000.

For the Asphalt Resurfacing program, Director Grenier reviewed work that could be undertaken, to include milling of existing pavement, spot base repair, and curb and gutter repair, as needed. The 2014 assessment rate for asphalt resurfacing is \$17.00 per front foot for residential zoned property and \$25.60 per front foot for all other zones. The estimated cost to resurface all of the streets included in this year's resurfacing program is \$1,525,000.00.

Personnel from the Department of Public Works-Engineering have field inspected the streets included in this hearing and have determined that resurfacing is warranted at this time.

Ald. Danzinger opened the floor for public comment. The following persons appeared before the Committee and offered comment, as summarized below:

Les Mangin, 2480 Sheridan Drive, Green Bay - supports the proposed resurfacing of Sheridan, Leslie, and Allen Drives. He stated that all are in poor condition, and the spot repairs that have been completed in the past no longer address the issues of the street.

Barbara Roznoski, 2458 Deckner Avenue, Green Bay - supports the proposed resurfacing of Allen Street, but has clarification questions. She expressed concerns regarding the hardship that these assessments represented for people living on a fixed income. Her questions were as follows: What portion of her property taxes goes to DPW and what DPW does with those funds? How are corner lots assessed for resurfacing projects? If I disagree with the assessment, do I have any recourse? Will I get a final bill in the mail? Can Block Grants be used to cover an individual's assessments?

Director Grenier addressed Ms. Roznoski's questions. The Department of Public Works does receive money from the general levy, which is funded by property taxes. It's difficult to break down the amount of each individual's property taxes that funds the Department. DPW uses these funds to cover the costs of items not assessed - sewer and water construction, spot repair of the base course, curb and gutter work, and 40% of the asphalt costs. The special assessments are used to pay for the remaining 60% of the asphalt costs.

The City acknowledges that corner lots have frontage on two sides, which increases the potential assessment costs that could be levied against them. To offset this, the frontage distance of a corner lot is reduced.

If a resident disagrees with the assessment, they can come to the public hearing to discuss it. Once the assessment is ordered in by Council, the property owner is liable for the expense.

All property owners will be receiving bills in the mail for the work. If these bills are not paid within 30 days of receipt, the outstanding amount is placed on the property tax bill.

The City already uses the Wisconsin DOT's Local Road Improvements Program to offset the cost of construction for these projects. In 2014, the City received \$109,000 from the State, which was applied to the total project costs. The City has no knowledge of any programs that can be used to pay for an individual property's special assessment.

Victor Gabris, 1877 Rowe Lane, Green Bay - supports the resurfacing of Rowe Lane. Mr. Gabris had the following questions: What happens if I can't pay my assessment? Why don't property taxes pay for the resurfacing in full?

Director Grenier stated that if the special assessment isn't paid within 30 days of receipt, it is added to the property tax bill as a separate line item. One fifth of the total amount will be placed on the property owner's annual tax bill every year for five years until the total bill is paid. When a property owner pays property taxes, the special assessment is paid first. As an example, if a property has a \$850 tax bill and a \$150 special assessment, the total tax bill is \$1000. If the property owner chooses to pay only \$850 of that bill, the first \$150 pays off the special assessment, and the remaining \$700 is applied to the tax bill, leaving a net balance of \$150 of unpaid property tax. After three years of unpaid taxes, the County has the option to proceed with a tax foreclosure.

The City of Green Bay has a long standing policy that landowners pay for a portion of the construction costs. Public infrastructure benefits the public in general; therefore, the City pays for a large portion of the resurfacing or reconstruction with general levy funds. However, the property owner also gains benefit in having a reconstructed road. Therefore, City ordinance requires that property owners pay for a portion of their projects through special assessments. Some municipalities choose not to levy any special assessments, but all residents then pay all construction costs, which results in higher property tax rates. On the flip side, some municipalities choose not to use general levy funds for resurfacing projects, instead charging 100% of the expense to the landowner. If the City of Green Bay were to adopt this policy, property owners would see their special assessments dramatically increase.

Mark Gigot, 203 S. Monroe Avenue - supports the reconstruction of Monroe Avenue. He stated that the road is in need of reconstruction, but asked whether the assessments could be paid over 10 years instead of five.

Director Grenier explained to those present that businesses and other non-residential properties are assessed at a rate five times higher than residential properties for the Monroe Avenue project. Reconstruction projects have higher total construction costs than resurfacing projects. As a result, businesses often have assessments that are many times higher than a typical residential assessment. As an example, for the Military Avenue project, one small business had a special assessment in excess of \$55,000; the typical residential assessment that year was \$1,500.

City Ordinance allows businesses to petition Common Council, through the I&S Committee, for special consideration, which allows for payments over 10 years instead of 5. Any business owner interested in requesting this consideration needs to put a request in writing to either the

Director of Public Works or an Alderperson. It would be brought forward for consideration by this Committee. Attendance at the Committee meeting is not mandatory, but is recommended so that the business owner may address any questions by the Committee. This option is not available for residential property owners at this time.

Ald. Wiezbiskie also reminded those in attendance that the 10-year plan was extended to businesses to account for potential loss of business during construction.

Bruce Breecher, 1225 LaCount Road, Green Bay - supports the resurfacing of LaCount Road. Mr. Breecher wanted to know if the special assessment can be deducted from his tax bill. The Committee advised him to consult a tax professional with that question.

Andy Pigeon, 127 Allen Avenue, Green Bay - supports the resurfacing of Allen Road. He wanted to know if the resurfacing project increases property or resale values. Ald. Danzinger stated that in the past real estate professionals have estimated that road improvements may increase property values in an area because of better appearance and accessibility, but there is no guarantee that may happen. There's also no way of computing the potential increase amount.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Warner to order in concrete pavement for the reconstruction of Monroe Avenue from Cass Street to the East River and levy the project-specific special assessments approved by Council on March 4, 2014.

#### MONROE AVENUE – Cass Street to Main Street

A motion was made by Ald. Wiezbiskie and seconded by Ald. Warner to order in asphalt resurfacing improvements and levy special assessments on the following streets:

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

Motion carried.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Warner to close the public hearing and return to the regular meeting. Motion carried.

10. Request by Department of Public Works to approve the Compliance Agreement between the Wisconsin Department of Natural Resources and City of Green Bay for the former H&R Landfill.

The former H&R Landfill is on Finger Road, and has been reclaimed as a softball facility. This landfill was previously owned by the Department of Natural Resources (DNR). When the property was transferred to the City, a monitoring plan was created. The City has been doing portions of the monitoring, but through an oversight, omitted some of the agreed-upon monitoring from our plan. The City and the DNR started meeting to discuss the path forward late in 2013. Following their protocol, the DNR has issued a Notice of Violation, and has outlined what the City needs to accomplish to come back into compliance. DPW staff requests Committee approval of the compliance agreement and authorization for the Director to execute the agreement to fulfill our monitoring requirements at this landfill.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the Compliance Agreement between the Wisconsin Department of Natural Resources and City of Green Bay for the former H&R Landfill and authorize the Department of Public Works Director to execute the agreement. Motion carried.

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

Director Grenier had no Director's Report on the recent activities of the Public Works Department.

However, he wanted to take this opportunity to thank the Committee on behalf of himself and the DPW for all of the hard work and support we've received over the past term. It has been a distinct pleasure working together. This Committee has always been extremely supportive of all of the work that DPW is trying to accomplish. In specific, the Director wanted to thank Ald. Warner, who is not running for reelection, for his efforts. He was a pleasure to work with and we enjoyed our time working with you.

Both Ald. Danzinger and Wiezbiskie echoed Director Grenier's sentiments. They stated this was a great Committee to serve on and wished those running for reelection the best of luck in their campaigns.

Ald. Warner thanked everyone for their kind words. He stated he ran for public office because he wanted to create a standard of excellence and be surrounded by those with the same philosophy. It was a pleasure to work with this Committee. He appreciated the high degree of professionalism shown by everyone on this Committee, and in the Council in general. He was proud of everything that has been accomplished during his term of service.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Warner to adjourn the meeting. Motion carried.

Meeting adjourned at 7:47 p.m.