

**MINUTES OF THE
IMPROVEMENT & SERVICE COMMITTEE
Wednesday, August 13, 2014
ROOM 207, CITY HALL
6:30 p.m.**

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

1. Approval of the minutes from the regular meeting on July 9, 2014.

A motion was made by Ald. Moore and seconded by Ald. Nennig to approve the minutes from the regular meeting on July 9, 2014. Motion carried.

2. Approval of the agenda.

To accommodate those in attendance, items number 7, 8, 4 and 14 were taken out of order then the Committee returned to the proposed agenda.

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

3. Request by the Preble Park Neighborhood Association to place their Neighborhood Identification sign within East Mason Street City right-of-way.

Director, Steven Grenier, provided an overview for the request by the Preble Park Neighborhood Association to place a neighborhood identification sign within East Mason Street west of East Town Mall Way, south of Sunnycrest Street extended. The final proposed location would be subject to Department of Public Works (DPW) Engineering review and approval.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the request by the Preble Park Neighborhood Association to place their Neighborhood Identification sign within East Mason Street City right-of-way. Motion carried.

4. Request by Kathie Steward, Controller for Kadant GranTek, Inc. for a refund of overpaid storm water charges from July 2004 to June 2014, in the amount of \$31,037.98 at 607 Liberty Street.

Director Grenier explained that the property address associated with parcel number 1-1413, which is owned by Georgia Pacific, had two storm water accounts associated with it. Both Kadant GranTek and Georgia Pacific had been paying storm water fees on that parcel. The error occurred when the parcel was subdivided many years ago.

James Caves, Accounting Supervisor for Kadant GranTek was present and inquired as to the timing of the refund. Director Grenier stated that it may take upwards to three weeks.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the request by Kathie Steward, Controller for Kadant GranTek, Inc. for a refund of overpaid storm water charges from July 2004 to June 2014, in the amount of \$31,037.98 at 607 Liberty Street. Motion carried.

5. Request by Ald. Scannell to review the policy of what can be grown in City terraces with the intent to implement guidelines for growing vegetable gardens in terraces.

Director Grenier discussed the modifications that were made to Section 8.11 of the Municipal Code of Ordinances covering Noxious Weeds and Maintenance of Vegetation (modified GO 13-12) and out of that discussion people wanted to know what they could and could not grow within the public right-of-way, thus the street terrace policy was created. The street terrace policy specifically prohibits vegetable gardens within the terrace. Exceptions can be granted by the Committee on a case by case basis, as has been done in the past, as this is a policy and not an ordinance. Director Grenier's recommendation was to not to change the policy and review any exceptions as necessary.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place on file the request by Ald. Scannell to review the policy of what can be grown in City terraces with the intent to implement guidelines for growing vegetable gardens in terraces. Motion carried.

6. Request by Ald. Tim DeWane for information regarding the parking meters in the Downtown District to change this to 2-hour parking, copying the Broadway Downtown District.

Director Grenier stated that he had a discussion with Ald. Tim DeWane on his request. Director Grenier stated that this would be addressed in the implementation portion of the Downtown Parking Study that was completed earlier in the year and requests to have this item to be received and placed on file for DPW staff to develop the implementation plan. Ald. DeWane was okay with the request by the Director.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place on file the request by Ald. Tim DeWane for information regarding the parking meters in the Downtown District to change this to 2-hour parking, copying the Broadway Downtown District. Motion carried.

7. Request by Ald. Wery that the City grant an exception/grandfather, the lot on the northeast corner of Ridge Road/Thorndale Street for their current driveway curb cut.

Director Grenier informed the Committee that City ordinances do not have an exception or variance process for this particular circumstance.

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

Karen and Mike Alberts of 3525 Tanglewood Lane, Suamico, WI, the owners of the property were present to talk about the driveway opening. They stated that they believe the driveway opening has been there for 75 years and is important for the parking of vehicles during Packer home games and to allow him access to his adjoining property to the east where he has a business. Due to the longevity of the driveway being there they are asking that it be grandfathered to allow to remain open. They also stated that they believe there are several other properties in the area that also have unused curb openings and wonder why they have not been required to close up their curb openings.

Director Grenier stated that he was not aware of any other unused curb openings. This is a complaint driven process and we do not go out looking for these issues. If there are other openings and they want to make an official complaint, that they should provide DPW those addresses and they will be investigated.

Mr. Alberts stated that City Zoning Inspectors have told them that they could close up the curb cut on Ridge Road and would then be allowed to create a new opening on Thorndale Street.

Director Grenier disagreed with that comment as a curb opening on Thorndale Street would also be non-conforming to the ordinance.

Alderman Chris Wery acknowledging that agenda item #8 would be discussed regarding exceptions or an appeals process to this item, but wanted to know if there was a process in place now.

Director Grenier stated again, there was no process in place right now. He went on to say that the Zoning Ordinance pertaining to driveways and curb cuts could be amended, however that process could take upwards of 3 months to complete. In the meantime, the orders to comply to close up the curb opening would still be outstanding and would be required to be enforced. The other concern is that the ordinance would be modified to make an exception which then is adversely impacting the initial complainant.

Ald. Wery asked if this could go before the Zoning Board of Appeals. Director Grenier responded that he does not see that as an option as the Board of Appeals can only act on issues pertaining to a denial of a site plan. Since there has been no site plan submitted showing this curb cut or parking area, it would not be applicable. The property owners would also need to show a hardship would be incurred.

Ald. Danzinger acknowledged that Director Grenier is just enforcing the ordinance. He also acknowledged that by potentially changing the zoning ordinance it adversely impacts the individual placing the complaint. Ald. Danzinger requested the Committee to try and become creative in dealing with this issue. Ald. Danzinger asked if by combining the property in question with their property to the east, at 1801 S Ridge Road, and submitting a site plan proposing a circular driveway, whether the curb opening then could remain. Director Grenier responded stating that he would have to have discussions with the Zoning Administrator to see if that would be acceptable. If it were acceptable, that information would be conveyed back to the Alberts.

A motion was made by Ald. Danzinger and seconded by Ald. Moore to have the Director of Public Works investigate with the Zoning Administrator to see if creating a combination Certified Survey Map, and submitted a site plan with the Building Inspection Department proposing a circular drive would allow the existing curb cut and drive apron on Ridge Road to remain. Motion carried.

8. Request by Ald. Wery for review with possible action, all applicable ordinances pertaining to curb cuts for driveways and consideration of grandfathering or creating an exception/appeal process.

Director Grenier explained that there are several ordinances or sections within the ordinances that discuss driveways. Most of these ordinances fall within the Zoning Code and as such needs to be discussed and if necessary would need to be modified through Planning. His recommendation was to receive and place the request on file.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to receive and place the request to receive and place on file the request by Ald. Wery to review all applicable ordinances pertaining to curb cuts for driveways and consideration of grandfathering or creating an exception/appeal process. Motion carried.

9. Request by Department of Public Works for an easement from Riverfront Lofts Homeowners Association to allow paving bricks on private property on the north side of the 100 Block of Cherry Street.

Director Grenier discussed the requested for an easement from Riverfront Lofts Homeowners Association to allow paving bricks within their property. The request stems back to the initial

phase of City Deck construction where paver bricks were extended into the requested easement area to provide for aesthetic consistency.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Department of Public Works for an easement from Riverfront Lofts Homeowners Association to allow paving bricks on private property on the north side of the 100 Block of Cherry Street. Motion carried.

10. Request by the Department of Public Works for modify the 2014 Capital Improvement Program.

Director Grenier explained that due to DPW-Engineering's staffing situation, some projects have been delayed. DPW-Engineering is requesting to modify the Capital Improvement Program (CIP) to allow for outside resources to be utilized in order to continue moving future projects ahead. The proposed modification to the CIP would not exceed \$25,000.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by the Department of Public Works to modify the 2014 Capital Improvement Program by not more than \$25,000. Motion carried.

11. Request by the Department of Public Works for review and approval of Quotations for Professional Services for Topographic Survey Services for the 2015 Resurfacing Program.

Director Grenier explained that one of the modifications to the 2014 Capital Improvement Program is to outsource professional surveying services in order to keep the City's 2015 Resurfacing Program moving forward. Director Grenier reviewed the quotations with the Committee and requested to approve the low quotation from Robert E Lee & Associates in the amount of \$22,994.20.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by the Department of Public Works to award to the low quotation from Robert E Lee & Associates, for Professional Services for Topographic Survey Services for the 2015 Resurfacing Program, in the amount of \$22,994.20. Motion carried.

12. Request by the Department of Public Works to approve a contract amendment for professional engineering services for Compliance, Maintenance, Operation and Management (CMOM) to Brown and Caldwell.

Director Grenier requested that Matthew Heckenlaible, Assistant City Engineer, review the proposed contract amendment. Mr. Heckenlaible, reminded the Committee that back in June of 2014 DPW-Engineering brought forward the Compliance, Maintenance, Operation and Management (CMOM) Plan. Within the CMOM Plan listed areas of improvement that need to be taken in order to better maintain, operate and manage the City's sanitary sewer system. Brown and Caldwell completed the CMOM Plan and have developed a good understanding of how we presently operate and how to mold current practices into more acceptable industry standards. DPW does not have the resources or time to do these services in house at this time. It was anticipated under the original CMOM Plan development contract that additional time and resources would be required by outside resources in order to implement the CMOM Plan. Funds were set aside in the 2014 Sanitary District Budget for CMOM Implementation. The contract amendment from Brown and Caldwell is in the amount of \$95,039.42.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by the Department of Public Works to amend the contract for professional engineering services for Compliance, Maintenance, Operation and Management (CMOM) to Brown and Caldwell, in the amount of \$95,039.42. Motion carried.

13. Request by the Department of Public Works for review and approval of Quotations for Professional Services for 2014 Bridge Inspections.

Director Grenier explained that we have been utilizing outside resources to do bridge inspections for 29 of the City's bridge structures and as such requested quotations from consultants. The City received one (1) quotation from the joint venture of AECOM and Collins Engineers in the amount not to exceed \$52,000. DPW did follow up with some of the other consultants that were asked to quote of this project to find out why they did not submit quotations. Partially it was due to the more stringent inspection requirements that have been imposed by the Federal Highway Administration and not having the qualified staff available.

A motion was made by Ald. Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by the Department of Public Works to award the Quotations for Professional Services for 2014 Bridge Inspections by the joint venture of AECOM and Collins Engineering, in an amount not to exceed \$52,000. Motion carried.

14. Request by DigiCopy for an Air Rights Easement and Hold Harmless Agreement for a projecting sign to be installed within the 200 block of East Walnut Street.

Director Grenier reviewed the request by DigiCopy for an Air Rights Easement within the 200 block of East Walnut Street with the Committee. The proposed sign meets all applicable planning sign requirements.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by DigiCopy for an Air Rights Easement for a projecting sign to be installed within the 200 block of East Walnut Street contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance. Motion carried.

15. Request by Riverfront Lofts Homeowners Association for an Easement and Hold Harmless Agreement for the use of public right-of-way to access and maintain the Riverfront Lofts Condominium.

Director Grenier reviewed the request by Riverfront Lofts Homeowners Association for an easement within the public right-of-way with the Committee to allow access for inspections and maintenance to the westerly side of the Riverfront Lofts Condominiums.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the request by Riverfront Lofts Homeowners Association for an Easement for the use of public right-of-way to access and maintain the Riverfront Lofts Condominium contingent upon execution of a Hold Harmless Agreement and placing on file with the City the applicable insurance. Motion carried.

16. Request by Quick Signs on behalf of the Chamber of Commerce and Green Bay Broadway Development, LLC the Owners, for an Air Rights Easement to allow the installation of a sign above the Dousman Street right-of-way.

Director Grenier reviewed the request of Quick Signs, on behalf of the Chamber of Commerce and Green Bay Broadway Development, LLC, for an Air Rights Easement within Dousman Street with the Committee.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Quick Signs on behalf of the Chamber of Commerce and Green Bay Broadway Development, LLC the Owners, for an Air Rights Easement to allow the installation of a sign above the Dousman Street right-of-way located in the 300 block of Dousman Street contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance. Motion carried.

17. Request by Eppstein Uhen Architects on behalf of G B Metreau, LLC the Owners, for encroachment easements within the East Walnut Street, North Washington Street and City Deck rights-of-way for canopies, door swings, building overhangs, stoops, and patio along the City Deck including retaining walls, planters, slab, stairs, railings and ramps.

Director Grenier reviewed the request by Eppstein Uhen Architects on behalf of G B Metreau, LLC, for encroachment easements located in the 100 block of East Walnut Street, 100 block of North Washington Street and within the City Deck right-of-ways.

A motion was made by Ald. Moore and seconded by Ald. Nennig to approve the request by Eppstein Uhen Architects on behalf of G B Metreau, LLC the Owners, for encroachment easements within the 100 block of East Walnut Street, 100 block of North Washington Street and City Deck rights-of-way for canopies, door swings, building overhangs, stoops, and patio along the City Deck including retaining walls, planters, slab, stairs, railings and ramps contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance. Motion carried.

18. Review and award the following contracts to the low, responsive bidders:

- A. SEWERS 2-14
- B. TRAFFIC SIGNAL REPAIR - 2014

Director Grenier reviewed the bids and recommended award to the low, responsive bidders.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve and award the following contracts to the low, responsive bidders:

- A. To approve to award contract SEWERS 2-14:

Part A to Dorner, Inc. in the amount of \$247,455.00.
Part B to Visu-Sewer in the amount of \$147,707.25.

- B. To approve to award contract TRAFFIC SIGNAL REPAIR - 2014 to the low responsive bidder, Ramco Construction Services, LLC, in the amount of \$59,102.99.

Motion carried.

19. Application for a Concrete Sidewalk Builder's License by Brian's Quality Concrete, Inc.

Director Grenier recommended.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the application for a Concrete Sidewalk Builder's License by Brian's Quality Concrete, Inc. Motion carried.

20. Request by Millennium Architects on behalf of TOHO Properties, LLC for an Air Rights Easement to allow the installation of awnings within the N Broadway and Dousman Street right-of-way.

Director Grenier reviewed the request by Millennium Architects, on behalf of TOHO Properties, LLC, for Air Right Easement to allow for awnings to be installed within the North Broadway and Dousman Street right-of-ways.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Millennium Architects on behalf of TOHO Properties, LLC for an Air Rights Easement to allow the installation of awnings within the North Broadway and Dousman Street right-of-way contingent upon executing a Hold Harmless Agreement and placing on file with the City the applicable insurance. Motion carried.

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

Director Grenier stated that he will be attending the American Public Works Conference in Toronto from August 16 through August 20. In his absence, if there are any questions or items that need action, direct them to the Operations Director, Chris Pirlot.

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

Meeting adjourned at 8:18 p.m.