

**MINUTES OF THE
IMPROVEMENT & SERVICE COMMITTEE
Wednesday, April 15, 2015
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 March 25, 2015.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the minutes from the regular meeting on March 25, 2015. Motion carried.

2. Approval of the agenda.

To accommodate those in attendance, item numbers 16, 7, and 11 were taken out of order, and then the Committee returned to the proposed agenda.

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

3. Request by Paul Jensen to rescind the early set out charge of \$60.00 at 944 Howard Street.

Director Grenier stated that 944 Howard Street has a long list of complaints dating back to 2006. DPW staff cannot recommend rescinding the early set out charge of \$60.00.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to open the floor to discussion. Motion carried.

Mr. Paul Jensen stated that the charge was initiated in the first week he had moved in. The cart was on the curb for the normal pick-up on Tuesday but the cart did not fully empty. The cart was left at the curb due to the fact that there was still trash in the cart. On Thursday of the same week, a City crew came and again emptied the cart. Mr. Jensen stated that even after the Thursday pick-up the cart still had trash in it. On the following Tuesday, the cart was completely emptied. Mr. Jensen did not have any information regarding standard operating procedures for the cart. As a new renter his landlord did not forward any information that would indicate who to call in this situation.

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

Operations Manager Chris Pirlot stated that the ordinance on solid waste indicates that the landlords are responsible for educating tenants regarding solid waste pick-up. Mr. Pirlot stated that the carts are rated to handle approximately 340 pounds of garbage.

Aldermen Danzinger and Wiezbiskie agreed that the landlords should be responsible for educating the tenants and did not think it was fair to punish the tenant since the landlord failed to educate the tenant regarding garbage pick-up procedure.

Director Grenier stated that a letter can be sent to the landlord of this address reminding the landlord of their responsibilities in regards to this issue.

A motion was made by Ald. Nennig and seconded by Ald. Moore to approve the request by Paul Jensen to rescind the early set out charge of \$60.00 at 944 Howard Street. Motion carried.

4. Request by the Village of Howard to enter into a pavement marking agreement with the City of Green Bay.

Director Grenier discussed the background that relates to agenda items 4, 5, and 6. The services listed in agenda items 4, 5, and 6 are services that the various communities had contracted from Brown County Department of Public Works in the past. Director Grenier sits on the Brown County Public Works Board where the various communities meet and discuss issues related to public works operation. The City was approached by the Villages of Howard and Allouez about doing their pavement marking and by the City of DePere for performing traffic signal maintenance on 15 of their signals. The agreements would be on a time and equipment basis with the other communities furnishing the materials. These agreements will not be a monetary money maker for the City but will be more of intergovernmental cooperation. In the future the City may need assistance and these agreements will help in those future negotiations. The initial terms of the agreements are for five (5) years with three five (5) year renewals.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by the Village of Howard to enter into a pavement marking agreement with the City of Green Bay. Motion carried.

5. Request by Village of Allouez to enter into a pavement marking agreement with the City of Green Bay.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by the Village of Allouez to enter into a pavement marking agreement with the City of Green Bay. Motion carried.

6. Request by the City of DePere to enter into a traffic signal maintenance agreement with the City of Green Bay.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by the City of DePere to enter into a traffic signal maintenance agreement with the City of Green Bay. Motion carried.

7. 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. (Referred back from February 25, 2015 meeting.)

Director Grenier had reached out to all Aldermen for their feedback regarding the ordinance. The Director received comments from Districts 7, 8, 12, and all members of the I & S Committee. The Director stated he has received about 50 requests for a

variance to the ordinance and has granted 10 variances. The remaining requests have not been processed pending the outcome of the current discussions. The inspections that DPW performs are all complaint driven. DPW does not purposely target non-conforming cart storage. The current ordinance was developed using the then current ordinance and inserting the words “tipper carts”. No new requirements were added.

Operations Manager Pirlot stated that as of today cart storage is at 94 percent.

Alderman Moore stated that of 34,000 homes there will be some variances required due to special cases. He suggested that there should be a service fee for early and late set outs. The service fee would be similar to the fee charged when a residential sidewalk is shoveled by the City. Ald. Moore supports the Director of DPW having the authority to grant variances to the current ordinance and leaving the ordinance as is. Ald. Moore has personally visited sites to help residents determine an acceptable location to store the carts. Ald. Moore thought that the language on the cart tags should include an explanation of the variance process.

Alderman Danzinger stated he supports the current variance process. A variance that is denied by the Director can be appealed to the I & S Committee for reversal of the denial. Ald. Danzinger thinks that the inspection of the cart storage is a DPW responsibility. Ald. Danzinger stated that when the ordinance was crafted, they purposely left the variance process flexible due to the various situations that exist.

Ald. Nennig agrees that there are special situations that do not meet the requirements of the ordinance. There is a variance process in place for these special situations. Ald. Nennig has reviewed Sun Prairie’s Ordinance and likes the section that discusses parcels with three or more carts. Parcels with three or more carts are required to store the carts in an enclosure.

Ald. Wiezbiskie stated he has heard more public comments supporting the current ordinance without change. When he receives a phone call regarding a cart storage hardship, he will forward the call to DPW.

A motion was made by Ald. Danzinger and seconded by Ald. Nennig to open the floor to public comment.

Mr. Bronson Smith, 1525 Smith Street stated he has a small lot with a house and garage. The structures are close to the property lines and he has limited area to store his carts. He has asked for a variance.

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

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

8. Approval of Bridge Operation Agreement with Wisconsin Department of Transportation for the Mason Street and Walnut Street Bridges for fiscal year 2016.

Annually, the City enters into an agreement with the Wisconsin Department of Transportation which reimburses the City for bridge tender services performed by City staff. The agreement before the Committee at this time covers State fiscal year 2016, which extends from July 1, 2015 to June 30, 2016. This agreement results in a reimbursement of approximately \$560,000 to the City. In the future, the State is looking into the feasibility of running fiber optic cable to connect all three bridges, allowing for remote operations of the Mason Street and Main Street bridges from the Walnut Street bridge. Staff recommends approval of this agreement.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the Bridge Operation Agreement with Wisconsin Department of Transportation for the Mason Street and Walnut Street Bridges for fiscal year 2016 and to authorize the Mayor and the City Clerk to sign the bridge operation agreement. Motion carried.

9. Approval of the 2014 Department of Public Works Annual Report.

Director Grenier distributed copies of the Report to all members of the Committee. The Director read the Department of Public Works Statistics and Construction Summary from page 3 of the report into the minutes. The dollar value of the work from 2014 was stated as being slightly less than normal. Director Grenier requested that the Committee receive and place on file the 2014 Department of Public Works Annual Report. After the report is received and placed on file it will be forwarded to all members of the Common Council.

A motion was made by Ald. Nennig and seconded by Ald. Moore to receive and place on file the Department of Public Works 2014 Annual Report. Motion carried.

10. Presentation of Dike Inspection Report.

Director Grenier stated that the dike along the bay of Green Bay was constructed in 1973 to an elevation two (2) feet above base flood elevation. Operations staff has begun inspecting the dike the last couple of years and have developed the Dike Inspection Report. Director Grenier stated that the inspections this spring indicated that the dike did not have any deficiencies. DPW recommends the Dike Inspection Report be received by the Committee and placed on file.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to receive and place on file the Dike Inspection Report. Motion carried.

11. Report of the Purchasing Manager:

- A. Request approval to purchase a Tandem Axle Dump Truck Chassis from Truck Country for \$73,200.
- B. Request approval to purchase a Dump Body w/ Hydraulics, Plow & Wing, and Tarp System from Monroe Truck Equipment for \$98,105.
- C. Request approval to award a 2015 contract to B.E.S.T. Enterprises for the hauling of stockpiled street sweepings from the City's west side yard waste facility to the Outagamie County landfill for the estimated amount of \$19,470.

- D. Request approval to award a contract to Fahrner Asphalt Sealers for 2015 Spray Injection Patching services for the estimated amount of \$29,625, and to include four 1-year contract renewal options by mutual consent.
- E. Request approval to purchase an upgrade to the fuel dispensing systems at DPW East & West and Parks garages from U.S. Petroleum Equipment for ~\$15,000.

Director Grenier stated that multiple vendors provided bids for items A, B, and C. The total dollar amount for Item A represents a base chassis with the selected alternatives. Item C only includes the hauling charges and not the landfill tipping charges. Item D is for the base amount including four (4) one (1) year renewal options. The Purchasing staff did a good job of negotiating a fair price. Fahrner Asphalt Sealers is the only local contractor available to provide this service. Spray injection patching is a specialized, longer life option to using cold mix asphalt for roadway repairs. U.S. Petroleum Equipment is the local manufacturer's representative for the equipment for the fuel dispensing systems at the DPW garages. DPW staff recommends approval of the purchases to the low responsive bidder.

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

- A. Request approval to purchase a Tandem Axle Dump Truck Chassis from Truck Country for \$73,200.
- B. Request approval to purchase a Dump Body w/ Hydraulics, Plow & Wing, and Tarp System from Monroe Truck Equipment for \$98,105.
- C. Request approval to award a 2015 contract to B.E.S.T. Enterprises for the hauling of stockpiled street sweepings from the City's west side yard waste facility to the Outagamie County landfill for the estimated amount of \$19,470.
- D. Request approval to award a contract to Fahrner Asphalt Sealers for 2015 Spray Injection Patching services for the estimated amount of \$29,625, and to include four 1-year contract renewal options by mutual consent.
- E. Request approval to purchase an upgrade to the fuel dispensing systems at DPW East & West and Parks garages from U.S. Petroleum Equipment for ~\$15,000.

Motion Carried

12. Review and award of the contract SEWERS 1-15 (INCLUDING WATER MAIN).

Director Grenier referred the Committee to the bid summary sheets included in their packets. He summarized the bids received for Part A, Part B and Part C. DPW staff recommends approval of the contracts to the low responsive bidders.

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

To approve to award Sewers 1-15 (including water mains) to the low responsive bidders:

Part A to Advance Construction Inc. in the amount of \$1,238,090.70

Part B to Degroot, Inc. in the amount of \$628,300.12

Part C to Peters Concrete Co. in the amount of \$420,894.25

13. Request by Military Avenue Business Association to allow them to contract with a private landscape company to maintain the grass medians in Military Avenue.

The Director stated that when Military Avenue was improved the City entered into an agreement with the business association to allow them to install planters in the boulevards. The Military Avenue Business Association (MABA) now wants to improve the boulevard area so that it is more like a lawn surface and not a median. The association is in the process of hiring a contractor to perform the improvements and maintenance of the grass medians. The MABA will be required to secure a Hold Harmless Agreement (HHA) for the work in the right-of-way. Part of the process for securing the HHA will require the Owner (MABA) and their contractor to provide Insurance Certificates to the City, with the City listed as additional insured. DPW staff recommends approval contingent upon MABA executing a HHA, filing the applicable Insurance Certificate, receiving all necessary City approvals and authorizing the Mayor and City Clerk to execute the agreement.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Military Avenue Business Association to allow them to contract with a private landscape company to maintain the grass medians in Military Avenue contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement. Motion carried.

14. Request by KS Energy Services to renew the annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.

KS Energy is contracted by WPS to perform lateral locating services in the area of utility upgrades. KS Energy will televise sanitary sewer laterals and will document the location and depth of the laterals. The importance of the locates is to prevent new utilities from being installed through a lateral. If there was a gas leak the gas could escape into the laterals and into homes due to the fact that sanitary sewer laterals are not all backflow protected. KS Energy Services has done a good job of contacting DPW staff if and when they notice a deficiency in a City utility. DPW staff recommends approval of the HHA renewal contingent upon executing the HHA, placing on file with the City the applicable insurance, obtaining all necessary City approvals, and authorizing the Mayor and the City Clerk to execute the agreement.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the request by KS Energy Services to renew the annual Hold Harmless Agreement for

access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement. Motion carried.

15. Request by Department of Public Works to allow the City to enter into a Hold Harmless Agreement with Baylake City Center Condominium Association allowing a masonry screening wall to remain and ingress and egress to the Baylake City Center Condominium building at the southwest corner of N Adams Street and Northland Avenue.

The southwest corner of N. Adams Street and Northland Avenue is extended right-of-way. Part of the new façade project on the Baylake City Center Condominium building includes installing a screen wall to screen the loading dock area. The HHA will allow the masonry screen wall in the right-of-way and also allow ingress and egress in the extended right-of-way to the loading docks. DPW staff recommends approval of the HHA contingent upon the receiving the applicable insurance certificate, the Condo Association receiving all necessary City approvals and authorization to the Mayor and City Clerk to execute the agreement.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Department of Public Works to allow the City to enter into a Hold Harmless Agreement with Baylake City Center Condominium Association allowing a masonry screening wall to remain and ingress and egress to the Baylake City Center Condominium building at the southwest corner of N Adams Street and Northland Avenue contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement. Motion carried.

16. Request by Zeise Construction (contractor) on behalf of Saint Vincent DePaul Society, District Council of Green Bay, Inc. (owner) to place a retaining wall and railing within the street right-of-way along the south side of Weise Street to accommodate a mid-block pedestrian crossing between Leo Frigo Way and N Van Buren Street.

Director Grenier stated that DPW staff has worked with Saint Vincent DePaul Society staff to find a viable solution for their store access. Saint Vincent DePaul Society owns the parking lot across the street. The existing building entrance is not ADA compliant at this time. The Society is proposing to modify the north entrance to their building to provide an ADA compliant entrance. Part of the modification is a mid-block crossing. The new ramp, retaining wall and railing will extend onto the right-of-way. DPW staff recommends approval of the request contingent upon execution of a HHA, placing on file with the City applicable insurance, obtaining all necessary City approvals, and authorization to the Mayor and City Clerk to execute the agreement.

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

Mr. Bill (Destree), Director of Saint Vincent DePaul Society, spoke on behalf of the Society. He stated that there is a concern for his customers crossing the street. At one time there was a lot of truck traffic on the street. There has been a death and several

injuries to customers on the street. The mid-block crossing should help alleviate the risk of pedestrians crossing the street.

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

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the request by Zeise Construction (contractor) on behalf of Saint Vincent DePaul Society, District Council of Green Bay, Inc. (owner) to place a retaining wall and railing within the street right-of-way along the south side of Weise Street to accommodate a mid-block pedestrian crossing between Leo Frigo Way and N Van Buren Street contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement. Motion carried.

17. Applications for Tree & Brush Trimmer Licenses by the following:

- A. Selner Tree & Shrub Care, LLC
- B. Castro Tree & Stump Removal
- C. Family Tree Service, LLC

Family Tree Service, LLC has held a license in the past. Castro Tree & Stump Removal is a new company and has not held a license in the past. Castro Tree & Stump Removal may be able to provide a service to the market place was that not offered in the past. They do not have a history in the market place. The City will always have the option of revoking their license if complaints arise. Selner Tree & Shrub Care, LLC has not held a license in the past. DPW staff has contacted Selner Tree & Shrub Care to get a list of references. DPW staff did not receive a reference list to review. DPW staff recommends to hold the Selner Tree & shrub application until such time that their references can be verified. DPW staff recommends that the applications for Castro Tree & Stump Removal and Family Tree Service, LLC be approved.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the applications for Tree & Brush Trimmer Licenses by the following:

- B. Castro Tree & Stump Removal
- C. Family Tree Service, LLC

And to place on hold the application for Tree & Brush Trimmer License by:

- A. Selner Tree & Shrub Care, LLC

Motion Carried.

18. Applications for Underground Sprinkler System Licenses by the following:

- A. Steinie's Water Gardens
- B. Lizer of WI, Inc.

Lizer of WI, Inc. has held a license in the past under a different name. Steinie's Water Gardens has not held a license in the past. DPW staff has contacted Steinie's Water Gardens to get a list of references. DPW did not receive a reference list to review. DPW staff recommends to hold Steinie's Water Gardens application for Underground Sprinkler System License until such time that their references can be verified. DPW staff recommends approval of Lizer of WI's application for Underground Sprinkler System License.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the application for Underground Sprinkler System Licenses by Lizer of WI, Inc. and to place on hold the application for Underground Sprinkler License by Steinie's Water Gardens.

Motion carried.

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

- A. Northern Concrete
- B. R.G. Hendricks & Sons Construction, Inc.
- C. Helmle Construction, Inc.
- D. J. C. Santy Construction, LLC
- E. Tom Phillips Construction
- F. A&M Concrete & Construction
- G. American Concrete Construction
- H. KPC Concrete Contractors, LLC
- I. Shier Construction
- J. Paul Conard Construction
- K. Evraets Concrete Construction, LLC

All Sidewalk Builder's License applicants have held a license with the City within the last two years. DPW staff recommends approval of all of the applications for the Concrete Sidewalk Builder's licenses.

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

- A. Northern Concrete
- B. R.G. Hendricks & Sons Construction, Inc.
- C. Helmle Construction, Inc.
- D. J. C. Santy Construction, LLC
- E. Tom Phillips Construction
- F. A&M Concrete & Construction
- G. American Concrete Construction
- H. KPC Concrete Contractors, LLC
- I. Shier Construction
- J. Paul Conard Construction
- K. Evraets Concrete Construction, LLC

Motion carried.

20. Director's Report on recent activities of the Public Works Department.

Director Grenier stated that April 24 is the last day of spring clean-up. He asked the Aldermen to advise their constituents. The Engineering Division has had a Project Development Engineer resign recently. DPW staff is working on filling the two vacant engineering positions. The Operations Division recently has had two employees announce that they plan to retire shortly. The Director will be bringing several new service charges to the Committee for approval. The CIP program will be brought forward soon for review and approval of the bonding. The Director will be discussing the summer meeting schedule and how that will affect the schedule for bidding this summer's projects in a timely manner. The Director would like the ability to award contracts at the staff level contingent upon the bids being less than or equal to the budgeted amounts. Residents are using the bulk waste drop-off sites heavily. The department may have to adjust the budgeted amounts for tipping fees to cover the amount of bulk waste being deposited at each site. At this time, there is no suspicion that non-residents are using the sites.

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

Meeting adjourned at 8:40 p.m.

- 1) **THIS MEETING IS AUDIO TAPED:** THE AUDIO OF THIS MEETING & MINUTES ARE AVAILABLE ON LINE AT WWW.GREEN-BAY.ORG
- 2) **ACCESSIBILITY:** Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) **QUORUM:** Please take notice that it is possible that additional members of the Council may attend this Committee meeting, resulting in a majority or quorum of the Common Council. This may constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) **REPRESENTATION:** The party requesting the communication, or their representative should be present at this meeting.