

**MINUTES OF THE  
IMPROVEMENT & SERVICE COMMITTEE  
Wednesday, July 13, 2016  
ROOM 207, CITY HALL  
5:45 p.m.  
Public Hearing 6:30 p.m.**

MEMBERS: David Nennig, Andy Nicholson, John Vander Leest, Chris Wery

1. Approval of the minutes from the regular meeting on June 8, 2016.

A motion was made by Ald. Wery and seconded by Ald. Nennig to approve the minutes from the regular meeting on June 8, 2016. Motion carried.

2. Approval of the agenda.

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

3. Request by Thomas R. Peterson to extend special assessments from 5 years to 10 years for the property at 3325 Humboldt Road.

Mr. Thomas Peterson was not in attendance. Director Grenier summarized the requirements of the Special Assessment Ordinance. The Committee does have the ability to extend the payback period past the specified 5 years if a hardship is demonstrated. Unfortunately the term hardship is not clearly defined in the ordinance.

Ald. Vander Leest asked what the interest rate would be if the period is extended to ten years and what would happen if the property is sold.

Director Grenier advised that the interest rate would remain at the initial interest rate. The interest rate is determined when the bonds for the project are issued. If there is an outstanding balance on the assessment at time of sale, the outstanding portion would have to be paid at the time of sale.

Ald. Nennig asked if the payback period has been extended beyond the 5 years in the recent past.

Director Grenier stated he cannot recall any payback period extensions.

A motion was made by Ald. Vander Leest and seconded by Ald. Wery to approve the request by Thomas R. Peterson to extend special assessments from 5 years to 10 years for the property at 3325 Humboldt Road. Motion carried.

4. Request by Bi Zhen Wu to rescind the special collection charge of \$70.00 at 1746-1748 Wedgewood Drive.

Bi Zhen Wu was not in attendance. Director Grenier stated that there were items at the curb twice in a short period of time. The property owner anticipates that the materials are from a nearby apartment building.

Ald. Nennig stated that he is not in favor of rescinding fees but considering the circumstances of this case he would be willing to rescind the fees.

The Committee members discussed the issue and took a vote which resulted in a 2-2 tie vote. They decided that it would be best to have the Common Council make the decision of whether or not to rescind the special collection charge of \$70.00.

A motion was made by Ald. Nennig and seconded by Ald. Vander Leest to take no action regarding the request by Bi Zhen Wu to rescind the special collection charge of \$70.00 at 1746-1748 Wedgewood Drive (2-2 tie vote). Motion carried.

5. Request by Peter Stillmank to place objects in the right-of-way in front of 215 N. Henry Street.

Director Grenier read the email which requested placing items in the right-of-way from Mr. Stillmank into the record. Stillmank Brewery is replacing part of the paved terrace adjacent to their building. Once the pavement is replaced they would like to install tables and chairs for the tasting room customers. Customers from the tasting room would use the outside space to consume the various beer samples. The brewery does not require a City liquor license but has other State laws that it must adhere to. Department of Public Works (DPW) recommends approval of the Hold Harmless Agreement contingent upon receiving the applicable insurance, the owner receiving all necessary City approvals and authorize the Mayor and City Clerk to execute the agreement to allow the tables and chairs to be located in the right-of-way.

Ald. Nennig stated that the brewery is in his district and he is in favor of the proposal. He has heard only positive comments about this business.

A motion was made by Ald. Nennig and seconded by Ald. Wery to approve the request by Peter Stillmank to place objects in the right-of-way in front of 215 N. Henry 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.

6. Request by Ald. Nicholson to review, with possible action, the policy on fees for service versus levying of special assessments and why the current policies are in place.

Director Grenier referred the Committee members to Item No. 6 in their packets. A copy of the current Assessment Rates and Service Fees were summarized along with when each rate would apply to various situations.

Ald. Nicholson stated his request was intended to investigate the history and background of the mini-sewer connection fees.

A motion was made by Ald. Wery and seconded by Ald. Vander Leest to refer to staff the request by Ald. Nicholson to review, with possible action, the policy on fees for mini-sewer connection. Motion carried.

7. Request by Ald. Nicholson to review, with possible action, the current policy regarding parking of vehicles on vehicle aprons.

Operations Manager Pirlot presented a short power point presentation which was created in 2012. The power point presentation summarized the parking requirements for two of the most common situations, with and without sidewalk present. A copy of the power point is attached. Mr. Pirlot stated that the parking enforcement has been consistent for the past 25 years.

The floor was opened for discussion. The first resident to talk was Mr. Steven Seymour, 2544 Heather Rd. Mr. Seymour stated that allowing parking on aprons will lead to worse activities. He believes the worst offenders are the rental multi-family units. Mr. Seymour believes that the apron is City property and as such no overnight parking should be allowed.

Jeremy Wozniak, 314 Newhall St. stated that he has no issue with the current policy.

The floor was closed for discussion. Director Grenier stated that the Inspection Department handles illegal storage of vehicles, boats, trailers and similar vehicles. A driveway permit grants the property owner the authority to use the driveway apron.

The Committee members discussed the issue amongst themselves and decided that a decision should not be made until further resident feedback is obtained from the other alders.

A motion was made by Ald. Wery and seconded by Ald. Nennig to hold for the next regularly scheduled Improvement & Service Committee meeting the request by Ald. Nicholson to review, with possible action, the current policy regarding parking of vehicles on vehicle aprons. Motion carried.

8. Request by Ald. Wery to examine changing the method of approving and paying for all street improvements.

DPW recommends this item to be referred to staff including a report back to this Committee in the future. This item is similar and related to other communications regarding methods of paying for pavement construction and the current post card survey process. DPW wishes to make a more comprehensive presentation at a future meeting.

A motion was made by Ald. Wery and seconded by Ald. Vander Leest to refer to staff for further study the request by Ald. Wery to examine changing the method of approving and paying for all street improvements. Motion carried.

9. Request by Ald. Zima, on behalf of all people who cross the Walnut Street Bridge, that the Department of Public Works provide emergency repairs to the railroad crossing at

about 100 West Walnut Street (held over from June 8, 2016 Improvement & Service Committee meeting) and to:

- A. Take an inventory of all of the railroad crossings in the City of Green Bay that are in serious disrepair.
- B. Legal staff look into the State law and make some suggestions of some resolutions we could send to State Legislatures to try to correct whatever those problems might be so we can try to resolve this in the long term.
- C. Have the Mayor contact the League of Cities to try to find some resolution to this big log jam that we are all suffering under.

A motion was made by Ald. Wery and seconded by Ald. Nennig to hold the request by Ald. Zima, on behalf of all people who cross the Walnut Street Bridge, that the Department of Public Works provide emergency repairs to the railroad crossing at about 100 West Walnut Street (held over from June 8, 2016 Improvement & Service Committee meeting) and to:

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- C. Have the Mayor contact the League of Cities to try to find some resolution to this big log jam that we are all suffering under.

Motion carried.

10. Review and discussion of Bay-Lake Regional Planning Commission phragmites removal plan and authorizing Bay-Lake Regional Planning Commission to work in the public right-of-way in the eradication zone.

Director Grenier referred Committee members to Item No. 10 in their packets. Bay Lakes Regional Planning Commission has received a grant to treat phragmites. The map of their work area is in the packet. The Park's Committee approval was for all areas controlled by the Park's Department. The Improvement & Service Committee approval would be for all areas under DPW jurisdiction. DPW is requesting authorization to approve phragmites eradication on a parcel by parcel basis after DPW is allowed to review in detail the removal plan. There are certain areas such as the old landfill at Ken Euer's Nature Area and the stormwater ponds that may not be treated.

A motion was made by Ald. Wery and seconded by Ald. Vander Leest to approve the Bay-Lake Regional Planning Commission phragmites removal plan and authorizing Bay-Lake Regional Planning Commission to work in the public right-of-way in the eradication zone subject to Department of Public Works staff approving work on individual parcels. Motion carried.

11. Request by Department of Public Works to approve the proposed cross-section for North Webster Avenue and to authorize the consultant to complete the design work including the project plans, specifications, estimate and all required Wisconsin Department of Transportation reports and to make a recommendation to the City Council.

Director Grenier referred the Committee members to Item no. 11 in their packets. The packet information includes a partial copy of a power point presentation given at the June 23, 2016 Public Information Meeting. The slides included the Purpose and Need Project Overview, Traffic Conditions, Typical Section, Eastman Avenue and Project Schedule. A copy of the slides is included.

Ald. Vander Leest asked how many parcels will need to be purchased. Director Grenier stated that all the parcels that will be purchased are on the east side of the road. Twenty-four parcels will need to be acquired. Twenty-two of the twenty-four parcels have approached the City regarding early acquisition of the parcels.

The floor was opened for discussion. Joshua Schwalbe, 1216 Cherry St. spoke first. He does not like the proposed cross-section. Since this is a high traffic area the lack of a stripe for the bike accommodation does not provide adequate protection for the biker. He would like a 5-foot wide bike lane with a stripe.

Jen Van Den Elzen, 3321 Cottage Hill Dr., spoke next. She likes the pedestrian accommodations but suggests adding a 5-foot wide striped bike lane in place of the proposed 4-foot unmarked bike accommodation.

Ronny Meyer, 419 S. Clay St. spoke next. He stated that a striped bike lane helps the biker feel safer. He uses Monroe Ave. and is ok with that design and he rides the trails.

Jeremy Wozniak, 314 Newhall St. stated he thinks a 5-foot wide striped bike lane would be safer.

The floor was closed for discussion. Ald. Vander Leest stated he likes the proposed cross-section.

Ald. Nennig asked if the multi-use trail will be plowed in the winter. The Director stated the City will plow the trail in the winter.

The floor was opened for discussion. Jeremy Wozniak asked if the bike accommodation could be marked or can the bike rider use the whole lane.

Josh Schwalbe suggested doing a sidewalk study to count the number of pedestrians and bikers. He asked if sharrows could be used in place of a stripe to mark the on-street bike accommodation.

The floor was closed for discussion.

Director Grenier stated that prior to the Public Information Meeting he had a sit down meeting with the bike advocates. He reviewed the current design with the advocates and the criteria which resulted in the current design. The bike advocates accepted the current design. Now two weeks later the bike advocates have changed their minds and are asking for a change in the design.

A motion was made by Ald. Wery and seconded by Ald. Vander Leest to approve the request by Department of Public Works to approve the proposed cross-section for

North Webster Avenue and to authorize the consultant to complete the design work including the project plans, specifications, estimate and all required Wisconsin Department of Transportation reports and to make a recommendation to the City Council. Motion carried.

12. Report the award of the following contracts:

- A. PARKING RAMP REPAIRS – 2016
- B. SEWERS 3-16
- C. TRAFFIC SIGNAL REPAIR – 2016
- D. WATER MAIN EXTENSION 2016

All of these contracts were part of the Capital Improvement Program and all were within the budgeted amount.

A motion was made by Ald. Nennig and seconded by Ald. Vander Leest to receive and place on file the bid results of the following contracts:

- A. To receive and place on file the bid result for contract PARKING RAMP REPAIRS – 2016 to the low, responsive bidder, Central Restoration LLC, in the amount of \$534,750.00
- B. To receive and place on file the bid result for contract SEWERS 3-16, PART A, to the low responsive bidder, Peters Concrete Co., in the amount of \$117,552.00 and SEWERS 3-16, PART B, to the low responsive bidder, Terra Engineering & Construction Corp., in the amount of \$300,117.00.
- C. To receive and place on file the bid result for contract TRAFFIC SIGNAL REPAIR – 2016 to the low, responsive bidder, Bodart Electric Service, in the amount of \$232,636.40.
- D. To receive and place on file the bid result for contract WATER MAIN EXTENSION 2016 to the low, responsive bidder, Vinton Construction Company, in the amount of \$156,713.50.

Motion carried.

13. Review and award the following contract SEWERS 4-16.

The project was competitively bid. Five bids were received. DPW recommends awarding Sewers 4-16 to the low responsive responsible bidder Dorner, Inc. in the amount of \$256,586.00.

A motion was made by Ald. Nennig and seconded by Ald. Vander Leest to approve and award contract SEWERS 4-16 to Dorner, Inc., in the amount of \$256,586.00. Motion carried.

14. Request by MEADE to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.

Wisconsin Public Service (WPS) has a project on Clay Street where they will be installing natural gas services. WPS will televise sanitary sewer laterals prior to construction and after construction to verify that the natural gas services has been installed not in conflict with the sanitary sewer laterals. The agreement allows Meade access to the City's sanitary sewer system so that they can document the location of laterals and perform post gas service installation inspections to verify that the sanitary sewer was not affected by their installation. If a natural gas leak were to occur it could get into the sanitary sewer lateral and into a residents home if the natural gas piping penetrated the sewer lateral. DPW recommends approval of the annual Hold Harmless Agreement.

As a side note, the City has entered into a Hold Harmless Agreement with a WPS contractor for similar procedures in the past.

A motion was made by Ald. Wery and seconded by Ald. Vander Leest to approve the request by MEADE to enter into an 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 Bay Architects, LLC on behalf of Just Down From The Stadium, LLC., to allow a new building access ramp, and to allow the existing building access ramps, exhaust fans and compressor and enclosure within the Brett Favre Pass right-of-way.

This property is unique in that the road right-of-way is under the jurisdiction of the City and the building is within Village of Ashwaubenon. The existing and new features in the right-of-way have never been authorized by a Hold Harmless Agreement. DPW recommends approval of the Hold Harmless Agreement contingent upon receiving the applicable insurance, the owner receiving all necessary City approvals and authorize the Mayor and City Clerk to execute the agreement to allow the new and existing ramps, exhaust fans and compressor to be located in the right-of-way. The approval is contingent upon the new and existing features being approved by the Village of Ashwaubenon's Inspection Department.

A motion was made by Ald. Nennig and seconded by Ald. Vander Leest to approve the request by Bay Architects, LLC on behalf of Just Down From The Stadium, LLC., to allow a new building access ramp, and to allow the existing building access ramps, exhaust fans and compressor and enclosure within the Brett Favre Pass right-of-way 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 upon Village of Ashwaubenon Inspection Department approval. Motion carried.

16. Request by BC Real Estate Investments, LLC for a Driveway Easement allowing the existing driveway adjacent to 604-606 S Maple to remain within the surplus West Mason Street right-of-way.

The driveway easement would be for an existing driveway which was previously installed on a City owned parcel next to West Mason Street. An easement was never granted when the driveway was installed. DPW recommends granting the Driveway Easement allowing the existing driveway to remain in place.

A motion was made by Ald. Nennig and seconded by Ald. Wery to approve the request by BC Real Estate Investments, LLC for a Driveway Easement allowing the existing driveway adjacent to 604-606 S. Maple to remain within the surplus West Mason Street right-of-way. Motion carried.

17. Application for a Concrete Sidewalk Builder's License by Precision Flatwork.

Precision Flatwork has held a license with the City in the past. DPW recommends approval and granting the Concrete Sidewalk Builder's License to Precision Flatwork.

A motion was made by Ald. Nennig and seconded by Ald. Wery to approve the application for a Concrete Sidewalk Builder's License by Precision Flatwork. Motion carried.

18. Application for an Underground Sprinkler System License by the following:

- A. Lizer of Wisconsin, Inc.
- B. Rain Master Irrigation, Inc.

Both applicants have held an Underground Sprinkler System license with the City in the past. DPW recommends approval of both applications for Underground Sprinkler Systems licenses.

A motion was made by Ald. Vander Leest and seconded by Ald. Nennig to approve the application for an Underground Sprinkler System License by the following:

- A. Lizer of Wisconsin, Inc.
- B. Rain Master Irrigation, Inc.

Motion carried.

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

Director Grenier shared a list of the worst railroad crossings with the Committee members. Five of the worst crossings have been removed or repaired during the last several weeks in a cooperative effort between the City and Canadian National Railway (CN). Two more crossings will be addressed next week. The City will continue working with CN to complete the list.

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

20. **PUBLIC HEARING**

**SIDEWALKS**

**TAYLOR STREET – Dousman to 730' S/O Bond Street**

Director Grenier read the Engineer's Report into the minutes and the floor was opened for discussion.

Dennis Hanson, 336 N. Taylor St. stated he is opposed to having sidewalk installed. He stated that it was four years after a study was completed then he was notified that sidewalk was being installed this summer. He is of the opinion that the decision on sidewalk should be made after the I-41 corridor project is complete. Until the highway project is complete no one knows how the neighborhood will be affected.

Jason Rounds stated he is opposed to the project. He is upset by the lack of due process and that tonight was his first chance to voice his opinion.

Laurie Maroszek, 400 N. Taylor St. stated she feels the whole process was not handled well. Cost is also a big issue for her even if the payments were spread over five years. She asked what the interest rate would be this year. Ms. Maroszek asked if the City ever paid for sidewalk and if the new sidewalk would increase her real estate taxes.

Ald. Steuer stated that there are 13 properties on this section of Taylor Street. It is rather unusual to install this length of sidewalk in an existing neighborhood. He stated that after the sidewalk study was completed the residents were not notified of the results. He stated that he knows of 5 residents against the project, 4 residents he was not successful in contacting, and 1 resident is for the sidewalk. He would like more opportunity for residents to offer their input.

Director Grenier stated that the interest rate for this year is 4%. The assessments are the tool used to recover the cost of the project from the residents receiving the sidewalk. If a parcel has a pedestrian ramp associated with the parcel the City pays for the pedestrian ramp. A new sidewalk in front of a home should not increase the homes assessed value.

The floor was closed for discussion.

Ald. Wery stated that he does not want to force residents to pay for sidewalk that they do not want.

Director Grenier will review this situation with the Law Department to determine how to proceed. The Director stated that the current sidewalk contract is an as needed contract and contract quantities can be increased or decreased as required.

## ENGINEER'S REPORT

Public Hearing on July 13, 2016

In accordance with State Statute 66.0703, this public hearing is being held to levy assessments for proposed concrete sidewalk improvements, which were ordered by Common Council on May 3, 2016.

All of the projects being considered tonight will be included in contracts administered by the City of Green Bay Department of Public Works-Engineering Division.

All of the proposed assessments are being levied in accordance with the City's Assessment Ordinance.

During construction, the contractor is required to provide access to businesses at all times and residences as much as practical. When a residential driveway is inaccessible, the property owners or tenants can receive permission from the City Police Department to park on adjoining streets. Problems during construction should be brought to the attention of the Department of Public Works-Engineering Division by calling 448-3100.

### **CONCRETE SIDEWALK**

Taylor Street (east side) from Dousman Street to approximately 770' S/O Bond Street is located in a residential zoned area. Taylor Street will have 5 ft. wide concrete sidewalk constructed in the public right-of-way. The estimated cost of the sidewalk construction is \$30,400.

A motion was made by Ald. Vander Leest and seconded by Ald. Wery to not levy special assessments and to direct staff to consult with Law Department to determine steps needed to not install sidewalks along Taylor Street from Dousman Street to 730' S/O Bond Street. Motion carried.

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

Meeting adjourned at 8:20 p.m.