



AGENDA OF THE COMMON COUNCIL

**TUESDAY, MARCH 19, 2019, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

- A. Roll Call.**
- B. Pledge of Allegiance.**
- C. Invocation.**
- D. Approval of Minutes.**
 - I. Approval of the minutes of the March 5, 2019 meeting.
- E. Approval of the Agenda.**
- F. Report by the Mayor.**
- G. Announcements.**
- H. Emergency Declaration**
 - I. Discussion with possible action on the declaration of emergency regarding flooding in Green Bay.
- I. Report of the Protection & Policy Committee (March 11, 2019).**
 - I. To approve a request by the owners of Pearly Gates, 3551 Finger Road, to hold an outdoor event on July 13, 2019, subject to complaint.
 - 2. To approve an application for an available "Class B" Combination license for Baker & Mac Arthur, Inc. at 1699 E. Mason St. with a licensed premise description as "1st floor only, bar& restaurant area, kitchen & back storage room," with the approval of the proper authorities. (Filed in Clerk's Office 12-12-18).
 - 3. To deny an appeal by Jacob De Cleene at 1063 Langlade to his reinspection fees.
 - 4. Receive and place on file a request by Ald. Steuer to have the Police Department Report on strategies and resources dealing with the human trafficking issue in Green Bay.

5. Receive and place on file the Liquor Violation Report from the Police Department for March 11, 2019.

J. Report of the Protection & Policy Committee Granting Operator Licenses.

1. Report of the Protection & Policy Committee granting Operator Licenses.

K. Report of the Personnel Committee (March 12, 2019).

1. To approve request to reclassify the Sr. Landscape Architect position to a Civil Engineer II position and request to fill the Civil Engineer II position and all subsequent vacancies as a result of internal transfers.

L. Report of the Improvement & Services Committee (March 7, 2019 AND March 13, 2019).

1. To approve as amended the Department of Public Works Capital Improvement Program for 2019 to include a potential project for the Ellis Creek Watershed (Main Street corridor near Mason Street) in the 5-year Capital Improvement Program; add Haven Place to the 2019 Capital Improvement Program; and all remaining wheel tax revenue to be placed in a capital reserve fund. (March 7, 2019)
2. To hold until the March 27, 2019 Improvement and Services Committee meeting the request by Jason Proctor to rescind the snow/ice removal charge of \$73 at 1708 12th Avenue. (March 13, 2019)
3. To hold until the March 27, 2019 Improvement and Services Committee meeting the request by Janet Angus to discuss the City's sidewalk snow removal policy along narrow terrace streets such as West Mason Street near Locust Street. (March 13, 2019)
4. To approve the request by the Department of Public Works to award a contract for miscellaneous Architecture and Engineering Services to Berners Schober Associates, Inc. for 2019-2020. (March 13, 2019)
5. To approve the 2018 Annual Wisconsin Department of Natural Resources Storm Water Report and authorize staff to submit the report to the Wisconsin Department of Natural Resources. (March 13, 2019)
6. To approve the award of the following contracts: (March 13, 2019)
 - A. PAVEMENT REPAIR - 2019
 - B. RESURFACING 1-19
 - C. SEWERS 1-19 (INCLUDING WATER MAIN)
 - D. SEWERS 2-19
7. To approve the application for Concrete Sidewalk Builder's License by Fischer Ulman Construction Inc. (March 13, 2019)

8. To approve the applications for Tree & Brush Trimmer Licenses by the following: (March 13, 2019)
 - A. A-I Tree Service
 - B. Beaver Tree Specialists
 - C. Selner Tree & Shrub Care, LLC
9. To approve the request to order improvements completed and assessments levied for: (March 13, 2019)

ASPHALT RESURFACING

S. BUCHANAN STREET - Badger Street to Shawano Avenue
DELWOOD DRIVE - Harvest Road to Delwiche Road
FARLIN AVENUE - Danz Avenue to 230' east of Turek Street
FIESTA LANE - Laura Street to cul-de-sac east
JAMES STREET- Lincoln Street to Ashland Avenue
LAURA STREET - Debra Lane to Lilac Lane
LILAC LANE - Irene Street to Schoen Street
MARYLAND AVENUE - Skyline Blvd. to Bretcoe Drive
PREBLE AVENUE - Turek Street to east end
REDLEY COURT - Twelfth Avenue to cul-de-sac west
SKYLINE BLVD. - Finger Road to Hillside Lane
ST. JAMES CIRCLE - Laverne Drive to cul-de-sac south
TUREK STREET - Preble Avenue to Farlin Avenue
WIRTZ AVENUE - 9th Street to St. Paul Street

CONCRETE PAVEMENT

ERIE ROAD - 805' S/O East Mason Street to south City limits

SANITARY SEWER AND/OR SANITARY SEWER LATERALS

ERIE ROAD - 805' S/O East Mason Street to south City limits

STORM SEWER AND/OR STORM SEWER LATERALS

ERIE ROAD - 830' S/O East Mason Street to south City limits

WATER MAIN AND/OR WATER SERVICES

ERIE ROAD - 830' S/O East Mason Street to south City limits

M. Report of the Finance Committee (March 12, 2019).

1. To approve a resolution authorizing 2019 transfer of \$3,575.58 from contingency account for one-time costs related to equipment repairs on air conditioner pump and Halon control panel in IT server room.
2. To approve the request from the Finance Director for contingency funding of \$12,500 for a comprehensive Financial Management Planning report using an outside service.
3. To approve a resolution authorizing transfer of 2019 budgeted revenue and expenses between accounts.
4. To receive and place on file the request that the City of Green Bay Sustainability Commission Renewable Energy work plan be referred to the Finance Committee and Finance Director to review cost estimates associated with this work plan. Renewable energy is very expensive so having a transition plan to move toward renewable energy for the City of Green Bay will require large capital budget requests at a time when the City can't afford these costs.
5. To have Staff move forward as directed in closed session on the Notice of Decision from the US Dept of the Interior regarding the intent to take land into trust – Kolb parcel.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

6. To approve the Report of the Claims Committee.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

N. Committee of the Whole

1. Consideration with possible action on Notices of Decision from the US Dept of the Interior regarding the intent to take land into trust – Bruss and Duquaine parcels.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

2. Update with possible action regarding purchase of property at 227 N. Quincy St., 221 N. Quincy St., 624-626 Pine St., 618 Pine St., 616 Pine St., and 605 Cherry St. (Tax Parcels 11-156, 11-157, 11-158, 11-159, 11-160, and 11-191).

The Council may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

O. Receive and Place on File.

1. Building Permit Report for February 2019
2. Municipal Court Report for February 2019.

P. Resolutions.

1. Resolution authorizing 2019 transfer of \$3,575.58 from contingency account for one-time costs related to equipment repairs on air conditioner pump and Halon control panel in IT server room.
2. Resolution authorizing transfer of 2019 budgeted revenue and expenses between accounts.
3. Resolution authorizing transfer of contingency funding of \$12,500 for a comprehensive Financial Management Planning report using an outside service.
4. Final resolution authorizing asphalt resurfacing improvements and levying special assessments against property.
5. Final resolution authorizing concrete pavement improvements and levying special assessments against property.
6. Final resolution authorizing sanitary sewer and/or sanitary sewer lateral improvements and levying special assessments against property.
7. Final resolution authorizing storm sewer and/or storm sewer lateral improvements and levying special assessments against property.
8. Final resolution authorizing water main and/or water services and levying special assessments against property.

Q. Referral of Petitions & Communications.

R. Adjournment.

- 1) SUPPLEMENTAL INFORMATION: The Video of this meeting, Agenda, Agenda Packet, and Minutes are available online at www.greenbaywi.gov/Meetings.
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

- 3) **QUORUM:** Please take notice that a majority or quorum of the Common Council will attend this committee meeting and will 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.

**DISASTER DECLARATION
EAST RIVER FLOODING**

WHEREAS on March 15, 2019, a disaster, namely flooding of the East River has affected the of City of Green Bay; and

WHEREAS, because of such emergency conditions, the Common Council is unable to meet with promptness; and

WHEREAS, it is necessary and expedient for the health, safety, welfare and good order of the City to proclaim that emergency conditions exists; and

WHEREAS, the disaster has caused the City of Green Bay to expand, commit and exhaust all of its available resources; and

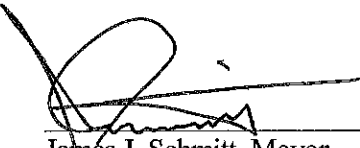
WHEREAS, the disaster has caused has created hazardous conditions in the areas bounded by the river, Cass St., John St., and Kimball and E to John St., and Eliza St. East of Goodell St., South along Suydam St. to Emilie St. ("the Flood Area"); and

WHEREAS, the public health, safety, and welfare require that the Flood Area be closed and remain closed until conditions are safe for reentry; and

WHEREAS, the City of Green Bay is asking for county assistance and requests the county to advise the State of Wisconsin of our emergency conditions:

NOW, THEREFORE, pursuant to sections 323.11 and 323.14 (4) of the Wisconsin Statutes, as Chief Elected Official of the City of Green Bay in testimony whereof I, Mayor James J. Schmitt, have hereunto set my hand and have caused the great seal of the City of Green Bay to be affixed.

Effective at the City Hall this 15th day of March, 2019.


James J. Schmitt, Mayor

NOTE: Under 323.14(4)(b), Stats., this proclamation shall be subject to ratification, alteration, modification or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the proper validity of this proclamation.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # I.I.

To approve a request by the owners of Pearly Gates, 3551 Finger Road, to hold an outdoor event on July 13, 2019, subject to complaint.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. sharpscans@greenbaywi.gov_20190305_141828



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # 1.2.

To approve an application for an available "Class B" Combination license for Baker & Mac Arthur, Inc. at 1699 E. Mason St. with a licensed premise description as "1st floor only, bar& restaurant area, kitchen & back storage room," with the approval of the proper authorities. (Filed in Clerk's Office 12-12-18).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 1699 e mason floor plan
2. baker application



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # I.3.

To deny an appeal by Jacob De Cleene at 1063 Langlade to his reinspection fees.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. decleene appeal
2. 1063 Langlade Avenue - Complaint 88635 Background



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # I.4.

Receive and place on file a request by Ald. Steuer to have the Police Department Report on strategies and resources dealing with the human trafficking issue in Green Bay.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

I. PP



PETITIONS AND COMMUNICATIONS FORM
COMMON COUNCIL
CITY OF GREEN BAY

Date of Council Meeting: MARCH 5, 2019

Request of Alderperson STEUER

Refer to: PROTECTION & POLICY

Please state clearly the action requested. Requests should be turned in at the City Clerk's Office by 10:00 AM on the Thursday before a Council meeting. For late communications, present this form to the City Clerk after the request is read.

TO HAVE THE POLICE DEPARTMENT REPORT
ON STRATEGIES & RESOURCES DEALING
WITH THE HUMAN TRAFFICKING ISSUE
IN GREEN BAY



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # I.5.

Receive and place on file the Liquor Violation Report from the Police Department for March 11, 2019.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 19LiqVio
2. Report March 11 2019
3. 18LiqVio

**REPORT OF THE PROTECTION AND POLICY COMMITTEE
GRANTING OPERATOR LICENSES**

March 19, 2019

The Protection and Policy Committee wishes to request that the following applications for Operator Licenses be granted. Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Blodgett, Molly K
Breidenbach, Emily A
Brown, Akasha D
Brown, Andrea H
Brunette, Kenda L.
Delaney, Bryce T
Doxtator, Precious M
Dura, Joshua J
Faustino, Naomi M
Ferron, Amanda L
Garsow, Alyssa A
Glinski, Sean D
Goltz, Hannah E
Guillette, Kyle J
Huff, Kolton A
Hyde, Kelsey C
Jakubowski, Diane R
Kleczka, Kailyn E
Kraebel, Jeremy J
Lallaman, Christa M
Leatherberry, Katie V
Maggie, Cody J
McCartney, Erin E
Mikula, Amanda L
Mott, Hanna M
Nowicki, Tad E
Roemer, Shaula R
Rutledge, Amanda J
Shimanek, Sarah A
Stafford, Bailey R
Stedl, Lucy J

Taft, Kelly A
Weso II, Monroe T
Wilde-Johnson, Alexander G
Zimonick, Tricia



Report to the
Personnel Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # K.I.

To approve request to reclassify the Sr. Landscape Architect position to a Civil Engineer II position and request to fill the Civil Engineer II position and all subsequent vacancies as a result of internal transfers.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. PRF - Sr. Landscape Architect Reclassification - Personnel Committee - 3-12-19
2. Civil Engineer (Project Development) Final

MEMORANDUM



Human Resources Department

To: Personnel Committee
Joseph Faulds, Human Resources Director

From: Dan Ditscheit
Parks, Recreation & Forestry Director

Re: Request to reclassify and to fill the Sr. Landscape Architect position in the Design Division of the Parks, Recreation & Forestry Department

Date: March 12, 2019

RECOMMENDATION

- I. The Parks, Recreation & Forestry Department requests the following:
 - A. Reclassify the Sr. Landscape Architect from Pay Grade J (\$56,992-\$65,354) to a Civil Engineer II position at Pay Grade J (\$56,992-\$65,354). Request to fill the Civil Engineer II position and all subsequent vacancies as a result of internal transfers.

BACKGROUND

- II. In September of 2018 the Design & Development Superintendent was promoted to Park, Recreation & Forestry Director. Since that time the Park Director has evaluated the Park design division to determine where efficiencies could be improved.

Under the current table of organization, the Park design staff is divided between two positions. The Design & Development Supt. position supervises the Sr. Landscape Architect position and manages all of the Park planning and construction activities. The Sr. Landscape Architect provides support to the Design & Development Superintendent position on these initiatives.

Throughout the years the major obstacle to the Park design division is the lack of available City engineers for park projects. The Department of Public Works typically provides engineering services for Park projects as Civil engineering staff time is available. Often times it takes several years before engineering occurs for a Park funded project. Through a combination of high turnover rates with Public Works engineers and a desire to complete more Public Works infrastructure projects, the approved Park projects have begun to back up to a point where it has become problematic. The Department of Public Works has recently indicated that the Parks Department may have to look at contracting out Civil

engineering projects in future years in order to keep up with the amount of park projects that are necessary and approved.

There are several benefits to having a dedicated Civil Engineer II on staff for Park projects. The Parks Department will have more control as to when Park projects are constructed. The City will see a significant cost savings in the future by not having to contract out Civil Engineering services for the approved Park projects in the future. In addition, Public Works will benefit by not having to dedicate Public Works engineers to Park projects.

This has been reviewed with the Director of Public Works and he is supportive of this reclassification. He is also willing to dedicate his staff time to train this Civil Engineer II so that this individual learns how to design a project to Public Works satisfaction.

In addition, the 2019 budget approved hiring the Design and Development Superintendent on April 1, 2019. Director Ditscheit and Human Resources will re-title this position to Park Planner to be consistent with industry standards. The job duties will remain consistent with the previous Design & Development Supt. position. Therefore the pay scale will remain the same. The current Sr. Landscape Architect will be promoted to the Park Planner.

- A. **Civil Engineer II:** It is proposed that the Sr. Landscape Architect position will be reclassified to a Civil Engineer II and will focus only on Park Department projects. The job duties will be consistent with the job duties for a Public Works Civil Engineer II position and will report to the Park Planner. (See attached Job Description). Because there will only be one engineer working for the Parks Department, there is a desire to hire an individual with several years of experience, instead of hiring a Civil Engineer I with minimal experience.

FISCAL IMPACT

- III. This reclassification results in minimal cost differential to the annual City budget.

The Design and Development Supt. position is budgeted as Level 1 and can be filled starting April 1, 2019 per the approved budget. If the reclassification of the Sr. Landscape Architect is approved, then the internal candidate will start on April 1, 2019 and will start at Level 1, which is approximately a 3% raise over her current salary. There would be no cost differential to the budget for this internal promotion.

It is recommended that the Civil Engineer II position be placed in Pay Grade J of the City Pay Plan, which is comparable to the other Civil Engineering II positions with Public Works. The existing Sr. Landscape Architect is currently budgeted as a Level 5 position. There would likely be a cost savings of a few thousand dollars if a new individual is hired in the Civil Engineering II position. The only possibility that the budget would increase is if an internal candidate transfers into this position and the selected candidate is currently higher

level than a level 5 Civil Engineer II.



JOB DESCRIPTION

City of Green Bay

Position Title:	Civil Engineer II – Park project Development
Department:	Department of Parks, Recreation & Forestry Department, Design & Development Division Public Works/Engineering Division
Reports To:	Park Planner and Director of Parks, Recreation & Forestry Assistant City Engineer and Assistant Director of Public Works
Status:	Exempt
Salary Range:	Dependent upon Qualifications: Civil Engineer I: Grade H (\$48,464-\$57,013) Civil Engineer II: Grade J (\$56,992-\$65,354)
Job Summary:	Under direction of the Park Planner Assistant City Engineer – Project Development, performs work of moderate difficulty in the design of various park public-works projects and in the supervision of construction.
Essential Functions:	- Prepares plans and specifications for various Parkpublic-works projects. - Completes engineering design computations, estimates of quantities and cost estimates for various parkpublic-works projects. - Prepares technical reports, studies and permit applications. - Administers parkpublic-works contracts of average to moderate difficulty. - Inspects construction of various parkpublic-works projects. - Performs field review to aid in design. Complete park basemap updates. Serves as head of survey crew engaged in making various surveys for public works projects. - Performs other duties as assigned.
Knowledge, Skills And Abilities	- Considerable knowledge of civil engineering principles and practices as applied to the design of parking lotsstreets, trails, walkways, storm and sanitary sewers, buildings, athletic fields and other parkpublic-works projects. Good knowledge of field engineering including surveying, inspection and construction practices. Good knowledge in the sources of engineering information. - Good computer skills including proficiency in Microsoft Office and knowledge of CAD, Civil 3D, and engineering application software. Considerable skill in preparing and checking complex designs, details, estimates, plans and specifications for public works projects.

	Considerable skill in the application of engineering theory to complex field and office problems. Considerable skill in reading and interpreting construction plans and specifications. ▪ Ability to follow detailed written and oral instructions. Ability to establish and maintain effective working relationships with other employees, other agencies, and the general public. Ability to communicate effectively, both orally and in writing. Ability to work the required hours of the position. May be required to demonstrate minimum competency by successfully passing approved tests.
Minimum Education and Experience	▪ Bachelor's Degree in Civil Engineering. ▪ Previous civil engineering experience highly desirable. (1-3 years practical experience in civil engineering work required for Civil Engineer II) ▪ <u>Previous park engineering experience highly desirable.</u> ▪ Registration as a licensed Professional Engineer (PE) in the State of Wisconsin highly desirable. ▪ Valid driver's license and good driving record. A combination of equivalent experience and/or education may be considered.
Physical Requirements	▪ Ability to perform the following activities: ○ Lifting and carrying up to 10-20 pounds. ○ Frequent standing, walking and sitting. ○ Ability to focus for long periods of time on projects. ○ Ability to reach and climb. ○ Ability to climb and hike in rough terrain. ○ Ability to work in varied environmental conditions and worksite conditions.
The above is not to be construed as an exhaustive statement of duties, responsibilities or requirements. I have read the above position description and understand the duties and responsibilities of the position.	
_____ Employee Signature _____ Date	



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.I.

To approve as amended the Department of Public Works Capital Improvement Program for 2019 to include a potential project for the Ellis Creek Watershed (Main Street corridor near Mason Street) in the 5-year Capital Improvement Program; add Haven Place to the 2019 Capital Improvement Program; and all remaining wheel tax revenue to be placed in a capital reserve fund. (March 7, 2019)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.2.

To hold until the March 27, 2019 Improvement and Services Committee meeting the request by Jason Proctor to rescind the snow/ice removal charge of \$73 at 1708 12th Avenue. (March 13, 2019)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.3.

To hold until the March 27, 2019 Improvement and Services Committee meeting the request by Janet Angus to discuss the City's sidewalk snow removal policy along narrow terrace streets such as West Mason Street near Locust Street. (March 13, 2019)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.4.

To approve the request by the Department of Public Works to award a contract for miscellaneous Architecture and Engineering Services to Berners Schober Associates, Inc. for 2019-2020. (March 13, 2019)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Berners Schober 2019-2020

February 6, 2019

Mr. Steve Grenier
Director of Public Works
City of Green Bay
100 North Jefferson Street
Green Bay, Wisconsin 54301-5026

RE: Owner/Architect Agreement
Miscellaneous Architectural
Services for 2019 and 2020
City of Green Bay

Mr. Grenier:

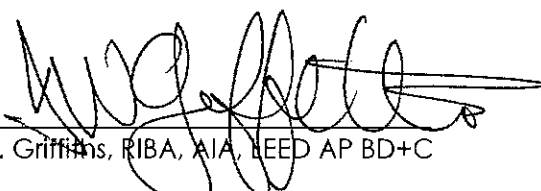
Enclosed are an original and one copy of the Owner and Architect Agreement for Miscellaneous Architectural Services for 2019 and 2020 for the City of Green Bay Projects.

We ask that you review this agreement. If it meets with your approval, please sign both agreements on page 14 and return the Architect's copy for our file.

If you have any questions, please feel free to contact me.

Sincerely,

BERNERS-SCHOBOR ASSOCIATES, INC.

By: 
Ian W. Griffiths, RIBA, AIA, LEED AP BD+C

amb
Enclosure

§ 11.3 The hourly billing rates for services of the Architect and the Architect's consultants, if any, are set forth below.

Employee or Category	Rate	
	2019	2020
Senior Principal	\$164.00	\$170.00
Principal	\$149.00	\$154.00
Associate	\$118.00	\$122.00
Project Architect/Engineer	\$86.00	\$89.00
CAD Operator/Designer 4	\$81.00	\$84.00
CAD Operator/Designer 3	\$73.00	\$76.00
CAD Operator/Designer 2	\$68.00	\$70.00
CAD Operator/Designer 1	\$63.00	\$65.00
Senior Interior Designer	\$86.00	\$89.00
Interior Designer	\$73.00	\$76.00
Field Representative	\$104.00	\$108.00
Clerical	\$63.00	\$65.00

(Paragraphs deleted)

§ 11.4 Compensation for

(Paragraphs deleted)

Reimbursable Expenses

§ 11.4.1 Reimbursable Expenses are in addition to compensation for Basic and Additional Services and include expenses incurred by the Architect and the Architect's consultants directly related to the Project, as follows:

- .1 Transportation and authorized out-of-town travel and subsistence;
- .2 Permitting and other fees required by authorities having jurisdiction over the Project;
- .3 Printing, reproductions, plots, and standard form documents;
- .4 Postage, handling, and delivery;
- .5 Renderings, models, mock-ups, professional photography, and presentation materials requested by the Owner;
- .6 Expense of professional liability insurance dedicated exclusively to this Project or the expense of additional insurance coverage or limits requested by the Owner in excess of that normally carried by the Architect and the Architect's consultants;
- .7 All taxes levied on professional services and on reimbursable expenses;
- .8 Other similar Project-related expenditures.

§ 11.4.2 For Reimbursable Expenses the compensation shall be the expenses incurred by the Architect and the Architect's consultants.

§ 11.5

(Paragraphs deleted)

Payments to the Architect

(Paragraphs deleted)

§ 11.5.1 Initial Payment

An initial payment of Zero (\$ 0.00) shall be made upon execution of this Agreement and is the minimum payment under this Agreement. It shall be credited to the Owner's account in the final invoice.

§ 11.5.2 Progress Payments

§ 11.5.2.1 Unless otherwise agreed, payments for services shall be made monthly in proportion to services performed. Payments are due and payable upon presentation of the Architect's invoice. Amounts unpaid Ninety (90) days after the invoice date shall bear interest at the rate entered below, or in the absence thereof at the legal rate prevailing from time to time at the principal place of business of the Architect.

National Prime Rate plus 2%.

Init.



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.5.

To approve the 2018 Annual Wisconsin Department of Natural Resources Storm Water Report and authorize staff to submit the report to the Wisconsin Department of Natural Resources. (March 13, 2019)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2018 Storm Water Highlights



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

100 N. Jefferson Street, Room 300
Green Bay, WI 54301
Tel (920) 448-3100
Fax (920) 448-3102

INTER-OFFICE
MEMO

TO: Steven Grenier, P.E. - Director of Public Works

FROM: Matthew Heckenlaible, P.E – Utility Manager

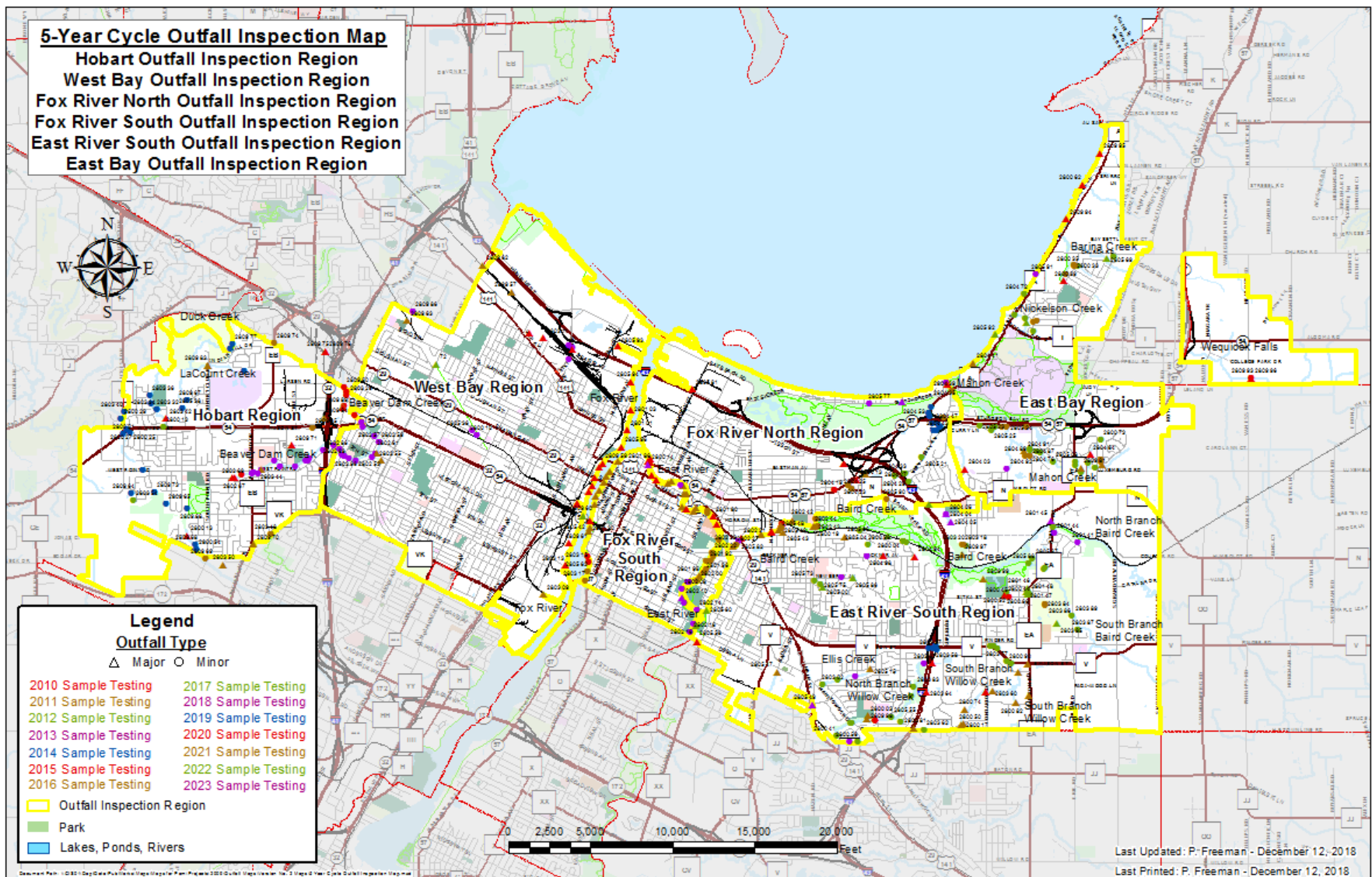
SUBJECT: 2018 Storm Water Program Highlights

DATE: March 13, 2019

C:

Comments:

- There were over 336 construction and utility projects that were going on at some point or another within 2018. Over 296 of those projects required an erosion control permit. With the continued implementation and enforcement of our Erosion Control and Storm Water Management Ordinances, the WDNR has conditionally released the City from our Notice of Violation with them.
- In 2018, the City hired a new member to the staff of the Utility Division, as the second Erosion Control Specialist.
- The City of Green Bay has a total of 347 outfalls. Outfalls are the point at which storm water is discharged to waters of the state or to a storm sewer. Our Storm Water Technician (Pam Freeman), completed the ninth year of the On-Going Outfall Field Screening / Inspections of all scheduled major/minor outfalls. Out of the fifty-four (54) outfalls sampled, one (1) minor detection was identified during the fourth rotation of the second field screening cycle. The one positive hit of Detergent was found at Outfall No. 280367, near 2820 Englewood Road. This outfall has been buried so the point of inspection (POI) was taken at the first upstream manhole FID 8378. The point source was located, in which the resident was washing their car. A conversation with the resident occurred and I explained to him that by washing his car in the driveway eventually drains down the driveway into the curb, which drains into the inlet that ends up in the downstream receiving waters. The resident seemed understanding and stated that he would not do it again. Pam mentioned to him to check out the City's website on storm water management if he should have any concerns or issues. After completing the sampling of the outfalls, a storm drain marker was also placed at the first upstream inlet. Just a friendly reminder to the residents that "NO DUMPING – DRAINS TO WATERWAYS".



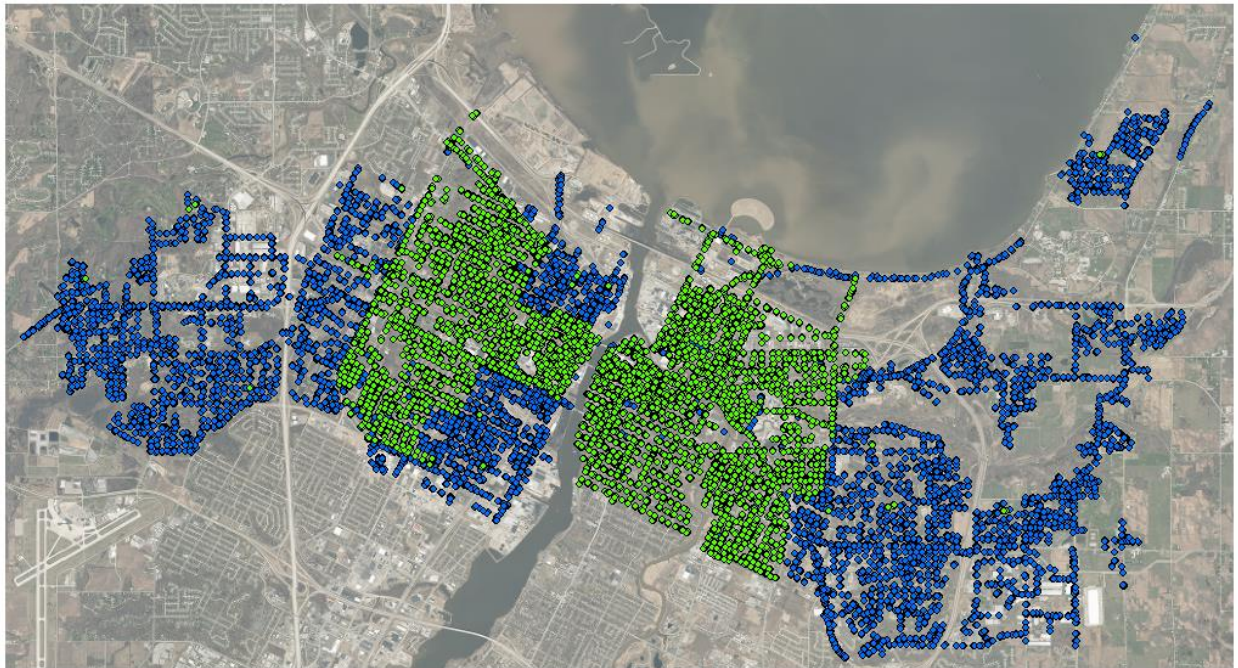
- Upon completion of the On-Going Field Screening and Inspection, the GIS mapping was updated and the On-Going Field Screening Program Report was completed for the year.
- The City completes bi-annual inspections of all of our storm water water quality ponds to look for significant deficiencies such as plugged outfalls, excessive animal burrows within the pond berms, and whether there is any notable decrease in life expectancy. The water quality ponds are of such an age that to date we have yet completed surveys of the sedimentation depositions and the need to remove excess sediment. The City performs garbage and debris clean up from around the facilities on an as needed basis and cuts some of the vegetation on an as needed basis.
- On April 19, 2018, the Storm Water Technician represented the City and partnered with the MacArthur Neighborhood Association and Sanimax, with their annual Spring Clean-Up of Beaver Dam Creek.
- The City has also employed the services of a trapper to try and reduce the muskrat population at twenty-one (21) of our wet storm water facilities during the 2018-2019 winter season. One hundred-twenty-one (121) muskrats had been trapped.

Cell - 920-228-1033															
2018															
Check Days															
Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12	Total	Notes		
2	0	0	0	2	0	0	0	1	0	0	x	5	Cleaned out grate on overflow house		
5	0	0	0	1	0	0	0	1	0	0	x	7			
2	0	0	0	1	0	0	1	0	0	1	x	5			
3	0	3	0	2	0	1	1	0	x	x	x	10	1 mink		
0	1	1	0	0	1	0	x	x	x	x	x	3	Again the clean up of the cane / brush along this pond looks awesome.		
2	0	0	0	0	0	0	0	0	0	0	x	2	The brush along the black top trail could be cut so the trail is wider to fit vehicles back to the pond for maintenance and wildfire protection.		
0	6	0	2	0	3	0	1	0	x	0	x	12			
0	3	0	1	0	1	0	0	0	x			5	Cleaned out grate on overflow house. Could use trees and willows cut		
0	0	5	0	2	2	0	0	0	0	x	x	9	Pond clean up of weed and trees looks really good!		
6	3	0	4	0	1	0	1	0	0	0	0	15			
0	0	0	1	0	0	0	0	x	x	x	x	1	Cleaned out outflow.		
0	0	0	3	0	2	0	0	1	0	0	0	6	Cleand out outflow		
0	0		3	0	0	0	0	0	x	x	x	3	Cleand out outflow		
0	1	0	0	0	0	0	0	x	x	x	x	1	Cleaned out outflow.		
0	2	0	1	1	1	0	0	0	0	0	0	5	Cleand the outflow		
0	3	0	0	0	0	1	0	x	x	x	x	4	Cleaned the outflow		
0	6	0	1	0	0	0	0	0	0	x	x	7	The lower outflow pipe is broke off. It is laying right there on the shore.		
0	3	0	3	0	0	1	0	0	0	x	x	7			
0	0	8	0	0	3	0	1	0	0	0	0	12			
0	1	0	1	0	0	0	0	0	x	x	x	2			
												121	and one mink		

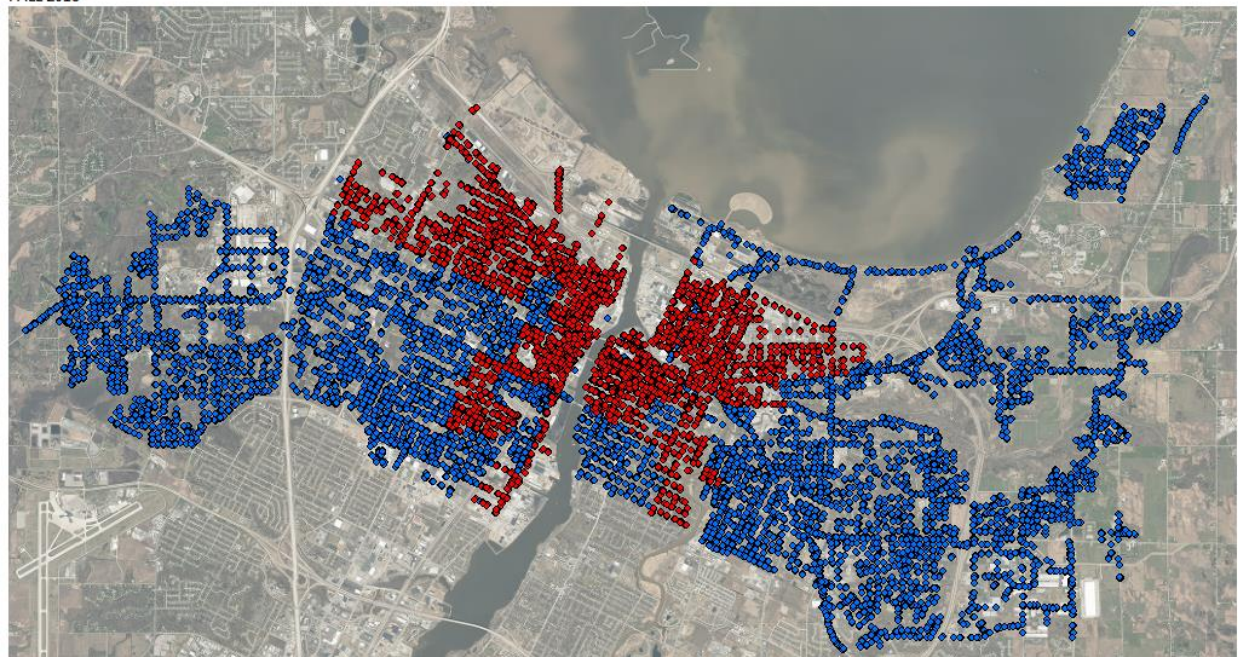
- DPW-Operations completed another successful year of street sweeping and fall leaf collection. An estimated quantity of 2,600 tons was collected with seventeen (17) street sweeping rotations and over nine (9) leaf collection rotations being completed. Four (4) Spring collections and five (5) Fall collections.
- DPW-Operations completed the Greenway Outfall Maintenance Inspections for the Community Rating System on October 3, 2018 for flood insurance rate assistance.

- Operations also cleaned almost 10,871 storm water inlets and catch basins throughout the City primarily during the summer and fall months in 2018, an estimated quantity of 22 tons were collected.

2018



FALL 2018



- Storm Inlets (catch basins)
- Cleaned in 2018
- Cleaned in 2018 (Fall)

- Completed report regarding the “flooding” due to the extreme rain events of August 28 and September 17, 2018. Presented to Improvement & Service Committee January 9, 2019 with directive to develop an implementation plan to aid in minimizing high water impacts.
- Completed and submitted the city wide storm water quality report (MS4 SLAMM Analysis) to WDNR. City received concurrence from WDNR that this “plan” will address make “progress” in meeting WDNR TMDL water quality requirements.
- Staff working with Brown County on the design of a regional storm water facility to be located near Bay beach Road and Angie Street to service that general industrial/commercial area. Staff has been progressing forward with the design of two (2) lift stations that will aid in minimizing high water conditions in the areas of S. Broadway, Seymour Park, Shawano Avenue, Oneida Street, West Mason Street and other associated areas.
- Completed field inspection of dike along the south shore of the Bay of Green Bay. Will begin a “phased” implementation program to make necessary corrections of dike deficiencies (none estimated to cause catastrophic failure).



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.6.

To approve the award of the following contracts: (March 13, 2019)

- A. PAVEMENT REPAIR - 2019
- B. RESURFACING 1-19
- C. SEWERS 1-19 (INCLUDING WATER MAIN)
- D. SEWERS 2-19

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- 1. Bid Summary - Public PAVEMENT REPAIR - 2019
- 2. Bid Summary - Public RESURFACING 1-19
- 3. Bid Summary - Public SEWERS 1-19 (INCLUDING WATER MAIN)
- 4. Bid Summary - Public SEWERS 2-19

CITY OF GREEN BAY, WISCONSIN
SUMMARY OF BIDS FOR CONTRACT

PAVEMENT REPAIR - 2019

Tuesday, March 12, 2019

Contractor	Bid	Bid Bond
FISCHER-ULMAN CONSTRUCTION INC.	\$707,612.50	5%
Any questions, call 920-448-3100		

CITY OF GREEN BAY, WISCONSIN
SUMMARY OF BIDS FOR CONTRACT

RESURFACING 1-19

Tuesday, March 12, 2019

Contractor	Part A	Part B	Bid Bond
MARTELL CONSTRUCTION	\$403,929.00	NO BID	5%
NORTHEAST ASPHALT INC.	NO BID	\$1,048,997.00	5%
FISCHER-ULMAN CONSTRUCTION INC.	\$436,457.50	NO BID	5%
MCC INC.	NO BID	\$1,268,142.39	5%
Any questions, call 920-448-3100			

CITY OF GREEN BAY, WISCONSIN

SUMMARY OF BIDS FOR CONTRACT

SEWERS 1-19 (INCLUDING WATER MAIN)

Tuesday, March 5, 2019

Contractor	Part A	Part B	Part C	Bid Bond
DAVID TENOR CORPORATION	\$1,157,717.90	\$1,463,093.70	NO BID	5%
ADVANCE CONSTRUCTION INC.	NO BID	\$1,472,072.10	\$823,369.20	5%
DORNER INC.	\$1,332,104.00	\$1,653,684.00	\$1,097,691.00	5%
DEGROOT INC.	NO BID	\$1,769,088.79	\$952,431.09	5%
PTS CONTRACTORS INC.	\$1,651,242.50	\$2,254,626.50	\$1,214,289.00	5%
Any questions, call 920-448-3100				

CITY OF GREEN BAY, WISCONSIN
SUMMARY OF BIDS FOR CONTRACT

SEWERS 2-19

Tuesday, March 12, 2019

Contractor	Bid	Bid Bond
DORNER INC.	\$281,162.08	5%
ADVANCE CONSTRUCTION INC.	\$300,233.60	5%
JOSSART BROTHERS INC.	\$312,166.00	5%
Any questions, call 920-448-3100		



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.7.

To approve the application for Concrete Sidewalk Builder's License by Fischer Ulman Construction Inc.
(March 13, 2019)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.8.

To approve the applications for Tree & Brush Trimmer Licenses by the following: (March 13, 2019)

- A. A-I Tree Service
- B. Beaver Tree Specialists
- C. Selner Tree & Shrub Care, LLC

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # L.9.

To approve the request to order improvements completed and assessments levied for: (March 13, 2019)

ASPHALT RESURFACING

S. BUCHANAN STREET - Badger Street to Shawano Avenue
DELWOOD DRIVE - Harvest Road to Delwiche Road
FARLIN AVENUE - Danz Avenue to 230' east of Turek Street
FIESTA LANE - Laura Street to cul-de-sac east
JAMES STREET - Lincoln Street to Ashland Avenue
LAURA STREET - Debra Lane to Lilac Lane
LILAC LANE - Irene Street to Schoen Street
MARYLAND AVENUE - Skyline Blvd. to Bretcoe Drive
PREBLE AVENUE - Turek Street to east end
REDLEY COURT - Twelfth Avenue to cul-de-sac west
SKYLINE BLVD. - Finger Road to Hillside Lane
ST. JAMES CIRCLE - Laverne Drive to cul-de-sac south
TUREK STREET - Preble Avenue to Farlin Avenue
WIRTZ AVENUE - 9th Street to St. Paul Street

CONCRETE PAVEMENT

ERIE ROAD - 805' S/O East Mason Street to south City limits

SANITARY SEWER AND/OR SANITARY SEWER LATERALS

ERIE ROAD - 805' S/O East Mason Street to south City limits

STORM SEWER AND/OR STORM SEWER LATERALS

ERIE ROAD - 830' S/O East Mason Street to south City limits

WATER MAIN AND/OR WATER SERVICES

ERIE ROAD - 830' S/O East Mason Street to south City limits

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # M.I.

To approve a resolution authorizing 2019 transfer of \$3,575.58 from contingency account for one-time costs related to equipment repairs on air conditioner pump and Halon control panel in IT server room.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Resolution - Authorizing Transfer from Contingency to IT repairs

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

March 19, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of March 12, 2019, the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101099-59001 Contingency	\$ 3,575.58
To:	101106-55101 IT Equipment Repairs /Halon Control Panel	\$ 2,395.46
	101106-55101 IT Equipment Repairs /Air Conditioner Pump	\$ 1,180.12

Adopted _____

Approved _____

Mayor

Clerk

**VAN'S FIRE & SAFETY, INC.**

Fire Fighting and Safety Equipment
787 Mike McCarthy Way * P.O. Box 12055
Green Bay, WI 54307-2055
Phone:(920)494-3346*(800)242-6359

Telephone: (920) 494-3346

Fax: (920) 494-2224

Federal ID: 39-1144453

INVOICE

Bill To:

CITY OF GREEN BAY
100 N. JEFFERSON ST.
ROOM 105 - CITY HALL
GREEN BAY WI 54302

Location

INFO TCHNOLOGY SERVICE DEPT
100 NORTH JEFFERSON STREET
ROOM 16
GREEN BAY WI 54301-5026

Invoice #	Invoice Date	W/O #	Customer #	Customer P.O.
4120433	03/01/19		3367	
Terms	Ship Via		Salesman	
NET 15 DAYS			TONY J. LAPERRIERE	
Quantity	Item/Description	Price		Extended

***** DUPLICATE COPY *****

Work Ord # : 12492

1	A10058 430525 AUTOPULSE Z-10 CONTROL SYSTEM, RED	EA	1,169.00	1,169.00
1	A12014 430529 RELAY MODULE FIRE SUPPRESSION SYSTEM	EA	190.50	190.50
1	A12070 430687 2 AMP COIL SUPERVISE	EA	36.00	36.00
4	A12264 430559 PHOTO DETECTOR 2.8%ULI	EA	73.50	294.00
4	D20001 430567 DETECTOR BASE 2 - WIRE	EA	12.50	50.00
1	C34011 SERVICE CALL BY MIKE HRONEK WITH ANSUL FIRE CONTROL PANEL 4TH FLOOR DATA CENTER FOUND MAIN MOTHER BOARD BURNED	EA	85.00	85.00

(Continued on Page 2)

**VAN'S FIRE & SAFETY, INC.**

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Green Bay, WI 54307-2055
Phone:(920)494-3346*(800)242-6359

Telephone: (920) 494-3346

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Federal ID: 39-1144453

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Bill To:

CITY OF GREEN BAY
100 N. JEFFERSON ST.
ROOM 105 - CITY HALL
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Location

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4120433	03/01/19		3367	

Terms	Ship Via	Salesman
NET 15 DAYS		TONY J. LAPERRIERE

Quantity	Item/Description	Price	Extended
----------	------------------	-------	----------

(Page 2)

OUT IN ANSUL CONTROL PANEL
LABOR 02/25/2019

5	*NA LABOR - INSTALL NEW PANEL AND DEVICES	HR	85.00	425.00
1	A18001 ON SITE MOBILE SERVICE	EA	21.00	21.00

WE ACCEPT VISA-MASTERCARD-AMERICAN EXPRESS-DISCOVER CARD

PLEASE INCLUDE SECURITY CODE FROM BACK OF CARD

☐  MASTERCARD	☐  VISA	☐  DISCOVER	☐  AMERICAN EXPRESS	AMOUNT
CARD NUMBER				SIGNATURE CODE
SIGNATURE				EXP DATE

Subtotal	2,270.50
Sales Tax	.00
Total Due On 03/16/19	2,270.50

1033 - 7th Street, Suite 3
East Moline, IL 61244-1465

Date	Invoice #
2/27/2019	33247

Bill To

City of Green Bay WI
Mike Hronek
100 North Jefferson
Green Bay, WI 54303

Ship To
City of Green Bay WI Mike Hronek 100 North Jefferson Green Bay, WI 54303

P.O. Number	Terms	Ship Date	Via	Sales Order #
Verbal Mike	Credit Card	2/27/2019	UPS RED	31950

[illegible]

Thank you for your business.

Total

\$124.96

Invoice

Page: 1

ACCESS CUSTOMER SUPPORT INC
844 EHLERS ROAD
NEENAH, WI 54956
(920) 729-5900

Invoice Number: 0002420-IN
Invoice Date: 2/18/2019
Salesperson: LEH
Customer Number: 00-GRNBAY

Work Order #: 1079

Sold To: Ship To:

CITY OF GREEN BAY
PURCHASING DEPARTMENT
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026

CITY OF GREEN BAY
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026

Confirm To:
MIKE HRONEK

Customer P.O. Terms

Signed Agreement Net 30

Item Number	Unit	Quantity	Price	Amount
-------------	------	----------	-------	--------

/M 525.00

Evaluate high head alarm
on Liebert AC system, tag 10784.

DO NOT WRITE

Form 38-0024-0303

EXP 8060

CVV

SIGN HERE

X

The issuer of the card identified on this item is authorized to pay the amount shown as TOTAL upon proper presentation. I promise to pay such TOTAL (together with any other charges due thereon) subject to and in accordance with the agreement governing the use of such card.

ABOVE THIS LINE

PLEASE DO NOT WRITE ABOVE THIS LINE				
QTY.	CLASS	DESCRIPTION	PRICE	AMOUNT
		Invoice 0002420-IN		525.00
DATE			AUTHORIZATION	SUB TOTAL
REFERENCE NO.			SERVER	TAX
ID-FOLIO / CHECK NO. / LIC. NO. STATE			CLERK	TIP
				MISC.
2080386			TOTAL	525.00

SALES SLIP ORIGINAL

Net Invoice:	525.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	525.00

Access Inc

Invoice SO #10191

Sold by mvanoss@access-inc.com

01/30/2019 at 09:28 am

Express Item - Base Price	\$628.95
----------------------------------	-----------------

Sub-total	\$628.95
-----------	----------

Tax	\$0.00
-----	--------

Total	\$628.95
--------------	-----------------

Phone in
Order

Sold to Mike H	\$628.95
-----------------------	-----------------

Visa *8060 (Keyed)

Auth Code: 063433

Pump COND DUAL FLOAT

Access Inc

23400 Commerce Drive

Farmington Hills, AK 48335

248.616.9200

Picking Sheet

Warehouse: 000 WISCONSIN

Order Number: 0010191

Customer Number: 00-GRNBAY

Order Date: 1/30/2019

Salesperson: LEH

Sold To:

CITY OF GREEN BAY
PURCHASING DEPARTMENT
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026
Confirm To: GENE HONZIK

Ship To:

CITY OF GREEN BAY
100 N JEFFERSON STREET RM416
ATTN: MIKE
GREEN BAY, WI 54301-5026

Customer P.O.
CREDIT CARD

Ship VIA
UPS

F. O. B.

Terms
Net 30

Location	Item Number	Unit	Ordered	Shipped	Backordered
	LZ-1A19271P1S	EACH	1	1	0
PUMP COND DUAL FLOAT REPLACES					

ACCENT

844 Ehlers Road
Neenah, WI 54956-1415
Phone: (920) 729-5900

Invoice

Invoice Number: 0039795-IN
Invoice Date: 1/29/2019

Order Number: 0010074
Order Date 1/22/2019
Salesperson: LEH
Customer Number: 00-GRNBAY

Sold To:
CITY OF GREEN BAY
PURCHASING DEPARTMENT
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026

Ship To:
CITY OF GREEN BAY
100 N JEFFERSON STREET RM 416
GREEN BAY, WI 54301

Customer P.O. GENE	Ship VIA BESTWAY	F.O.B.	Terms Net 30			
Item Number	Unit	Ordered	Shipped	Back Ordered	Price	Amount
LZ-H-0450S	EACH	1	1	0	12.07	12.07
SAFETY SWT THERM (QTY 2)						
M# BE061G-CAEI5816						
S# N08D740103						

DO NOT WRITE

mihehr@greenbaywi.com

920448 3427

visa

4185 5950

5020 0000

019 21 0000

Auth# 089003

code 796

EXPIRATION

☐ DATE

☐ CHECKED

SIGN HERE

x Per phone call

THE ISSUER OF THE CARD IDENTIFIED ON THIS SLIP IS AUTHORIZED TO PAY THE AMOUNT SHOWN AS TOTAL UPON PROPER PRESENTATION. I PROMISE TO PAY SUCH TOTAL (TOGETHER WITH ANY OTHER CHARGES DUE THEREON) SUBJECT TO AND IN ACCORDANCE WITH THE AGREEMENT GOVERNING THE USE OF SUCH CARD.

PLEASE DO NOT WRITE ABOVE THIS LINE

QTY	CLASS	DESCRIPTION	PRICE	AMOUNT
		INV# 0039795 IN		
DATE		AUTHORIZATION	SUB TOTAL	
REFERENCE NO.		SERVER	TAX	
ID-FOLIO/CHECK NO./LIC.NO.STATE	REG./DEPT.	CLERK	TIP	
			MISC.	
2395518			TOTAL	26 17

SALES SLIP ORIGINAL

Please Remit Payment To: Access, Inc., 844 Ehlers Road, Neenah, WI 54956

Net Invoice:	12.07
Less Discount:	0.00
Freight:	14.10
Sales Tax:	0.00
Invoice Total	26.17

Original



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # M.2.

To approve the request from the Finance Director for contingency funding of \$12,500 for a comprehensive Financial Management Planning report using an outside service.

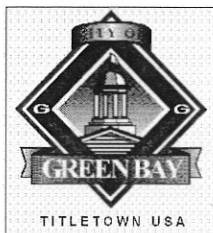
BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. FMP - Ehlers contingency request



CITY OF GREEN BAY MEMO

TO: Members of the Finance Committee

FROM: Diana Ellenbecker, Finance Director

SUBJECT: Financial Management Plan

DATE: March 12, 2019

Finance Committee members:

This communication is to discuss with possible action on a request from the Finance Director to approve funding to complete a Financial Management Planning (FMP).

Ehlers proposes to assist the City of Green Bay to prepare a FMP for \$18,750.

Ehlers is an industry-leading municipal advisor firm servicing Minnesota, Wisconsin, Colorado, and Kansas since 1955. They work with more than 1,500 local governments, schools and public agencies. Ehlers leverages centuries of combined experience and specialized expertise to deliver innovative, fully-integrated public finance solutions that help governments and public agencies build strong, vibrant and sustainable communities.

Scope of work:

- Confirm City's planning objective and gather required information.
- Prepare a Client Based financial planning model to include:
 - Credit Profile Evaluation – analysis of Moody's credit rating to help identify areas of strength and potential weakness in the City's profile
 - Valuation Forecast – project growth in equalized value, and anticipate potential for timing of new development based on current projects, and impact of TID closures will be considered
 - Fund Forecast – will forecast revenues and expenditures for future budget planning for the funds receiving direct levy support
 - Capital Planning Model – using department's Capital Improvement requests to prepare various models including the funding sources to create a comprehensive 5-year CIP

- Debt Model – use current debt service schedule and project future tax levy requirements for general fund and other funding sources. Project debt financing required for capital improvement plan.
- Consolidated Tax Levy and Rate Projection Model – forecast future tax levy required to support the General, Capital, Debt, and other levy supported funds. Projected future levy requirements will be tested against Levy Limits and Expenditure Restraint.
- Include several workshops to present data, observations, findings, alternatives and recommendations, and to seek input during the process
- Final Report – receive a summary report that includes and explains all primary elements of the forecast model. Report will include key observations and recommendations, including modifications to policies if needed.

Total compensation for these services is \$18,750 not budgeted.

- \$12,500 from 2019 Contingency account
- \$6,500 from debt service fund

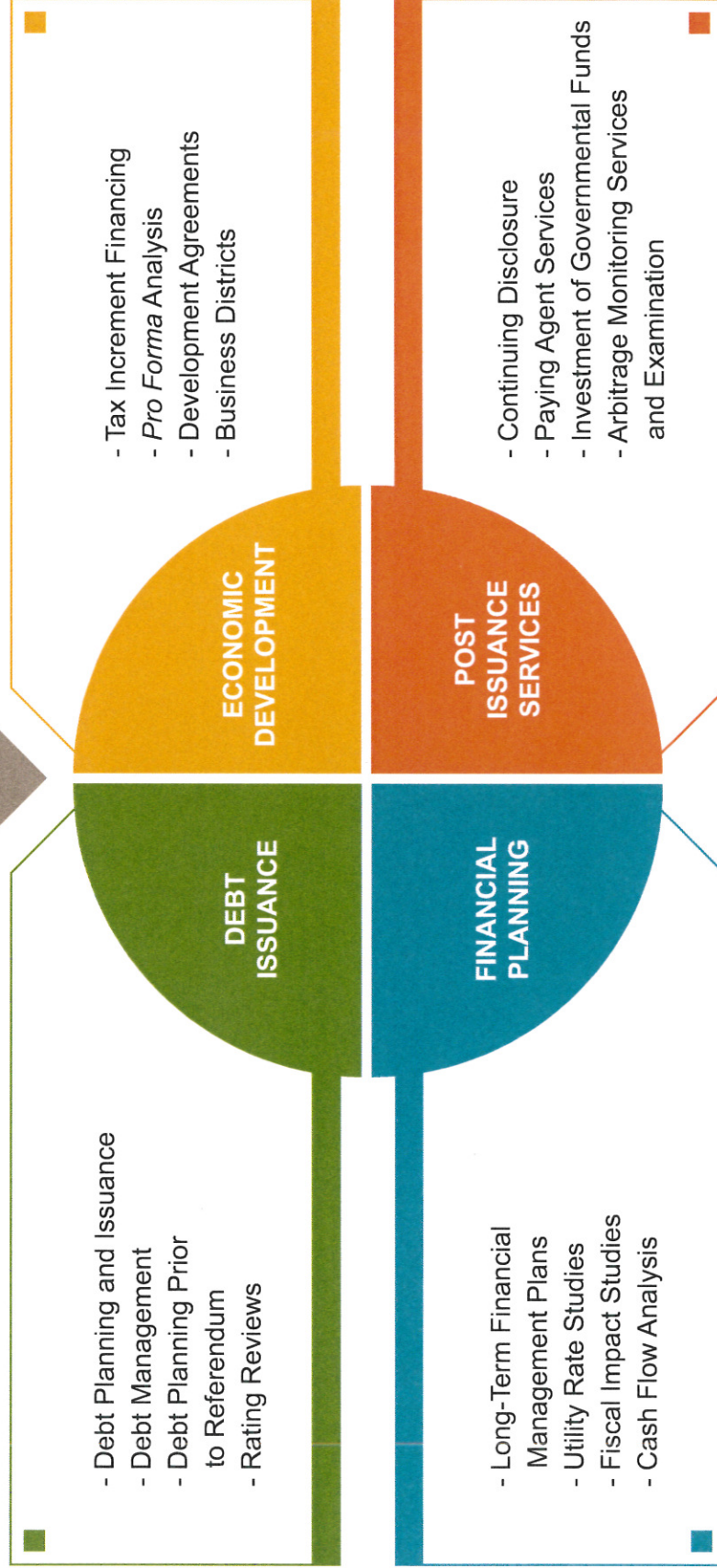
Timing:

- If funding is approved at 3/19/19 Common Council meeting, the process of sharing information with Ehlers could start shortly after
- Generally speaking about 120 days to Final report
- Estimated June bond issuance

We request \$12,500 contingency to help move the City of Green Bay forward to have a comprehensive analysis of our Financials. With the external expertise and years of experience provided by Ehlers this widespread project can be completed faster than city staff could produce.



BUILDING FINANCIALLY SUSTAINABLE COMMUNITIES



Appendix B

Financial Management Planning Services

Scope of Service

Client has requested that Ehlers to prepare a Financial Management Plan ("Project"). Ehlers proposes and agrees to provide the following scope of services:

Confirm Planning Objectives

- Prior to commencing the work, we will review our approach with Client staff to ensure that we have a full understanding of the Client's objectives, any particular areas of concern or focus, and desired process outcomes. If necessary, we can modify our Scope of Services to meet specific Client needs.

Gather Required Information

- To complete our work, we will need to gather certain information which may include: prior year audits and budgets (generally five years); current year budget; capital improvement plans; existing debt service schedules and allocations; strategic planning documents; staffing plans; and policies pertaining to fund balance, debt management; post-issuance compliance and financial management (Ehlers may already have some or all of this information on file).

Prepare Financial Model

- Based on the Client's objectives and the information available, we will prepare a Client-specific Excel based financial planning model that includes:
 - Credit Profile Evaluation. An assessment of selected financial, debt and demographic indicators will be prepared comparing Client to the State wide median indicators for its rating peer group, and to other governmental entities of comparable size or location. If applicable, the assessment will also include a comparison with the medians of the next higher rating classification and to representative governmental entities in that class. Analysis will be provided to identify areas of strength and potential weakness in the Client's credit profile.
 - Valuation Forecast. We will project growth in equalized value based on historical valuation trends, and anticipated potential for and timing of new development based on Client input. If applicable, "TID IN" and "TID OUT" forecasts will be provided. The impact of TID closure will be considered based on Client direction. One or more potential growth scenarios may be modeled based on Client's objectives.
 - Fund Forecasts. We will forecast revenues and expenditures the following funds based on prior year budgetary trends These are the funds receiving direct levy support per your 2017 financial statements. . Based on the Client's objectives and the information available to us, one or more alternate fund forecasts may be developed to reflect adjustments to service levels and staffing.

- General Fund
 - Debt Service Fund
 - Capital Improvement Fund
 - Community Development Fund
 - Information Fund
 - Police Equipment Replacement
 - Fire Equipment Replacement Fund
 - Park Equipment Replacement Fund
- Capital Planning Model. Using Client's capital improvement plans, we will prepare one or more models identifying funding sources for identified projects. Fund balances, tax levy, debt proceeds, and annual revenues will be evaluated as funding sources.
 - Debt Model. We will prepare a current debt service schedule including projected debt abatement sources and tax levy requirements. To the extent that debt financing is required for capital improvement projects, the projected impact of that financing will be modeled. The model will also forecast debt limit capacity utilization and the projected impact of future debt obligations on selected debt profile indicators (for General Obligation debt).
 - Consolidated Tax Levy and Rate Projection Model. A summary forecast will be provided that projects the future tax levy that would be required to support the General Fund, Capital Projects Fund, Debt Service Fund, and other levy supported funds. Based on the valuation projection model, a forecasted equalized tax rate will be provided. Future levy requirements will be tested against applicable levy and rate limits. A similar summary forecast will be provided for any enterprise funds included in the model, and will include a projection of any additional revenue requirements needed to support the forecast.

Conduct Staff Workshops

- A total of 3 to 4 workshops will be conducted concurrent with development of the financial model. The purpose of the workshops will be to present key data, observations, findings, alternatives and recommendations, and to seek input of key staff at periodic intervals before the model is finalized. Specific workshop dates, and the points at which they occur in the process, will be established in consultation with the Client based on the objectives of Client, the availability of the key staff, and the availability of information needed to complete the plan. Workshop duration is typically two hours, with three to four week intervals between workshops.

Final Report

- Following completion of the model and workshops, we will prepare a summary report that includes and explains all primary elements of the forecast model. The report will include a summary of key observations and recommendations. If applicable, we will recommend

modifications to existing Client policies pertaining to fund balance, debt management; post-issuance compliance and financial management.

Compensation

In return for the services set forth in the "Scope of Service," Client agrees to compensate Ehlers in the amount of \$18,750. Should the City like to include an analysis of any or all Tax Increment District (TIF) Funds requiring support from the General Fund, the fee would increase an additional \$750 per each TIF. We base this on a per TIF basis to give you the flexibility to determine which TIF's you would like included.

For any service directed by Client and not covered by this, or another applicable Appendix, Ehlers will bill Client at an hourly rate that is dependent upon the task/staff required to meet Client request at no less than \$125.00/hour and not to exceed \$300.00/hour.

Payment for Services

For all compensation due to Ehlers, Ehlers will invoice Client for the amount due at the completion of the work. Our fees include our normal travel, printing, computer services, and mail/delivery charges. The invoice is due and payable upon receipt by the Client.

**RESOLUTION AUTHORIZING
TRANSFER OF FUNDS**

March 19, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of March 12, 2019, the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101099-59001 Contingency	\$ 12,500.00
To:	101100-53001 Finance – Contractual Services Financial Management Planning (FMP)	\$ 12,500.00

Adopted _____

Approved _____

Mayor

Clerk



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # M.3.

To approve a resolution authorizing transfer of 2019 budgeted revenue and expenses between accounts.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Resolution - Authorizing Transfer of Funds 2019 Revenues for PRF

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

MARCH 19, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of March 12, 2019, the following transfer of 2019 budget is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:		
101620	46914 TSA CONCESSION REVENUE	\$3,643.00
101620	54072 TSA CONCESSION EXPENSE	(\$1,494.00)
101620	56202 TSA PROPANE EXPENSE	(\$2,000.00)
101620	59013 TSA CASH OVER AND SHORT	(\$20.00)
101640	53038 RECREATION CREDIT CARD FEES	(\$12,200.00)
To:		
101640	46911 REC CONCESSIONS REVENUE	(\$3,643.00)
101640	54072 REC CONCESSIONS EXPENSE	\$1,494.00
101630	56202 PARKS PROPANE EXPENSE	\$2,000.00
101640	59013 REC CASH OVER AND SHORT	\$20.00
101600	53038 PRF ADMIN CREDIT CARD FEES	\$12,200.00

Adopted _____

Approved _____

Mayor

Clerk



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # M.4.

To receive and place on file the request that the City of Green Bay Sustainability Commission Renewable Energy work plan be referred to the Finance Committee and Finance Director to review cost estimates associated with this work plan. Renewable energy is very expensive so having a transition plan to move toward renewable energy for the City of Green Bay will require large capital budget requests at a time when the City can't afford these costs.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Sustainability Communication

3/5/19 - Late Communication from Alderman John S. Vander Leest

Request that the City of Green Bay Sustainability Commission Renewable Energy work plan be referred to the Finance Committee and Finance Director to review cost estimates associated with this work plan. Renewable energy is very expensive so having a transition plan to move toward renewable energy for the City of Green Bay will require large capital budget requests at a time when the City can't afford these costs.



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # M.5.

To have Staff move forward as directed in closed session on the Notice of Decision from the US Dept of the Interior regarding the intent to take land into trust – Kolb parcel.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

I. INTENT TO TAKE INTO TRUST



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Midwest Regional Office
Norman Pointe II
5600 American Boulevard West, Suite 500
Bloomington, Minnesota 55437

RECEIVED
MAR 11 2019

IN REPLY REFER TO:
Division of Fee to Trust
Kolb

MAR - 7 2019

NOTICE OF DECISION INTENT TO TAKE INTO TRUST

CERTIFIED MAIL – RETURN RECEIPT REQUESTED: 91 7199 9991 7038 0545 2642

Honorable Tehassi Hill
Chairman, Oneida Nation
Post Office Box 365
Oneida, Wisconsin 54155

Dear Chairman Hill:

On June 20, 2017 the Oneida Nation (hereinafter “Nation”), submitted a fee-to-trust application¹ for land known as Kolb parcel (hereinafter “subject parcel”), which is located in Brown County, Wisconsin. We have consulted with the local and state governments as required and have completed our analysis of the application and all comments received. This letter serves as our *Notice of Decision* to approve the application and to acquire the land in trust status on behalf of the Nation.

Specifically, this fee-to-trust acquisition is supported by the Oneida Nation Tribal Resolution No. 7-5-06-K, dated July 5, 2006. The following is the legal description of the Kolb parcel:

Lot Twelve (12) and the South 3 feet of Lot Eleven (11), according to the recorded Plat of Hazelwood Heights; said Plat being part of the Northeast Quarter (NE ¼) of Section Thirty-two (32), Township Twenty-four (24) North, Range Twenty (20) East of the Fourth Principal Meridian, in the City of Green Bay, West side of Fox River, Brown County, Wisconsin, containing 0.29 acres more or less.

Property Address: 1965-1967 Belmont Drive Green Bay, WI 54304
Tax Parcel Number: 6H-2453

Regulatory Authority

The applicable regulations are set forth in the Code of Federal Regulations (CFR) Title 25, INDIANS, Part 151, as amended. The regulations specify that it is the Secretary’s policy to

¹ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, (Acting) Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

accept lands “in trust” for the benefit of Tribes² when such acquisition is authorized by an Act of Congress; and, (1) when such lands are within the exterior boundaries of the Tribe’s reservation, or adjacent thereto, or within a Tribal consolidation area; or (2) when the Tribe already owns an interest in the land; or (3) when the Secretary determines that the land is necessary to facilitate Tribal self-determination, economic development, or Indian housing.³

Analysis of maps provided with the application show the subject parcel to be within the exterior boundary of the reservation. Also, this acquisition facilitates Indian housing. Thus, the request for trust status is within the land acquisition policy as set forth by the Secretary of the Interior.

Accordingly, pursuant to 25 CFR § 151.10, *On-reservation acquisitions*, we are required to provide notice to state and local governments, and then consider the following criteria in evaluating requests for the acquisition of land in trust status when the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

- (a) The existence of statutory authority;
- (b) Need of the tribe for additional land;
- (c) The purpose for which the land will be used;
- (e) Impact on the State and its political subdivisions resulting from removal of the land from the tax rolls;
- (f) Jurisdictional problems and potential conflicts of land use which may arise;
- (g) Whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status; and
- (h) Compliance with 516 DM 6, Appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations.

25 CFR § 151.10 – Notice and Comments

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state and local governments that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local governments respond within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision.⁴

On June 20, 2017, the City of Green Bay, Brown County, and the State of Wisconsin were consulted to solicit comments regarding potential impacts as a result of removal of this property from the tax rolls.⁵

² A “tribe” is any group of Indians recognized by the Secretary as eligible for the programs and services from the Bureau of Indian Affairs. The Nation is currently listed as eligible to receive services from BIA. See 25 CFR § 151.2(b) and 84 Fed. Reg. 1202 (February 1, 2019).

³ 25 CFR § 151.3.

⁴ 25 CFR § 151.10.

⁵ Notice of (Non-Gaming) Land Acquisition, (June 20, 2017) (on file with the Midwest Regional Office).

On, August 18, 2017, the City of Green Bay provided written response to the Notice of Application (NOA).⁶ The City provided information regarding property taxes, the impact of loss of tax revenue, special assessments, services provided, and zoning. Specifically, the City provided the following information and comments:

- The amount of property taxes levied on the properties for 2016;
- Removal of these properties from the tax rolls has a severe impact on the City's tax revenue;
- There are well over 150 properties currently located within the city representing "millions upon millions of dollars in assessed values";
- The community is divided because of an "inequitable tax burden" and jurisdictional checkerboarding;
- The city's operating expense is not reduced regardless of ownership or trust status, services are still required;
- There are no outstanding special assessments on the property;
- The City currently provides all standard public works services to the property, and residents are entitled to use and benefit from all public services regardless of taxation status;
- The Service Agreement between the city and the Nation, adopted in 2009, was terminated in April 2016. Consequently, the city is without means of mitigating impact to the city and the city's residents;
- There is great potential for land use conflicts; one of the primary reasons for terminating the 2009 service agreement was difficulty ensuring consistent land use;
- The city's enforcement of zoning restrictions has been limited, and the piecemeal application of zoning restrictions results in a non-cohesive residential community;
- The properties should not be removed from the tax rolls until a workable solution is implemented.

Comments from the City were forwarded to the Nation.⁷ On March 5, 2018, the Nation provided a single response letter⁸ for nine pending applications located within Green Bay; one of the nine properties listed are included in this decision and described above. No comments were received from the State of Wisconsin or Brown County for the June 20, 2017 NOA.

25 CFR § 151.10 (a) – Statutory authority for the acquisition of the property.

The subject parcel is eligible for trust acquisition pursuant to Section 5 of the Indian Reorganization Act (IRA) of June 18, 1934, now codified as 25 U.S.C. § 5108. Section 5 of the IRA authorizes the Secretary of the Interior, or the authorized representative, to acquire land for the benefit of recognized Indian Tribes. A Tribe must be recognized at the time of the Secretary

⁶ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office). The city provided a single response letter for nine pending applications located within Green Bay; one of the nine properties listed are included in this decision and described above.

⁷ Letter from Scott Sufficool, Acting Regional Director, BIA, Midwest Regional Office, to Tehassi Hill, Chairman, Oneida Nation (January 3, 2018) (on file with the Midwest Regional Office).

⁸ Letter from Kelly M. McAndrews, Oneida Law Office, to Scott Sufficool, Interim Director, BIA, Midwest Regional Office (March 5, 2018) (on file with the Midwest Regional Office).

of the Interior decides to take land into trust pursuant to the IRA.⁹ Because the Oneida Nation is currently listed as a federally recognized tribe eligible to receive services from the Bureau of Indian Affairs,¹⁰ the “recognized” requirement of Section 19 of the IRA is satisfied.¹¹

Also, on February 24, 2009, the United States Supreme Court issued its decision in Carcieri v. Salazar, 555 U.S. 379 (2009). The decision held that Congress granted discretionary authority to the Secretary of the Interior under the Indian Reorganization Act (IRA) to acquire land-in-trust for Indian tribes. To acquire land-in-trust pursuant to 25 U.S.C. § 5108, a tribe must have been “under Federal jurisdiction” at the time the IRA was passed in June 1934.

The Interior Board of Indian Appeals recently held that one bright-line test for determining whether a tribe was under Federal jurisdiction in 1934 turns on whether an IRA election was held for a tribe.¹² Additionally, on March 12, 2014, the Office of the Solicitor issued an Opinion on the meaning of “under federal jurisdiction” for purposes of the IRA, which states that the “calling of a Section 18 election for an Indian Tribe between 1934 and 1936 should unambiguously and conclusively establish that the United States understood that the particular tribe was under federal jurisdiction in 1934.”¹³ According to the Opinion, IRA elections held between 1934 and 1936 are “such an example of unambiguous federal actions that obviate the need to examine the tribe’s history prior to 1934.”¹⁴

On December 15, 1934, a Federal election was held by the Department of Interior for the Oneidas to vote on whether to reject the IRA (IRA election).¹⁵ Because the Secretary held an IRA election for the nation in 1934, we conclude that the Nation was under Federal jurisdiction at the time the IRA was enacted and that the Secretary of Interior is authorized, pursuant to 25 U.S.C. § 5108, to take land into trust for the tribe.

Further, in 2013 the Interior Board of Indian Appeals (IBIA) held that the Oneida Nation “was under Federal jurisdiction at the time IRA was enacted and the Regional Director is authorized pursuant to 25 U.S.C. § [5108] to take land into trust for the Tribe.”¹⁶

⁹ Memo from the Office of the Solicitor to the Secretary of the Interior, re: The Meaning of “Under Federal Jurisdiction” for Purposes of the Indian Reorganization Act, M-37029 at 25 (March 12, 2014) (“A tribe need only be “recognized” at the time the statute is applied”).

¹⁰ List of entities eligible to receive services from BIA, 84 Fed. Reg. 1202 (February 1, 2019).

¹¹ Memo from the Office of the Solicitor to the Secretary of the Interior, re: The Meaning of “Under Federal Jurisdiction” for Purposes of the Indian Reorganization Act, M-37029 at 25 (March 12, 2014).

¹² Shawano County, Wisconsin v. Acting Midwest Regional Director, BIA, 53 IBIA 62, 71-72 (2011).

¹³ Memo from the Office of the Solicitor to the Secretary of the Interior, re: The Meaning of “Under Federal Jurisdiction” for Purposes of the Indian Reorganization Act, M-37029 at 25 (March 12, 2014).

¹⁴ Id.

¹⁵ Ten Years of Tribal Government Under I.R.A., Theodore H., Haas, United States Indian Service (1947).

¹⁶ Village of Hobart, Wisconsin v. Acting Midwest Regional Director, BIA, 57 IBIA 4, 22 (2013).

25 CFR § 151.10 (b) – The need of the Tribe for additional land.

The fee-to-trust land acquisition regulations require the BIA to consider the Tribe's need for additional land. Currently, there are approximately 14,182.60 acres held in trust¹⁷ for the Nation and approximately 17,268 tribal members.¹⁸

The subject parcel was allotted land lost by the Oneida Nation through the General Allotment Act and repurchased by the Nation in 1995 to expand the Nation's land base. The application states that "returning the land to its original status as inalienable, to forever be held by the United States for the benefit of the Oneida Nation, ensures that tribal investments within the Oneida Reservation will never be lost." This acquisition will "expand Oneida Nation land base and provide a future site for continued residential use."¹⁹

We have determined that the Nation has established a need for additional land, supported by the Nation's obligation to provide housing for tribal members.

25 CFR § 151.10 (c) – Purpose for which the property will be used.

The fee-to-trust land acquisition regulations require the BIA to consider the purpose for which the land will be used. In examining the purpose(s) or use(s), the BIA "must first determine the current use of the property, then ascertain the Tribe's plans for the property," which not only "facilitates a clear understanding for BIA of how the property will be used for purposes of determining whether to grant the fee-to-trust applications, but also assists local jurisdictions in their planning for any ongoing services that may be needed and in commenting on a proposed fee-to-trust land acquisition."²⁰ Considering the purpose for which the land will be used "also informs and facilitates BIA's consideration of whether there may be jurisdictional or land use conflicts (§ 151.10 (f)) and determines the level of environmental review required under the National Environmental Policy Act (NEPA)."²¹

The purpose for the land acquisition is clearly stated in the Nation's application, the parcel has "historically...been used for residential purposes" and will "provide a future site for continued residential use."²²

¹⁷ Trust Asset Accounting & Management System, List of Tribally Owned Tracts Report, (February 25, 2019). Tribally owned fractional interests in allotted tracts were not included.

¹⁸ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

¹⁹ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

²⁰ Thurston County, Nebraska v. Great Plains Regional Director, BIA, 56 IBIA 296, 307 (2013).

²¹ Id. at 308.

²² Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

25 CFR § 151.10 (e) – Impact on the State and its political subdivisions resulting from the removal of this property from the tax rolls.

The NOA provides State and local governments the opportunity to submit comments regarding the proposed trust acquisition in the areas of regulatory jurisdiction, real property taxes, and special assessments. In its response to the NOA, the City states that it would realize \$11,263.81 for tax year 2016 from the subject properties.²³

According to the 2017 Town, Village and City Taxes Report, the County's property tax levy was \$90,676,736 and the City's levy was \$26,695,175.²⁴ The gross property tax charged against the subject parcel for 2017 was \$4,320.60,²⁵ of which the County received \$787.60²⁶ and the City received \$1585.40.²⁷

Jurisdiction	Total Tax	% Levy
Brown County	\$787.60	0.000869%
City of Green Bay	\$1585.40	0.005939%

The city states that there are no outstanding special assessments on the property.²⁸ Additionally, on December 17, 2018, updated tax records²⁹ were retrieved for the subject parcel; which concurred with the city's statement that there are currently no delinquent past due assessments assigned to this property.

The city also states that although the removal of each individual property from the tax rolls has "a negligible impact on the city's operations," the removal of all of these properties will have a "severe impact on the City's tax revenue" and "inequitable tax burden among Green Bay residents." The City states that there are well over 150 trust properties located within the City of

²³ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office). The city provided a single response letter for nine pending applications located within Green Bay; one of the nine properties listed is included in this decision and described above.

²⁴ Wisconsin Department of Revenue Division of State and Local Finance Bureau of Local Government Services, Town, Village and City Taxes levied in 2017 and collected in 2018 (on file with the Midwest Regional Office).

²⁵ Brown County, WI Property Tax Record for parcel No. 6H-2453 (December 17, 2018), <http://www.public.applications.co.brown.wi.us/treas/landrecordssearch/entryform.asp> (on file with the Midwest Regional Office).

²⁶ Email from Lauren Hartman, Oneida Nation, to Pamela Butterfield, Realty Specialist, BIA, Midwest Regional Office (October 24, 2018) (on file with the Midwest Regional Office).

²⁷ *Id.*

²⁸ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office).

²⁹ Brown County, WI Property Tax Record for parcel No. 6H-2453 (December 17, 2018), <http://www.public.applications.co.brown.wi.us/treas/landrecordssearch/entryform.asp> (on file with the Midwest Regional Office).

Green Bay that are currently held in trust, and which represent “millions upon millions of dollars in assessed values removed from the tax rolls.”³⁰

The BIA is only required to consider the present impact on the tax rolls of a proposed acquisition, i.e., the taxes currently assessed.³¹ The city will experience a reduction to their tax base of 0.005939% respectively, when calculated based on the tax bill and levy.

25 CFR § 151.10 (f) – Jurisdictional problems and potential conflicts of land use.

In accordance with 25 CFR Part 151, BIA must consider jurisdictional problems or potential conflicts but is not required to resolve those problems or issues.³² The subject parcel contains 0.29 acres,³³ currently being used³⁴ and zoned³⁵ Low Density Residential (R-1). The City has stated that there is currently no incompatible zoning.³⁶

The city provided a list of services it currently provides to the property, including solid waste/recycling collection, seasonal yard waste/snow removal, street maintenance and repair, water/sewer service, use and benefit from public parks, recreational facilities, law enforcement, community policing, fire, inspections, and neighborhood services.³⁷ The City has stated that operating expenses will not be reduced regardless of ownership or trust status, since services are still required.³⁸

Direct services provided by the Nation for tribal members and their families include social services program that offers alcohol, tobacco, and other drug abuse (AODA) counseling, mental health counseling, Indian Child Welfare, Tribal Child Support, catastrophic funding, domestic abuse program, emergency food and shelter, and a child placement program. Other direct services provided by the Nation for tribal members and their families include: waste and recycling pickup, health care, elderly services, public safety, education and library services, recreation programs, public works, utilities, public transportation, housing, and mortgage loans and rentals.³⁹

The Nation provides many community services to non-tribal residents of the Oneida reservation. Services provided by the Oneida Police Department include first responders, traffic violations,

³⁰ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office).

³¹ City of Eagle Butte, South Dakota v. Acting Great Plains Regional Director, BIA, 49 IBIA 75, 81-82 (2009).

³² Thurston County, Nebraska v. Great Plains Regional Director, BIA, 56 IBIA 296, 307 (2013).

³³ Leon W. Chmura, Acting Chief Cadastral Surveyor, Bureau of Land Management, Land Description Review Certificate (May 7, 2018) (on file with the Midwest Regional Office).

³⁴ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

³⁵ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2018) (on file with the Midwest Regional Office).

³⁶ Id.

³⁷ Id.

³⁸ Id.

³⁹ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

criminal arrests, investigations, pick-ups and transportation. The Nation does not receive any reimbursement for these services. Fines from traffic tickets issued by the Nation go to the county and/or state. The Nation also provides utility services (sewer and water) within the Oneida Sanitary District. Parks and recreation areas have been constructed and maintained by the Nation for the benefit of tribal and non-tribal residents. Additionally, the environmental programs of the Nation (such as, non-tribal land-use hunting permits, protection of endangered species, and wetland/woodland/habitat restoration) benefit all residents of the Reservation, including non-tribal members.⁴⁰

The Nation has entered into a law enforcement agreement for mutual aid with the City of Green Bay.⁴¹ Fire protection services also will be provided by the City of Green Bay.⁴² Additionally, Brown County has an executed service agreement with the Nation for the sole purpose of enhancing emergency response services throughout the County.⁴³ On May 29, 2008, the Oneida Nation and Brown County entered into a service agreement which includes mutual aid in the form of back-up/secondary assistance for police, ambulance, emergency medical or rescue services.⁴⁴

On March 9, 2009, the Oneida Nation and the City of Green Bay entered into a service agreement, which included mutual aid for secondary assistance in law enforcement and emergency services. On September 25, 2015, the Nation received a request from the City of Green Bay to meet to negotiate the existing 2009 Service Agreement amendment. An amendment was not executed and the agreement was unilaterally terminated by the City of Green Bay.⁴⁵

The City also states that “a piecemeal application of zoning restrictions results in disjointed neighborhoods...” and this is “counterproductive to... a cohesive community in the residential neighborhoods at issue here.” The “checkerboard” pattern of jurisdiction, however, is an “awkward” but “familiar feature of American government;” in fact, “federal facilities of all sorts, ranging from post offices to military bases, are scattered throughout the United States...a similar scatter is common throughout Indian Country.”⁴⁶ The City’s assertions concerning jurisdictional problems are insufficient to show that trust acquisition of this land would alter that pattern or worsen any existing problems with the pattern.”⁴⁷

⁴⁰ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

⁴¹ Law Enforcement Mutual Aid Agreement between Oneida Nation in Wisconsin and City of Green Bay, (October 16, 1996) (on file with the Midwest Regional Office).

⁴² Email from James Bittdorf, Attorney, Oneida Nation (June 8, 2016) (on file with the Midwest Regional Office).

⁴³ Exchange of Services Agreement between Oneida Tribe of Indians of Wisconsin and Brown County, (September 17, 2012) (on file with the Midwest Regional Office).

⁴⁴ Service Agreement between Oneida Tribe of Indians of Wisconsin and Brown County, (May 29, 2008 (amended September 18, 2008 and July 2, 2010)) (on file with the Midwest Regional Office).

⁴⁵ Letter from Kelly M. McAndrews, Oneida Law Office, to Scott Sufficool, Interim Director, BIA, Midwest Regional Office (March 5, 2018) (on file with the Midwest Regional Office).

⁴⁶ Oneida Tribe of Indians of Wis. v. Village of Hobart, 732 F.3d 837, 839 (7th Cir. 2013).

⁴⁷ Ziebach County, South Dakota v. Acting Great Plains Regional Director, Bureau of Indian Affairs, 38 IBIA 227, 231 (2002).

Since there is no change in land use, and the Nation has intergovernmental agreements in place to cover the provision of services to trust property, we do not foresee any jurisdictional problems or potential land use conflicts.

25 CFR § 151.10 (g) – Is the Bureau of Indian Affairs (BIA) equipped to discharge the additional responsibilities and duties resulting from the acquisition of this land in trust status.

The Great Lakes Agency, BIA has reviewed the trust application for the parcel of land identified as the Kolb Fee to Trust Acquisition and determined they will be able to discharge the additional responsibilities associated with the acceptance of land into trust. The subject parcel is located in Brown County, Wisconsin, and consist of 0.29 acres. The following staff located at the Great Lakes Agency, are readily available to assist the Tribe in their proposed uses of the property:

- Four Realty Specialists in the Branch of Realty, who are responsible for the overall administration and protection of Indian Trust land Resources;
- Eight foresters, one fire management officer, and one fire operations specialist in the Branch of Forestry, who are responsible for managing and protecting reservation forests;
- Nine engineers/technicians in the Branch of Roads, who are responsible for the maintenance and construction of BIA roads and bridges to provide a safe and adequate transportation system to Indian Reservations; and
- An Environmental Protection Specialist.

In addition, there are realty specialists, foresters, road engineers/technicians, and environmental specialists in the Midwest Regional Office who are available for additional consultations and guidance in the overall protection and management of these lands.

Any additional responsibilities resulting from the transaction are foreseen to be minimal. Acceptance of this property in trust status will not impose any significant additional responsibilities or burdens upon the Great Lakes Agency beyond those already inherent in the federal trusteeship over the existing trust lands.⁴⁸

25 CFR § 151.10 (h) – Environmental Hazards.⁴⁹

National Environmental Policy Act Compliance

No further compliance with NEPA is required. The BIA-Midwest Region Office (BIA-MRO) determined that no change in land use is anticipated; therefore, the Kolb contemplated Fee-to-Trust acquisition will not have a significant effect on the quality of the human environment (individually or cumulatively) and neither an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) is required (40 CFR 1508.4; 43 CFR 46.205) and can be categorically excluded. BIA-MRO issued the Categorical Exclusion on October 25, 2017.

⁴⁸ Memo from Kimberly Bouchard, Superintendent, BIA, Great Lakes Agency, to Timothy LaPointe, Regional Director, BIA, Midwest Regional Office (December 14, 2018) (on file with the Midwest Regional Office).

⁴⁹ Memo from Martin Lorenzo, Environmental Protection Specialist, BIA, Midwest Regional Office, to Russell Baker, Supervisory Realty Specialist, BIA, Midwest Regional Office (April 10, 2018) (on file with the Midwest Regional Office).

National Historic Preservation Act (NHPA) Compliance

No further compliance with NHPA is required. The BIA-MRO determined that the Kolb parcel trust acquisition does not have the potential to cause effects on historic properties [36 CFR 800.3 (a) (1)]. The BIA-MRO issued this determination on October 24, 2017.

Endangered Species Act (ESA) Compliance

No further compliance with ESA is required. The Nation recognizes the US Fish and Wildlife Services (USFWS) Information for Planning and Consultation (IPaC) Report for a listing of Threatened and Endangered Species for each defined project area. BIA-MRO also reviews the IPaC report in consultation and determination of Threatened and Endangered Species. The BIA-MRO determined that the Kolb parcel trust acquisition supports a "No Effect" determination based on the intent of the Nation to maintain current land use. The BIA-MRO issued this determination on October 25, 2017.

602 DM 2 using ASTM International E 1527-13

Recognized Environmental Conditions (RECs) were not found on the Kolb parcel. This assertion is supported by the following assessment(s) dated: 10/25/2017 (Initial) and 4/9/2018 (Update 1) Phase I Environmental Site Assessment(s) (ESA) for the Kolb property prepared by BIA-MRO.

In accordance with 602 DM 2, an additional pre-acquisition Phase I ESA will be completed within 180 days prior to the acquisition of title and acceptance into trust status.

Conclusion

Based on the foregoing, we issue notice of our intent to accept the Kolb parcel into trust status. Title will vest in the United States of America in trust for the Oneida Nation, in accordance with Section 5 of the Indian Reorganization Act of 1934 (IRA), 25 U.S.C. § 5108, provided the Nation delivers marketable title to the property in a manner as required in 25 CFR Part 151, Land Acquisition Regulations. In accordance with 25 CFR § 151.13, we have requested an examination of the title evidence by the Office of the Field Solicitor, Bloomington, Minnesota, to determine whether title to the parcel is marketable. The parcel will not be accepted in trust until all identified title exceptions have been met.

Appeal Rights

This decision may be appealed to the Interior Board of Indian Appeals, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203, in accordance with 43 CFR §§ 4.310-4.340. Your notice of appeal to the Board must be signed by you or your attorney and **must be mailed within 30 days of the date that you receive this decision**. It should clearly identify the decision being appealed. If possible, attach a copy of the decision. You must send copies of your notice of appeal to (1) the Assistant Secretary – Indian Affairs, 1849 C Street, N.W., Washington, D.C. 20240; (2) each interested party known to you, and (3) this office. Your notice of appeal sent to the Board of Indian Appeals must certify that you have sent copies to these parties. If you file a notice of appeal, the Board of Indian Appeals will notify you of further appeal procedures.

If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.

Please do not hesitate to contact Pamela Butterfield, Acting Realty Specialist at (612) 725-4536 if you have any questions or need additional information. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy LaBonté". The signature is fluid and cursive, with a long horizontal stroke at the end.

Regional Director

CC: BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED:

Office of the Governor of Wisconsin
Post Office Box 7863
115 East State Capitol
Madison, Wisconsin 53702

91 7199 9991 7038 0545 2455

Office of the Executive
Brown County
Post Office Box 23600
Green Bay, Wisconsin 53707

91 7199 9991 7038 0545 2448

Office of the Mayor
City of Green Bay
100 North Jefferson Street Rm. 106
Green Bay, Wisconsin 54301-5026

91 7199 9991 7038 0680 2815

CC: BY FIRST CLASS MAIL:

Jo Anne House, Chief Counsel
Oneida Law Office
N7210 Seminary Road
Post Office Box 109
Oneida, Wisconsin 54155

Patrick Pelky, (acting) Director
Division of Land Management
Oneida Nation
Post Office Box 365
Oneida, Wisconsin 54155

Superintendent, Great Lakes Agency
Bureau of Indian Affairs
916 West Lake Shore Drive
Ashland, Wisconsin 54806



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # M.6.

To approve the Report of the Claims Committee.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Claims Committee Rpt February 2019



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Midwest Regional Office

Norman Pointe II

5600 American Boulevard West, Suite 500

Bloomington, Minnesota 55437

RECEIVED
MAR 18 2019

MAR 12 2019

IN REPLY REFER TO:
Division of Fee to Trust
Bruss

NOTICE OF DECISION INTENT TO TAKE INTO TRUST

CERTIFIED MAIL – RETURN RECEIPT REQUESTED: 91 7199 9991 7039 3137 6120

Honorable Tehassi Hill
Chairman, Oneida Nation
Post Office Box 365
Oneida, Wisconsin 54155

Dear Chairman Hill:

On June 20, 2017 the Oneida Nation (hereinafter “Nation”), submitted a fee-to-trust application¹ for land known as Bruss parcel (hereinafter “subject parcel”), which is located in Brown County, Wisconsin. We have consulted with the local and state governments as required and have completed our analysis of the application and all comments received. This letter serves as our *Notice of Decision* to approve the application and to acquire the land in trust status on behalf of the Nation.

Specifically, this fee-to-trust acquisition is supported by the Oneida Nation Tribal Resolution No. 5-24-06-DD, dated May 24, 2006. The following is the legal description of the Bruss parcel:

Lot Nineteen (19), according to the recorded Plat of the Dunes, in the City of Green Bay, Brown County, Wisconsin, containing 0.25 acres more or less.

Property Address: 3064 Ferndale Green Bay, WI 54313
Tax Parcel Number: 6H-2729

Regulatory Authority

The applicable regulations are set forth in the Code of Federal Regulations (CFR) Title 25, INDIANS, Part 151, as amended. The regulations specify that it is the Secretary of the Interior’s (hereinafter “Secretary”) policy to accept lands “in trust” for the benefit of Tribes² when such

¹ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, (Acting) Regional Director, Bureau of Indian Affairs (BIA), Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

² A “tribe” is any group of Indians recognized by the Secretary as eligible for the programs and services from the BIA. The Nation is currently listed as eligible to receive services from the BIA. See 25 CFR § 151.2(b) and 84 Fed. Reg. 1202 (February 1, 2019).

acquisition is authorized by an Act of Congress; and, (1) when such lands are within the exterior boundaries of the Tribe's reservation, or adjacent thereto, or within a Tribal consolidation area; or (2) when the Tribe already owns an interest in the land; or (3) when the Secretary determines that the land is necessary to facilitate Tribal self-determination, economic development, or Indian housing.³

Analysis of maps provided with the application show the subject parcel to be within the exterior boundary of the reservation. Also, this acquisition facilitates Indian housing. Thus, the request for trust status is within the land acquisition policy as set forth by the Secretary of the Interior.

Accordingly, pursuant to 25 CFR § 151.10, *On-reservation acquisitions*, we are required to provide notice to state and local governments, and then consider the following criteria in evaluating requests for the acquisition of land in trust status when the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

- (a) The existence of statutory authority;
- (b) Need of the tribe for additional land;
- (c) The purpose for which the land will be used;
- (e) Impact on the State and its political subdivisions resulting from removal of the land from the tax rolls;
- (f) Jurisdictional problems and potential conflicts of land use which may arise;
- (g) Whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status; and
- (h) Compliance with 516 DM 6, Appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations.

25 CFR § 151.10 – Notice and Comments

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state and local governments that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local governments respond within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision.⁴

On June 20, 2017, the City of Green Bay, Brown County, and the State of Wisconsin were consulted to solicit comments regarding potential impacts as a result of removal of this property from the tax rolls.⁵

On, August 18, 2017, the City of Green Bay provided written response to the Notice of Application (NOA).⁶ The City provided information regarding property taxes, the impact of loss

³ 25 CFR § 151.3.

⁴ 25 CFR § 151.10.

⁵ Notice of (Non-Gaming) Land Acquisition, (June 20, 2017) (on file with the Midwest Regional Office).

of tax revenue, special assessments, services provided, and zoning. Specifically, the City provided the following information and comments:

- The amount of property taxes levied on the properties for 2016;
- Removal of these properties from the tax rolls has a severe impact on the City's tax revenue;
- There are well over 150 properties currently located within the city representing "millions upon millions of dollars in assessed values";
- The community is divided because of an "inequitable tax burden" and jurisdictional checkerboarding;
- The city's operating expense is not reduced regardless of ownership or trust status, services are still required;
- There are no outstanding special assessments on the property;
- The City currently provides all standard public works services to the property, and residents are entitled to use and benefit from all public services regardless of taxation status;
- The Service Agreement between the city and the Nation, adopted in 2009, was terminated in April 2016. Consequently, the city is without means of mitigating impact to the city and the city's residents;
- There is great potential for land use conflicts; one of the primary reasons for terminating the 2009 service agreement was difficulty ensuring consistent land use;
- The city's enforcement of zoning restrictions has been limited, and the piecemeal application of zoning restrictions results in a non-cohesive residential community;
- The properties should not be removed from the tax rolls until a workable solution is implemented.

Comments from the City were forwarded to the Nation.⁷ On March 5, 2018, the Nation provided a single response letter⁸ for nine pending applications located within Green Bay; one of the nine properties listed are included in this decision and described above. No comments were received from the State of Wisconsin or Brown County for the June 20, 2017 NOA.

25 CFR § 151.10 (a) – Statutory authority for the acquisition of the property.

The subject parcel is eligible for trust acquisition pursuant to Section 5 of the Indian Reorganization Act (IRA) of June 18, 1934, now codified as 25 U.S.C. § 5108. Section 5 of the IRA authorizes the Secretary of the Interior, or the authorized representative, to acquire land for the benefit of recognized Indian Tribes. A Tribe must be recognized at the time of the Secretary

⁶ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office). The city provided a single response letter for nine pending applications located within Green Bay; one of the nine properties listed are included in this decision and described above.

⁷ Letter from Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office, to Tehassi Hill, Chairman, Oneida Nation (January 3, 2018) (on file with the Midwest Regional Office).

⁸ Letter from Kelly M. McAndrews, Oneida Law Office, to Scott Sufficool, Interim Director, BIA, Midwest Regional Office (March 5, 2018) (on file with the Midwest Regional Office).

According to the 2017 Town, Village and City Taxes Report, the County's property tax levy was \$90,676,736 and the City's levy was \$26,695,175.²⁴ The gross property tax charged against the subject parcel for 2017 was \$3,742.70,²⁵ of which the County received \$682.30²⁶ and the City received \$1,373.30.²⁷

Jurisdiction	Total Tax	% Levy
Brown County	\$682.30	0.000752%
City of Green Bay	\$1,373.30	0.005144%

The city states that there are no outstanding special assessments on the property.²⁸ Additionally, on March 11, 2019, updated tax records²⁹ were retrieved for the subject parcel; which concurred with the city's statement that there are currently no delinquent past due assessments assigned to this property.

The city also states that although the removal of each individual property from the tax rolls has "a negligible impact on the city's operations," the removal of all of these properties will have a "severe impact on the City's tax revenue" and "inequitable tax burden among Green Bay residents." The City states that there are well over 150 trust properties located within the City of Green Bay that are currently held in trust, and which represent "millions upon millions of dollars in assessed values removed from the tax rolls."³⁰

The BIA is only required to consider the present impact on the tax rolls of a proposed acquisition, i.e., the taxes currently assessed.³¹ The city will experience a reduction to their tax base of 0.005144% respectively, when calculated based on the tax bill and levy.

response letter for nine pending applications located within Green Bay; one of the nine properties listed is included in this decision and described above. Letter stated that for tax 2016 \$11,263.81 but tax bills add to \$11,263.82.

²⁴ Wisconsin Department of Revenue Division of State and Local Finance Bureau of Local Government Services, Town, Village and City Taxes levied in 2017 and collected in 2018 (on file with the Midwest Regional Office).

²⁵ Brown County, WI Property Tax Record for parcel No. 6H-2729 (March 11, 2019), <http://www.public.applications.co.brown.wi.us/treas/landrecordssearch/entryform.asp> (on file with the Midwest Regional Office).

²⁶ Email from Lauren Hartman, Oneida Nation, to Pamela Butterfield, Realty Specialist, BIA, Midwest Regional Office (October 24, 2018) (on file with the Midwest Regional Office).

²⁷ Id.

²⁸ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office).

²⁹ Brown County, WI Property Tax Record for parcel No. 6H-2729 (March 11, 2019), <http://www.public.applications.co.brown.wi.us/treas/landrecordssearch/entryform.asp> (on file with the Midwest Regional Office).

³⁰ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office).

³¹ City of Eagle Butte, South Dakota v. Acting Great Plains Regional Director, BIA, 49 IBIA 75, 81-82 (2009).

25 CFR § 151.10 (f) – Jurisdictional problems and potential conflicts of land use.

In accordance with 25 CFR Part 151, BIA must consider jurisdictional problems or potential conflicts but is not required to resolve those problems or issues.³² The subject parcel contains 0.25 acres,³³ currently being used³⁴ and zoned³⁵ Low Density Residential (R-1). The City has stated that there is currently no incompatible zoning.³⁶

The city provided a list of services it currently provides to the property, including solid waste/recycling collection, seasonal yard waste/snow removal, street maintenance and repair, water/sewer service, use and benefit from public parks, recreational facilities, law enforcement, community policing, fire, inspections, and neighborhood services.³⁷ The City has stated that operating expenses will not be reduced regardless of ownership or trust status, since services are still required.³⁸

Direct services provided by the Nation for tribal members and their families include social services program that offers alcohol, tobacco, and other drug abuse (AODA) counseling, mental health counseling, Indian Child Welfare, Tribal Child Support, catastrophic funding, domestic abuse program, emergency food and shelter, and a child placement program. Other direct services provided by the Nation for tribal members and their families include: waste and recycling pickup, health care, elderly services, public safety, education and library services, recreation programs, public works, utilities, public transportation, housing, and mortgage loans and rentals.³⁹

The Nation provides many community services to non-tribal residents of the Oneida reservation. Services provided by the Oneida Police Department include first responders, traffic violations, criminal arrests, investigations, pick-ups and transportation. The Nation does not receive any reimbursement for these services. Fines from traffic tickets issued by the Nation go to the county and/or state. The Nation also provides utility services (sewer and water) within the Oneida Sanitary District. Parks and recreation areas have been constructed and maintained by the Nation for the benefit of tribal and non-tribal residents. Additionally, the environmental programs of the Nation (such as, non-tribal land-use hunting permits, protection of endangered species, and wetland/woodland/habitat restoration) benefit all residents of the Reservation, including non-tribal members.⁴⁰

³² Thurston County, Nebraska v. Great Plains Regional Director, BIA, 56 IBIA 296, 307 (2013).

³³ Leon W. Chmura, Acting Chief Cadastral Surveyor, Bureau of Land Management, Land Description Review Certificate (May 1, 2018) (on file with the Midwest Regional Office).

³⁴ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

³⁵ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2018) (on file with the Midwest Regional Office).

³⁶ Id.

³⁷ Id.

³⁸ Id.

³⁹ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

⁴⁰ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

The Nation has entered into a law enforcement agreement for mutual aid with the City of Green Bay.⁴¹ Fire protection services also will be provided by the City of Green Bay.⁴² Additionally, Brown County has an executed service agreement with the Nation for the sole purpose of enhancing emergency response services throughout the County.⁴³ On May 29, 2008, the Oneida Nation and Brown County entered into a service agreement which includes mutual aid in the form of back-up/secondary assistance for police, ambulance, emergency medical or rescue services.⁴⁴

On March 9, 2009, the Oneida Nation and the City of Green Bay entered into a service agreement, which included mutual aid for secondary assistance in law enforcement and emergency services. On September 25, 2015, the Nation received a request from the City of Green Bay to meet to negotiate the existing 2009 Service Agreement amendment. An amendment was not executed and the agreement was unilaterally terminated by the City of Green Bay.⁴⁵

The City also states that “a piecemeal application of zoning restrictions results in disjointed neighborhoods...” and this is “counterproductive to... a cohesive community in the residential neighborhoods at issue here.” The “checkerboard” pattern of jurisdiction, however, is an “awkward” but “familiar feature of American government;” in fact, “federal facilities of all sorts, ranging from post offices to military bases, are scattered throughout the United States...a similar scatter is common throughout Indian Country.”⁴⁶ The City’s assertions concerning jurisdictional problems are insufficient to show that trust acquisition of this land would alter that pattern or worsen any existing problems with the pattern.”⁴⁷

Since there is no change in land use, and the Nation has intergovernmental agreements in place to cover the provision of services to trust property, we do not foresee any jurisdictional problems or potential land use conflicts.

25 CFR § 151.10 (g) – Is the Bureau of Indian Affairs (BIA) equipped to discharge the additional responsibilities and duties resulting from the acquisition of this land in trust status.

The Great Lakes Agency, BIA has reviewed the trust application for the parcel of land identified as the Bruss Fee to Trust Acquisition and determined they will be able to discharge the additional responsibilities associated with the acceptance of land into trust. The subject parcel is located in

⁴¹ Law Enforcement Mutual Aid Agreement between Oneida Nation in Wisconsin and City of Green Bay, (October 16, 1996) (on file with the Midwest Regional Office).

⁴² Email from James Bittdorf, Attorney, Oneida Nation (June 8, 2016) (on file with the Midwest Regional Office).

⁴³ Exchange of Services Agreement between Oneida Tribe of Indians of Wisconsin and Brown County, (September 17, 2012) (on file with the Midwest Regional Office).

⁴⁴ Service Agreement between Oneida Tribe of Indians of Wisconsin and Brown County, (May 29, 2008 (amended September 18, 2008 and July 2, 2010)) (on file with the Midwest Regional Office).

⁴⁵ Letter from Kelly M. McAndrews, Oneida Law Office, to Scott Sufficool, Interim Director, BIA, Midwest Regional Office (March 5, 2018) (on file with the Midwest Regional Office).

⁴⁶ Oneida Tribe of Indians of Wis. v. Village of Hobart, 732 F.3d 837, 839 (7th Cir. 2013).

⁴⁷ Ziebach County, South Dakota v. Acting Great Plains Regional Director, Bureau of Indian Affairs, 38 IBIA 227, 231 (2002).

Brown County, Wisconsin, and consists of 0.25 acres. The following staff located at the Great Lakes Agency, are readily available to assist the Tribe in their proposed uses of the property:

- Four Realty Specialists in the Branch of Realty, who are responsible for the overall administration and protection of Indian Trust land Resources;
- Eight foresters, one fire management officer, and one fire operations specialist in the Branch of Forestry, who are responsible for managing and protecting reservation forests;
- Nine engineers/technicians in the Branch of Roads, who are responsible for the maintenance and construction of BIA roads and bridges to provide a safe and adequate transportation system to Indian Reservations; and
- An Environmental Protection Specialist.

In addition, there are realty specialists, foresters, road engineers/technicians, and environmental specialists in the Midwest Regional Office who are available for additional consultations and guidance in the overall protection and management of these lands.

Pursuant to Public Law 93-638, as amended, the Nation has negotiated an agreement to assume responsibilities of various programs, service, functions and activities that normally are funded and/or flow through BIA. The programs that affect the level of need for services by the BIA are: Education and Job Training, Social Services, Conservation and Natural Resources, Economic and Community Development, Environmental Services, and Governmental and Administration. Included are activities that are under Forestry and Wildlife Management, Environmental Quality Services, Road Maintenance, Community Fire Protection, Real Estate Services, Rights Protection, Law Enforcement, and others.

Any additional responsibilities resulting from the transaction are foreseen to be minimal. Acceptance of this property in trust status will not impose any significant additional responsibilities or burdens upon the Great Lakes Agency beyond those already inherent in the federal trusteeship over the existing trust lands.⁴⁸

25 CFR § 151.10 (h) – Environmental Hazards.⁴⁹

National Environmental Policy Act Compliance

No further compliance with NEPA is required. The BIA-Midwest Region Office (BIA-MRO) determined that no change in land use is anticipated; therefore, the Bruss contemplated Fee-to-Trust acquisition will not have a significant effect on the quality of the human environment (individually or cumulatively) and neither an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) is required (40 CFR 1508.4; 43 CFR 46.205) and can be categorically excluded. BIA-MRO issued the Categorical Exclusion on October 17, 2017.

⁴⁸ Memo from Kimberly Bouchard, Superintendent, BIA, Great Lakes Agency, to Timothy LaPointe, Regional Director, BIA, Midwest Regional Office (March 11, 2019) (on file with the Midwest Regional Office).

⁴⁹ Memo from Martin Lorenzo, Environmental Protection Specialist, BIA, Midwest Regional Office, to Russell Baker, Supervisory Realty Specialist, BIA, Midwest Regional Office (October 17, 2017) (on file with the Midwest Regional Office).

National Historic Preservation Act (NHPA) Compliance

No further compliance with NHPA is required. The BIA-MRO determined that the Bruss parcel trust acquisition does not have the potential to cause effects on historic properties [36 CFR 800.3 (a) (1)]. The BIA-MRO issued this determination on October 17, 2017.

Endangered Species Act (ESA) Compliance

No further compliance with ESA is required. The Nation recognizes the US Fish and Wildlife Services (USFWS) Information for Planning and Consultation (IPaC) Report for a listing of Threatened and Endangered Species for each defined project area. BIA-MRO also reviews the IPaC report in consultation and determination of Threatened and Endangered Species. The BIA-MRO determined that the Bruss parcel trust acquisition supports a "No Effect" determination based on the intent of the Nation to maintain current land use. The BIA-MRO issued this determination on October 17, 2017.

602 DM 2 using ASTM International E 1527-13

Recognized Environmental Conditions (RECs) were not found on the Bruss parcel. This assertion is supported by the following assessment(s) dated: 10/17/2017 (Initial) and 4/16/2018 (Update 1) Phase I Environmental Site Assessment(s) (ESA) for the Bruss property prepared by BIA-MRO.

In accordance with 602 DM 2, an additional pre-acquisition Phase I ESA will be completed within 180 days prior to the acquisition of title and acceptance into trust status.

Conclusion

Based on the foregoing, we issue notice of our intent to accept the Bruss parcel into trust status. Title will vest in the United States of America in trust for the Oneida Nation, in accordance with Section 5 of the Indian Reorganization Act of 1934 (IRA), 25 U.S.C. § 5108, provided the Nation delivers marketable title to the property in a manner as required in 25 CFR Part 151, Land Acquisition Regulations. In accordance with 25 CFR § 151.13, we have requested an examination of the title evidence by the Office of the Field Solicitor, Bloomington, Minnesota, to determine whether title to the parcel is marketable. The parcel will not be accepted in trust until all identified title exceptions have been met.

Appeal Rights

This decision may be appealed to the Interior Board of Indian Appeals, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203, in accordance with 43 CFR §§ 4.310-4.340. Your notice of appeal to the Board must be signed by you or your attorney and **must be mailed within 30 days of the date that you receive this decision**. It should clearly identify the decision being appealed. If possible, attach a copy of the decision. You must send copies of your notice of appeal to (1) the Assistant Secretary – Indian Affairs, 1849 C Street, N.W., Washington, D.C. 20240; (2) each interested party known to you, and (3) this office. Your notice of appeal sent to the Board of Indian Appeals must certify that you have sent copies to these parties. If you file a notice of appeal, the Board of Indian Appeals will notify you of further appeal procedures.

If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.

Please do not hesitate to contact Pamela Butterfield, Acting Supervisory Realty Specialist at (612) 725-4536 if you have any questions or need additional information. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy L. Pinte". The signature is fluid and cursive, with the first name "Timothy" and last name "Pinte" clearly distinguishable.

Regional Director

CC: BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED:

Office of the Governor of Wisconsin	91 7199 9991 7039 3137 6113
Post Office Box 7863	
115 East State Capitol	
Madison, Wisconsin 53702	

Office of the Executive	91 7199 9991 7039 3137 6106
Brown County	
Post Office Box 23600	
Green Bay, Wisconsin 53707	

Office of the Mayor	91 7199 9991 7039 3137 6090
City of Green Bay	
100 North Jefferson Street Rm. 106	
Green Bay, Wisconsin 54301-5026	

CC: BY FIRST CLASS MAIL:

Jo Anne House, Chief Counsel
Oneida Law Office
N7210 Seminary Road
Post Office Box 109
Oneida, Wisconsin 54155

Patrick Pelky, (acting) Director
Division of Land Management
Oneida Nation
Post Office Box 365
Oneida, Wisconsin 54155

Superintendent, Great Lakes Agency
Bureau of Indian Affairs
916 West Lake Shore Drive
Ashland, Wisconsin 54806



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Midwest Regional Office
Norman Pointe II
5600 American Boulevard West, Suite 500
Bloomington, Minnesota 55437

RECEIVED
MAR 18 2019

IN REPLY REFER TO:
Division of Fee to Trust
Duquaine

MAR 12 2019

NOTICE OF DECISION INTENT TO TAKE INTO TRUST

CERTIFIED MAIL – RETURN RECEIPT REQUESTED: 91 7199 9991 7039 3137 6014

Honorable Tehassi Hill
Chairman, Oneida Nation
Post Office Box 365
Oneida, Wisconsin 54155

Dear Chairman Hill:

On June 20, 2017 the Oneida Nation (hereinafter “Nation”), submitted a fee-to-trust application¹ for land known as Duquaine parcel (hereinafter “subject parcel”), which is located in Brown County, Wisconsin. We have consulted with the local and state governments as required and have completed our analysis of the application and all comments received. This letter serves as our *Notice of Decision* to approve the application and to acquire the land in trust status on behalf of the Nation.

Specifically, this fee-to-trust acquisition is supported by the Oneida Nation Tribal Resolution No. 8-16-06-H, dated August 16, 2006. The following is the legal description of the Duquaine parcel:

Lot Thirty-eight (38), according to the recorded Plat of Desert Winds, said plat being part of Government Lot Fifteen (15) and part of the Northeast Quarter of the Southwest Quarter (NE ¼ of the SW ¼) of Section Thirty (30), Township Twenty-four (24) North, Range Twenty (20) East, of the Fourth Principal Meridian, in the City of Green Bay, West side of Fox River, Brown County, Wisconsin, containing 0.25 acres more or less.

Property Address: 3075 Cactus Avenue Green Bay, WI 54313
Tax Parcel Number: 6H-2994

¹ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, (Acting) Regional Director, Bureau of Indian Affairs (BIA), Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

Regulatory Authority

The applicable regulations are set forth in the Code of Federal Regulations (CFR) Title 25, INDIANS, Part 151, as amended. The regulations specify that it is the Secretary of the Interior's (hereinafter "Secretary") policy to accept lands "in trust" for the benefit of Tribes² when such acquisition is authorized by an Act of Congress; and, (1) when such lands are within the exterior boundaries of the Tribe's reservation, or adjacent thereto, or within a Tribal consolidation area; or (2) when the Tribe already owns an interest in the land; or (3) when the Secretary determines that the land is necessary to facilitate Tribal self-determination, economic development, or Indian housing.³

Analysis of maps provided with the application show the subject parcel to be within the exterior boundary of the reservation. Also, this acquisition facilitates Indian housing. Thus, the request for trust status is within the land acquisition policy as set forth by the Secretary of the Interior.

Accordingly, pursuant to 25 CFR § 151.10, *On-reservation acquisitions*, we are required to provide notice to state and local governments, and then consider the following criteria in evaluating requests for the acquisition of land in trust status when the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

- (a) The existence of statutory authority;
- (b) Need of the tribe for additional land;
- (c) The purpose for which the land will be used;
- (e) Impact on the State and its political subdivisions resulting from removal of the land from the tax rolls;
- (f) Jurisdictional problems and potential conflicts of land use which may arise;
- (g) Whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status; and
- (h) Compliance with 516 DM 6, Appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations.

25 CFR § 151.10 – Notice and Comments

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state and local governments that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local governments respond within a 30-day period, a copy of the comments will be

² A "tribe" is any group of Indians recognized by the Secretary as eligible for the programs and services from the Bureau of Indian Affairs (BIA). The Nation is currently listed as eligible to receive services from the BIA. See 25 CFR § 151.2(b) and 84 Fed. Reg. 1202 (February 1, 2019).

³ 25 CFR § 151.3.

provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision.⁴

On June 20, 2017, the City of Green Bay, Brown County, and the State of Wisconsin were consulted to solicit comments regarding potential impacts as a result of removal of this property from the tax rolls.⁵

On, August 18, 2017, the City of Green Bay provided written response to the Notice of Application (NOA).⁶ The City provided information regarding property taxes, the impact of loss of tax revenue, special assessments, services provided, and zoning. Specifically, the City provided the following information and comments:

- The amount of property taxes levied on the properties for 2016;
- Removal of these properties from the tax rolls has a severe impact on the City's tax revenue;
- There are well over 150 properties currently located within the city representing “millions upon millions of dollars in assessed values”;
- The community is divided because of an “inequitable tax burden” and jurisdictional checker boarding;
- The city’s operating expense is not reduced regardless of ownership or trust status, services are still required;
- There are no outstanding special assessments on the property;
- The City currently provides all standard public works services to the property, and residents are entitled to use and benefit from all public services regardless of taxation status;
- The Service Agreement between the city and the Nation, adopted in 2009, was terminated in April 2016. Consequently, the city is without means of mitigating impact to the city and the city's residents;
- There is great potential for land use conflicts; one of the primary reasons for terminating the 2009 service agreement was difficulty ensuring consistent land use;
- The city’s enforcement of zoning restrictions has been limited, and the piecemeal application of zoning restrictions results in a non-cohesive residential community;
- The properties should not be removed from the tax rolls until a workable solution is implemented.

Comments from the City were forwarded to the Nation.⁷ On March 5, 2018, the Nation provided a single response letter⁸ for nine pending applications located within Green Bay; one of the nine properties listed are included in this decision and described above. No comments were received from the State of Wisconsin or Brown County for the June 20, 2017 NOA.

⁴ 25 CFR § 151.10.

⁵ Notice of (Non-Gaming) Land Acquisition, (June 20, 2017) (on file with the Midwest Regional Office).

⁶ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office). The city provided a single response letter for nine pending applications located within Green Bay; one of the nine properties listed are included in this decision and described above.

⁷ Letter from Scott Sufficool, Acting Regional Director, BIA, Midwest Regional Office, to Tehassi Hill, Chairman, Oneida Nation (January 3, 2018) (on file with the Midwest Regional Office).

⁸ Letter from Kelly M. McAndrews, Oneida Law Office, to Scott Sufficool, Interim Director, BIA, Midwest Regional Office (March 5, 2018) (on file with the Midwest Regional Office).

25 CFR § 151.10 (a) – Statutory authority for the acquisition of the property.

The subject parcel is eligible for trust acquisition pursuant to Section 5 of the Indian Reorganization Act (IRA) of June 18, 1934, now codified as 25 U.S.C. § 5108. Section 5 of the IRA authorizes the Secretary of the Interior, or the authorized representative, to acquire land for the benefit of recognized Indian Tribes. A Tribe must be recognized at the time of the Secretary of the Interior decides to take land into trust pursuant to the IRA.⁹ Because the Oneida Nation is currently listed as a federally recognized tribe eligible to receive services from the Bureau of Indian Affairs,¹⁰ the “recognized” requirement of Section 19 of the IRA is satisfied.¹¹

Also, on February 24, 2009, the United States Supreme Court issued its decision in Carciere v. Salazar, 555 U.S. 379 (2009). The decision held that Congress granted discretionary authority to the Secretary of the Interior under the Indian Reorganization Act (IRA) to acquire land-in-trust for Indian tribes. To acquire land-in-trust pursuant to 25 U.S.C. § 5108, a tribe must have been “under Federal jurisdiction” at the time the IRA was passed in June 1934.

The Interior Board of Indian Appeals recently held that one bright-line test for determining whether a tribe was under Federal jurisdiction in 1934 turns on whether an IRA election was held for a tribe.¹² Additionally, on March 12, 2014, the Office of the Solicitor issued an Opinion on the meaning of “under federal jurisdiction” for purposes of the IRA, which states that the “calling of a Section 18 election for an Indian Tribe between 1934 and 1936 should unambiguously and conclusively establish that the United States understood that the particular tribe was under federal jurisdiction in 1934.”¹³ According to the Opinion, IRA elections held between 1934 and 1936 are “such an example of unambiguous federal actions that obviate the need to examine the tribe’s history prior to 1934.”¹⁴

On December 15, 1934, a Federal election was held by the Department of Interior for the Oneidas to vote on whether to reject the IRA (IRA election).¹⁵ Because the Secretary held an IRA election for the nation in 1934, we conclude that the Nation was under Federal jurisdiction at the time the IRA was enacted and that the Secretary of Interior is authorized, pursuant to 25 U.S.C. § 5108, to take land into trust for the tribe.

Further, in 2013 the Interior Board of Indian Appeals (IBIA) held that the Oneida Nation “was under Federal jurisdiction at the time IRA was enacted and the Regional Director is authorized pursuant to 25 U.S.C. § [5108] to take land into trust for the Tribe.”¹⁶

⁹ Memo from the Office of the Solicitor to the Secretary of the Interior, re: The Meaning of “Under Federal Jurisdiction” for Purposes of the Indian Reorganization Act, M-37029 at 25 (March 12, 2014) (“A tribe need only be “recognized” at the time the statute is applied”).

¹⁰ List of entities eligible to receive services from BIA, 84 Fed. Reg. 1202 (February 1, 2019).

¹¹ Memo from the Office of the Solicitor to the Secretary of the Interior, re: The Meaning of “Under Federal Jurisdiction” for Purposes of the Indian Reorganization Act, M-37029 at 25 (March 12, 2014).

¹² Shawano County, Wisconsin v. Acting Midwest Regional Director, BIA, 53 IBIA 62, 71-72 (2011).

¹³ Memo from the Office of the Solicitor to the Secretary of the Interior, re: The Meaning of “Under Federal Jurisdiction” for Purposes of the Indian Reorganization Act, M-37029 at 25 (March 12, 2014).

¹⁴ Id.

¹⁵ Ten Years of Tribal Government Under I.R.A., Theodore H. Haas, United States Indian Service (1947).

¹⁶ Village of Hobart, Wisconsin v. Acting Midwest Regional Director, BIA, 57 IBIA 4, 22 (2013).

25 CFR § 151.10 (b) – The need of the Tribe for additional land.

The fee-to-trust land acquisition regulations require the BIA to consider the Tribe's need for additional land. Currently, there are approximately 14,182.60 acres held in trust¹⁷ for the Nation and approximately 17,268 tribal members.¹⁸

The subject parcel was allotted land lost by the Oneida Nation through the General Allotment Act and repurchased by the Nation in 2004 to expand the Nation's land base. The application states that "returning the land to its original status as inalienable, to forever be held by the United States for the benefit of the Oneida Nation, ensures that tribal investments within the Oneida Reservation will never be lost." This acquisition will "expand Oneida Nation land base and provide a future site for continued residential use."¹⁹

We have determined that the Nation has established a need for additional land, supported by the Nation's obligation to provide housing for tribal members.

25 CFR § 151.10 (c) – Purpose for which the property will be used.

The fee-to-trust land acquisition regulations require the BIA to consider the purpose for which the land will be used. In examining the purpose(s) or use(s), the BIA "must first determine the current use of the property, then ascertain the Tribe's plans for the property," which not only "facilitates a clear understanding for BIA of how the property will be used for purposes of determining whether to grant the fee-to-trust applications, but also assists local jurisdictions in their planning for any ongoing services that may be needed and in commenting on a proposed fee-to-trust land acquisition."²⁰ Considering the purpose for which the land will be used "also informs and facilitates BIA's consideration of whether there may be jurisdictional or land use conflicts (§ 151.10 (f)) and determines the level of environmental review required under the National Environmental Policy Act (NEPA)."²¹

The purpose for the land acquisition is clearly stated in the Nation's application, the parcel has "historically...been used for residential purposes" and will "provide a future site for continued residential use."²²

25 CFR § 151.10 (e) – Impact on the State and its political subdivisions resulting from the removal of this property from the tax rolls.

The NOA provides State and local governments the opportunity to submit comments regarding the proposed trust acquisition in the areas of regulatory jurisdiction, real property taxes, and

¹⁷ Trust Asset Accounting & Management System, List of Tribally Owned Tracts Report, (February 25, 2019). Tribally owned fractional interests in allotted tracts were not included.

¹⁸ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

¹⁹ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

²⁰ Thurston County, Nebraska v. Great Plains Regional Director, BIA, 56 IBIA 296, 307 (2013).

²¹ Id at 308.

²² Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

special assessments. In its response to the NOA, the City states that it would realize \$11,263.82 for tax year 2016 from the subject properties.²³

According to the 2017 Town, Village and City Taxes Report, the County's property tax levy was \$90,676,736 and the City's levy was \$26,695,175.²⁴ The gross property tax charged against the subject parcel for 2017 was \$3,100.90,²⁵ of which the County received \$565.30²⁶ and the City received \$1,137.80.²⁷

Jurisdiction	Total Tax	% Levy
Brown County	\$565.30	0.000623%
City of Green Bay	\$1137.80	0.004262%

The city states that there are no outstanding special assessments on the property.²⁸ Additionally, on March 11, 2019, updated tax records²⁹ were retrieved for the subject parcel; which concurred with the city's statement that there are currently no delinquent past due assessments assigned to this property.

The city also states that although the removal of each individual property from the tax rolls has "a negligible impact on the city's operations," the removal of all of these properties will have a "severe impact on the City's tax revenue" and "inequitable tax burden among Green Bay residents." The City states that there are well over 150 trust properties located within the City of Green Bay that are currently held in trust, and which represent "millions upon millions of dollars in assessed values removed from the tax rolls."³⁰

²³ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office). The city provided a single response letter for nine pending applications located within Green Bay; one of the nine properties listed is included in this decision and described above. The city stated \$11,263.81 for tax year 2016, but the tax bills add up to \$11,263.82.

²⁴ Wisconsin Department of Revenue Division of State and Local Finance Bureau of Local Government Services, Town, Village and City Taxes levied in 2017 and collected in 2018 (on file with the Midwest Regional Office).

²⁵ Brown County, WI Property Tax Record for parcel No. 6H-2994 (March 11, 2019), <http://www.public.applications.co.brown.wi.us/treas/landrecordssearch/entryform.asp> (on file with the Midwest Regional Office).

²⁶ Email from Lauren Hartman, Oneida Nation, to Pamela Butterfield, Realty Specialist, BIA, Midwest Regional Office (October 24, 2018) (on file with the Midwest Regional Office).

²⁷ Id.

²⁸ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office).

²⁹ Brown County, WI Property Tax Record for parcel No. 6H-2994 (March 11, 2019), <http://www.public.applications.co.brown.wi.us/treas/landrecordssearch/entryform.asp> (on file with the Midwest Regional Office).

³⁰ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2017) (on file with the Midwest Regional Office).

The BIA is only required to consider the present impact on the tax rolls of a proposed acquisition, i.e., the taxes currently assessed.³¹ The city will experience a reduction to their tax base of 0.004262% respectively, when calculated based on the tax bill and levy.

25 CFR § 151.10 (f) – Jurisdictional problems and potential conflicts of land use.

In accordance with 25 CFR Part 151, BIA must consider jurisdictional problems or potential conflicts but is not required to resolve those problems or issues.³² The subject parcel contains 0.25 acres,³³ currently being used³⁴ and zoned³⁵ Low Density Residential (R-1). The City has stated that there is currently no incompatible zoning.³⁶

The city provided a list of services it currently provides to the property, including solid waste/recycling collection, seasonal yard waste/snow removal, street maintenance and repair, water/sewer service, use and benefit from public parks, recreational facilities, law enforcement, community policing, fire, inspections, and neighborhood services.³⁷ The City has stated that operating expenses will not be reduced regardless of ownership or trust status, since services are still required.³⁸

Direct services provided by the Nation for tribal members and their families include social services program that offers alcohol, tobacco, and other drug abuse (AODA) counseling, mental health counseling, Indian Child Welfare, Tribal Child Support, catastrophic funding, domestic abuse program, emergency food and shelter, and a child placement program. Other direct services provided by the Nation for tribal members and their families include: waste and recycling pickup, health care, elderly services, public safety, education and library services, recreation programs, public works, utilities, public transportation, housing, and mortgage loans and rentals.³⁹

The Nation provides many community services to non-tribal residents of the Oneida reservation. Services provided by the Oneida Police Department include first responders, traffic violations, criminal arrests, investigations, pick-ups and transportation. The Nation does not receive any reimbursement for these services. Fines from traffic tickets issued by the Nation go to the county and/or state. The Nation also provides utility services (sewer and water) within the Oneida Sanitary District. Parks and recreation areas have been constructed and maintained by the Nation for the benefit of tribal and non-tribal residents. Additionally, the environmental

³¹ City of Eagle Butte, South Dakota v. Acting Great Plains Regional Director, BIA, 49 IBIA 75, 81-82 (2009).

³² Thurston County, Nebraska v. Great Plains Regional Director, BIA, 56 IBIA 296, 307 (2013).

³³ Leon W. Chmura, Acting Chief Cadastral Surveyor, Bureau of Land Management, Land Description Review Certificate (May 1, 2018) (on file with the Midwest Regional Office).

³⁴ Letter from Cristina S. Danforth, Chairwoman, Oneida Nation, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (June 20, 2017) (on file with the Midwest Regional Office).

³⁵ Letter from Mayor James J. Schmitt, City of Green Bay, to Tammie Poitra, Acting Regional Director, BIA, Midwest Regional Office (August 18, 2018) (on file with the Midwest Regional Office).

³⁶ Id.

³⁷ Id.

³⁸ Id.

³⁹ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

programs of the Nation (such as, non-tribal land-use hunting permits, protection of endangered species, and wetland/woodland/habitat restoration) benefit all residents of the Reservation, including non-tribal members.⁴⁰

The Nation has entered into a law enforcement agreement for mutual aid with the City of Green Bay.⁴¹ Fire protection services also will be provided by the City of Green Bay.⁴² Additionally, Brown County has an executed service agreement with the Nation for the sole purpose of enhancing emergency response services throughout the County.⁴³ On May 29, 2008, the Oneida Nation and Brown County entered into a service agreement which includes mutual aid in the form of back-up/secondary assistance for police, ambulance, emergency medical or rescue services.⁴⁴

On March 9, 2009, the Oneida Nation and the City of Green Bay entered into a service agreement, which included mutual aid for secondary assistance in law enforcement and emergency services. On September 25, 2015, the Nation received a request from the City of Green Bay to meet to negotiate the existing 2009 Service Agreement amendment. An amendment was not executed and the agreement was unilaterally terminated by the City of Green Bay.⁴⁵

The City also states that “a piecemeal application of zoning restrictions results in disjointed neighborhoods...” and this is “counterproductive to... a cohesive community in the residential neighborhoods at issue here.” The “checkerboard” pattern of jurisdiction, however, is an “awkward” but “familiar feature of American government;” in fact, “federal facilities of all sorts, ranging from post offices to military bases, are scattered throughout the United States... a similar scatter is common throughout Indian Country.”⁴⁶ The City’s assertions concerning jurisdictional problems are insufficient to show that trust acquisition of this land would alter that pattern or worsen any existing problems with the pattern.⁴⁷

Since there is no change in land use, and the Nation has intergovernmental agreements in place to cover the provision of services to trust property, we do not foresee any jurisdictional problems or potential land use conflicts.

⁴⁰ Socioeconomic Conditions within the Reservation of the Oneida Nation, (April 4, 2018) (on file with the Midwest Regional Office).

⁴¹ Law Enforcement Mutual Aid Agreement between Oneida Nation in Wisconsin and City of Green Bay, (October 16, 1996) (on file with the Midwest Regional Office).

⁴² Email from James Bittdorf, Attorney, Oneida Nation (June 8, 2016) (on file with the Midwest Regional Office).

⁴³ Exchange of Services Agreement between Oneida Tribe of Indians of Wisconsin and Brown County, (September 17, 2012) (on file with the Midwest Regional Office).

⁴⁴ Service Agreement between Oneida Tribe of Indians of Wisconsin and Brown County, (May 29, 2008 (amended September 18, 2008 and July 2, 2010)) (on file with the Midwest Regional Office).

⁴⁵ Letter from Kelly M. McAndrews, Oneida Law Office, to Scott Sufficool, Interim Director, BIA, Midwest Regional Office (March 5, 2018) (on file with the Midwest Regional Office).

⁴⁶ Oneida Tribe of Indians of Wis. v. Village of Hobart, 732 F.3d 837, 839 (7th Cir. 2013).

⁴⁷ Ziebach County, South Dakota v. Acting Great Plains Regional Director, Bureau of Indian Affairs, 38 IBIA 227, 231 (2002).

25 CFR § 151.10 (g) – Is the Bureau of Indian Affairs (BIA) equipped to discharge the additional responsibilities and duties resulting from the acquisition of this land in trust status.

The Great Lakes Agency, BIA has reviewed the trust application for the parcel of land identified as the Duquaine Fee to Trust Acquisition and determined they will be able to discharge the additional responsibilities associated with the acceptance of land into trust. The subject parcel is located in Brown County, Wisconsin, and consist of 0.25 acres. The following staff located at the Great Lakes Agency, are readily available to assist the Tribe in their proposed uses of the property:

- Four Realty Specialists in the Branch of Realty, who are responsible for the overall administration and protection of Indian Trust land Resources;
- Eight foresters, one fire management officer, and one fire operations specialist in the Branch of Forestry, who are responsible for managing and protecting reservation forests;
- Nine engineers/technicians in the Branch of Roads, who are responsible for the maintenance and construction of BIA roads and bridges to provide a safe and adequate transportation system to Indian Reservations; and
- An Environmental Protection Specialist.

In addition, there are realty specialists, foresters, road engineers/technicians, and environmental specialists in the Midwest Regional Office who are available for additional consultations and guidance in the overall protection and management of these lands.

Pursuant to Public Law 93-638, as amended, the Tribe has negotiated an agreement to assume responsibilities of various programs, services, functions, and activities that normally are funded and/or flow through the BIA. The programs that affect the level of need for services by the BIA are: Education and Job Training, Social Services, Conservation and Natural Resources, Economic and Community Development, Environmental Services, and Government and Administration. Included are activities that are under Forestry and Wildlife Management, Environmental Quality Services, Road Maintenance, Community Fire Protection, Real Estate Services, Rights Protection, Law Enforcement, and others.

Any additional responsibilities resulting from the transaction are foreseen to be minimal. Acceptance of this property in trust status will not impose any significant additional responsibilities or burdens upon the Great Lakes Agency beyond those already inherent in the federal trusteeship over the existing trust lands.⁴⁸

25 CFR § 151.10 (h) – Environmental Hazards.⁴⁹

National Environmental Policy Act Compliance

No further compliance with NEPA is required. The BIA-Midwest Region Office (BIA-MRO) determined that no change in land use is anticipated; therefore, the Duquaine contemplated Fee-

⁴⁸ Memo from Kimberly Bouchard, Superintendent, BIA, Great Lakes Agency, to Timothy LaPointe, Regional Director, BIA, Midwest Regional Office (March 11, 2019) (on file with the Midwest Regional Office).

⁴⁹ Memo from Martin Lorenzo, Environmental Protection Specialist, BIA, Midwest Regional Office, to Russell Baker, Supervisory Realty Specialist, BIA, Midwest Regional Office (October 18, 2017) (on file with the Midwest Regional Office).

to-Trust acquisition will not have a significant effect on the quality of the human environment (individually or cumulatively) and neither an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) is required (40 CFR 1508.4; 43 CFR 46.205) and can be categorically excluded. BIA-MRO issued the Categorical Exclusion on October 18, 2017.

National Historic Preservation Act (NHPA) Compliance

No further compliance with NHPA is required. The BIA-MRO determined that the Duquaine parcel trust acquisition does not have the potential to cause effects on historic properties [36 CFR 800.3 (a) (1)]. The BIA-MRO issued this determination on October 18, 2017.

Endangered Species Act (ESA) Compliance

No further compliance with ESA is required. The Nation recognizes the US Fish and Wildlife Services (USFWS) Information for Planning and Consultation (IPaC) Report for a listing of Threatened and Endangered Species for each defined project area. BIA-MRO also reviews the IPaC report in consultation and determination of Threatened and Endangered Species. The BIA-MRO determined that the Duquaine parcel trust acquisition supports a "No Effect" determination based on the intent of the Nation to maintain current land use. The BIA-MRO issued this determination on October 18, 2017.

602 DM 2 using ASTM International E 1527-13

Recognized Environmental Conditions (RECs) were not found on the Duquaine parcel. This assertion is supported by the following assessment(s) dated: 10/18/2017 (Initial) and 4/17/2018 (Update 1) Phase I Environmental Site Assessment(s) (ESA) for the Duquaine property prepared by BIA-MRO.

In accordance with 602 DM 2, an additional pre-acquisition Phase I ESA will be completed within 180 days prior to the acquisition of title and acceptance into trust status.

Conclusion

Based on the foregoing, we issue notice of our intent to accept the Duquaine parcel into trust status. Title will vest in the United States of America in trust for the Oneida Nation, in accordance with Section 5 of the Indian Reorganization Act of 1934 (IRA), 25 U.S.C. § 5108, provided the Nation delivers marketable title to the property in a manner as required in 25 CFR Part 151, Land Acquisition Regulations. In accordance with 25 CFR § 151.13, we have requested an examination of the title evidence by the Office of the Field Solicitor, Bloomington, Minnesota, to determine whether title to the parcel is marketable. The parcel will not be accepted in trust until all identified title exceptions have been met.

Appeal Rights

This decision may be appealed to the Interior Board of Indian Appeals, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203, in accordance with 43 CFR §§ 4.310-4.340. Your notice of appeal to the Board must be signed by you or your attorney and **must be mailed within 30 days of the date that you receive this decision**. It should clearly identify the decision being appealed. If possible, attach a copy of the decision. You must send copies of your notice of appeal to (1) the Assistant Secretary – Indian Affairs, 1849 C Street, N.W., Washington, D.C.

20240; (2) each interested party known to you, and (3) this office. Your notice of appeal sent to the Board of Indian Appeals must certify that you have sent copies to these parties. If you file a notice of appeal, the Board of Indian Appeals will notify you of further appeal procedures.

If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.

Please do not hesitate to contact Pamela Butterfield, Acting Supervisory Realty Specialist at (612) 725-4536 if you have any questions or need additional information. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Safford". The signature is fluid and cursive, with a long horizontal stroke at the end.

Regional Director

CC: BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED:

Office of the Governor of Wisconsin Post Office Box 7863 115 East State Capitol Madison, Wisconsin 53702	91 7199 9991 7039 3137 6021
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Office of the Executive Brown County Post Office Box 23600 Green Bay, Wisconsin 53707	91 7199 9991 7039 3137 6038
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Office of the Mayor City of Green Bay 100 North Jefferson Street Rm. 106 Green Bay, Wisconsin 54301-5026	91 7199 9991 7039 3137 6045
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CC: BY FIRST CLASS MAIL:

Jo Anne House, Chief Counsel
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Patrick Pelky, (acting) Director
Division of Land Management
Oneida Nation
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Oneida, Wisconsin 54155

Superintendent, Great Lakes Agency
Bureau of Indian Affairs
916 West Lake Shore Drive
Ashland, Wisconsin 54806

Detail Summary of Projects Issued

2/1/2019 to 2/28/2019

Proj #	Address	Owner	Applicant	Fees Paid	Estimated \$	Status
76294	3492 MAYAPPLE DR..21-8140	BLUE VIPER LLC	DETRIE BUILDERS INC	\$1,347.02	\$250,000.00	Pending
[01-101 - Single Family House, Detached] New One Story Home w/Basement						
76295	1208 WOLVERINE CT..21-7375	LOUIS M & RACHEL A ULLMER	DAB CONSTRUCTION	\$1,343.96	\$300,000.00	Pending
[01-101 - Single Family House, Detached] New Two Story Home						
76210	1127 CHICAGO ST..14-1054	STEVEN M & PENNY S KAPE	COUNTERTOP SPECIALISTS	\$175.00	\$7,059.00	Pending
[02-434 - Single-Family Residential Building, Alteration] KITCHEN REMODEL						
76231	812 WAVERLY PL..1-1092	LANDKO FUTURE INVESTMENTS LLC	MATHY ELECTRIC	\$360.00	\$10,000.00	Pending
[02-434 - Single-Family Residential Building, Alteration] -ADD NEW RECEPES FOR KITCHEN, NEW WASHER, DRYER, BATHROOM RECEPES, CHANGE DEVICES						
-REMODEL ALREADY COMPLETED, DISCOVERD UPON ELECTRICAL ONLY INSPECTON - SEE NOTES						
Kitchen, bath remodel. New basement starircase. -New 2nd floor closet in bedroom.						
76246	3131 NICOLET DR..22-1607	JOEL M & KYLE P WOOD	JAMES KASSNER CONSTRUCTION, INC.	\$236.75	\$57,000.00	Pending
[02-434 - Single-Family Residential Building, Alteration]						
76261	822 MATHER ST..5-185	KEITH D DEWINTER	BLACK DIAMOND BUILDERS	\$75.00	\$4,000.00	Closed
[02-434 - Single-Family Residential Building, Alteration] PROJECT ALREADY COMPLETED PER 85339 COMPLAINT.						
76333	2514 PARKWOOD DR..6H-2476	BRIAN J & COURTNEY J KRABBE	BOB SKINKIS CARPENTRY	\$100.00	\$5,000.00	Pending
[02-434 - Single-Family Residential Building, Alteration] Bar area only, removing wall. TEARING DOWN ONE WALL AND ADDING SMALL BAR IN BASEMENT AREA. TOTAL AREA 75-100 SQ FT.						
76338	1124 S MONROE AV..16-77	JASON S & ELIZABETH J BOCHE	BIG FINN CONSTRUCTION	\$205.00	\$0.00	Pending
[02-434 - Single-Family Residential Building, Alteration] BATHROOMS ON 1ST AND 2ND FLOORS WHERE SECOND STAIRS WAS						
76362	148 N OAKLAND AV..4-178	LUKE D & ALEXA SIEBER	OWNER	\$150.00	\$0.00	Pending
[02-434 - Single-Family Residential Building, Alteration] Replace damaged drywall. Replace bathroom plumbing and fixtures. Plumb new washer hook ups, drain and dryer 230 V Line. Replace exterior window, install bathroom fan. Remove upstairs sink and cabinetry and cap drain and hookups.						
76384	1140 S RIDGE RD..6-650	BARRY J WAHLEN	DRURY DESIGNS	\$125.00	\$20,000.00	Pending
[02-434 - Single-Family Residential Building, Alteration] taking out wall. new cabinets and electrical						
76264	708-710 N WEBSTER AV..7-692	CITY OF GREEN BAY-CLERK	BEST ENTERPRISES, LLC	\$0.00	\$12,790.00	Pending
[05-645 - Raze Sungle-Family house(attached or detached)] 2 unit DEMOLITION OF HOUSE						
76265	820 N WEBSTER AV..7-38	CITY OF GREEN BAY-CLERK	BEST ENTERPRISES, LLC	\$0.00	\$14,110.00	Pending
[05-645 - Raze Sungle-Family house(attached or detached)] 2 UNIT						
76283	1135-1141 BROSIG ST..21-132-1	KOS HATCHERIES LLP	PAUL DAVIS RESTORATION	\$280.00	\$45,000.00	Pending
[10-434 - Multi-Family Residential Building Alteration] Full gut of apartment.						
76343	822 LIME KILN RD..21-1355-17	GREEN BAY FAMILY APT LLC	SID GRINKER RESTORATION, INC	\$260.00	\$0.00	Pending
[10-434 - Multi-Family Residential Building Alteration] PLUMBING, INSULATION, AND SHEET ROCK						
76323	1601 N QUINCY ST..20-684-A	GREEN BAY PACKAGING INC	MIRON CONSTRUCTION	\$490.00	\$0.00	Pending
[11-320 - Industrial buildings(factories, machine shops, paper mills, beverage plants, manufacturing plants, printing plants)]						

75181	2280 E MASON ST , Unit: Suite 300..21-126-1	GREEN BAY EAST LLC	GLAMOUR NAILS	\$2,100.00	\$35,000.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration] STOP WORK AND CEASE AND DESIST FOR BUSINESS1/10/19-PERMITS ISSUED 2/14/2019						
-NEED PLUMBING and HVAC PLANS-RECEIVED 2/14/2019						
75253	815 CHICAGO ST..14-639	NEIGHBORHOOD HOUSING SERVICES OF GREEN BAY INC	NEIGHBORWORKS	\$4,397.24	\$940,000.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration] Lower level and main level interior alterations						
76254	114 S BROADWAY..3-105	BOSLEY PROPERTIES LLC	JAMES J CARMES & SONS	\$916.83	\$0.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration] Change of Use, new resteraunt						
76269	2929 WALKER DR..21-163-1	BAYLAND PROPERTIES INC	KELLER, INC.	\$6,086.25	\$0.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration]						
76290	2265 MAIN ST..21-420-14	GLORIAN JOHNSON	TOM BRZOSKI	\$260.00	\$0.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration] Wall, Egress and Plumbing ADDING LIGHTIN IN NEW SHOWROOM, PAINTING, CARPETING - COUNTER REVIEW						
76299	215 N WEBSTER AV..9-112	WHITNEY SCHOOL DEVELOPMENT LLC	CD SMITH CONSTRUCTION	\$280.00	\$39,339.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration] Interior demo only with all trades demo also.						
76385	835 S VAN BUREN ST..16-293	ST VINCENT HOSPITAL	MIRON CONSTRUCTION	\$1,506.00	\$1,478,132.00	Pending
[12-437 - Commercial, Non-Residence, Non-Housekeeping, Alteration] 3200 per state letter remodel of existing space. Replace existing MRI and adding a second MRI						
76152	1265 LOMBARDI AV..1-1841-A	CITY OF GREEN BAY-CLERK	MIRON CONSTRUCTION	\$4,944.59	\$4,520,585.00	Pending
[13-437 - Addition to Commercial, Non-Residential Non-housekeeping] NEW STORAGE GARAGE, STORAGE AREA ADDITION, NEW SECURITY BUILDING AN DLOADING DOCK RAMP ACCESS AND VEHICLE GATE						
76187	2491 UNIVERSITY AV..21-1250	SRL2 INC	GAUTHIER & SONS CONSTRUCTION	\$240.00	\$16,000.00	Pending
[15-649 - Raze Commercial Building or other Structure] RAZE BUILDING						
76332	234 S WASHINGTON ST..13-2	HARP & EAGLE LTD	ST BRENDAN'S INN	\$140.00	\$0.00	Pending
[16-*** - Temporary Office or Trailer] TENT FOR ST PATRICKS DAY						
76387	2001 HOLMGREN WAY..1-1841-B-2	M W D M LLC	M W D M LLC	\$70.00	\$0.00	Pending
[16-*** - Temporary Office or Trailer] TENT EVENT FOR BBQ COOK OFF						
76284	1213 SHADOW LN..1-2220	COREY W BEHNKE	THOMPSON HOMES INC	\$389.17	\$250,000.00	Pending
[19-438 - Addition to Garage, Carport (Residential)] EC Permit approved						
76359	316 GRAY ST..5-1154	MARK DIETER	TE CONSTRUCTION LLC	\$50.00	\$1,125.00	Pending
[23-434 - Deck, Porch, Patio] RAILING REPLACEMENT						
76275	330 N PLATTEN ST..5-1327-F	RODNEY J & KATHLEEN M BROSIG	QUINN & SONS CONCRETE	\$50.00	\$8,600.00	Closed
[35-*** - Driveway Expansion] ALREADY COMPLETED PER 88391.						
76336	2594 PARKWOOD DR..6H-2515	JEFFREY & JOY FRICKE	A TO Z QUALITY FENCING	\$50.00	\$5,000.00	Pending
[36-*** - Fence] 58' OF 6' PRIVACY FENCE ON WEST LOT LINE. 69' OF OPEN PICKET 4' FENCING ON NORTH AND EAST END OF YARD WITH A 4' GATE. 29' OF OPEN PICKET 4' FENCING ON SOUTH SIDE OF YARD CONNECTING NEW PRIVACY WITH EDGE OF HOUSE.						
75710	711 HINKLE ST..6H-1626	F & O PARTNERSHIP LLP	CREATIVE SIGN COMPANY	\$110.00	\$17,160.00	Pending
[37-329 - Signs]						
76245	2030 UNIVERSITY AV..21-2224-1	PIT ROW INC	QUICK SIGNS	\$154.31	\$2,200.00	Pending
[37-329 - Signs] Replace two existing individual letter wall signs with new 15 sf (1.5' X 9.58') illuminated box wall signs on north and west facades in entrance gables						
76248	2590 UNIVERSITY AV..21-2455	PIT ROW INC	QUICK SIGNS	\$154.31	\$2,200.00	Pending
[37-329 - Signs] Replace two existing individual letter signs with two 15 sf (1.5' X 9.58') internally illumunated box signs above the entrances on the north and west facades						

76258	1799 ELIZABETH ST..21-627-1 [37-329 - Signs] ALUMINUM PANEL WITH SIGN FOAM	SRL2 INC	GRAPHIC HOUSE, INC	\$120.86	\$15,000.00	Pending
76270	1053 VELD AV..18-800-1 [37-329 - Signs]	STONE RIDGE HOLDINGS LLC	OWNER	\$121.40	\$2,080.00	Pending
76274	325 E WALNUT ST..12-152-A [37-329 - Signs] REVISED WALL SIGN - CHERRY STREET FRONTAGE	BROWN COUNTY	COLORTECH OF WISCONSIN	\$82.89	\$2,400.00	Pending
76309	139 N MAPLE AV..4-258 [40-*** - Sanitary Sewers] REPAIR SEWER BETWEEN THE SIDEWALK AND THE CURB	NEILL B & LOUISE L GILBERTSON	MATT'S SERVICES	\$30.00	\$2,495.00	Closed
76312	618 SUNNYCREST ST..21-819-26 [44-*** - Water heaters/Appliances] REPLACE WATER HEATHER WITH A POWER VENT, BECAUSE THE ONE THAT WAS THERE IS NOT DONE PROPERLY.	DARLA J HEIN	BENO PLUMBING	\$30.00	\$2,000.00	Pending
76316	1871 SHAWANO AV..6-256 [44-*** - Water heaters/Appliances] WATER HEATER	KT REAL ESTATE HOLDINGS LLC	EDWIN C GAROT CO	\$70.00	\$4,500.00	Closed
76317	411 BADER ST..21-2678-T-16-A [44-*** - Water heaters/Appliances] WATER HEATER	THOMAS R & TERESA A ADAMS	NEWCAP, INC.	\$30.00	\$0.00	Closed
76324	1415 ARGONNE DR..6-299-A-3 [44-*** - Water heaters/Appliances] WATER HEATER	JEROME J & REBECCA JANE GLAESER	THORN PLUMBING, INC	\$30.00	\$0.00	Closed
76330	919-921 SCHOEN ST..21-2860 [44-*** - Water heaters/Appliances] WATER HEATERS (2)	DAVE M & PAULA M LINTNER	NEWCAP, INC.	\$60.00	\$0.00	Pending
76345	122 S PLATTEN ST..6-261 [44-*** - Water heaters/Appliances] WATER HEATER	BRIAN J WESLOW	NEWCAP, INC.	\$30.00	\$0.00	Pending
76347	2232 MACCAUX DR..21-2144-M-19 [44-*** - Water heaters/Appliances] WATER HEATER	TONG LEE	NEWCAP, INC.	\$30.00	\$0.00	Pending
76351	885 SHAWANO AV..3-876-1 [44-*** - Water heaters/Appliances] WATER HEATERS (2)	CITY OF GREEN BAY-CLERK	EDWIN C GAROT CO	\$0.00	\$2,400.00	Pending
76357	1222 ROYAL BLVD..18-1045 [44-*** - Water heaters/Appliances] WATER HEATER AND TUB REPLACEMENT	CREATIVE EDGE PROPERTIES LLC	ALL PHAZE	\$50.00	\$1,500.00	Pending
76390	307 OAK ST..3-795 [44-*** - Water heaters/Appliances] WATER HEATER	JPTR LLC	NEWCAP, INC.	\$30.00	\$0.00	Pending
76276	2783 GREENBRIER RD..21-158 [46-*** - Electrical Service Change] CHANGE SERVICE FROM 100 AMP SERVICE OVERHEAD TO 100 AMP SERVICE UNDERGROUND. FROM FARMHOUSE LOCATED ON AURORA PROPERTY	BAYCARE AURORA LLC	FAITH TECHNOLOGIES	\$50.00	\$3,000.00	Closed
76302	1100 N BROADWAY..18-428 [46-*** - Electrical Service Change]	NORTHLAND COLD STORAGE INC	VOS ELECTRIC	\$140.00	\$0.00	Pending
76307	208 S MAPLE AV..3-388 [46-*** - Electrical Service Change] UPGRADING FROM 100 TO 200 AMP	DONALD R KESERICH	D&K ELECTRICAL SOLUTIONS	\$50.00	\$2,800.00	Pending
76319	826 GRAY ST..18-1427	HEATHER A DETERVILLE	CHRISTOPHER NEJEDLO ELECTRIC	\$50.00	\$1,657.00	Pending

[46-*** - Electrical Service Change] SERVICE UPGRADE 60 TO 100 AMP MAIN. COMPLETE METER AND MAST REPLACEMENT. NEW GROUND RODS AND WATER BONDING.						
76334	906 CLINTON ST..2-513	COVER RENTALS LLC	CENTER VALLEY ELECTRIC	\$50.00	\$1,200.00	Pending
[46-*** - Electrical Service Change] 60 TO 100 AMP CHANGE						
76335	308 S CHESTNUT AV..3-599	COVER RENTALS LLC	CENTER VALLEY ELECTRIC	\$50.00	\$1,200.00	Pending
[46-*** - Electrical Service Change] 60 TO 100 AMP SERVICE CHANGE						
76356	1075-1077 LIME KILN RD..21-420-7	SENG & MAY T YANG	D&K ELECTRICAL SOLUTIONS	\$50.00	\$2,950.00	Pending
[46-*** - Electrical Service Change] SERVICE UPGRADE 60A PER UNIT TO 100A PER UNIT						
76372	1692 WESTFIELD AV..6-2415	BRADLEY J RENARD & JENNY L TALATZKO	VAN OSS ELECTRIC INC	\$50.00	\$300.00	Pending
[46-*** - Electrical Service Change] REPLACE MAIN BREAKER 2 POLE 100 AMP						
76380	1189 LIBERTY ST..1-2461	RONALD J & EUNICE A NEITZEL	CENTER VALLEY ELECTRIC	\$50.00	\$1,000.00	Pending
[46-*** - Electrical Service Change] CHANGING OUT FEDERAL PACIFIC 100 AMP TO SQUARE D 100 AMP IN ORDER TO SELL THE HOUSE.						
76287	1221 PERROT ST..20-542	INSIDE OUT HOME INSPECTION LLC	CURRENT ELECTRICAL SERVICES	\$50.00	\$0.00	Closed
[47-*** - Electrical Service Repair] REPAIRS TO SERVICE AFTER DAMAGES CAUSED BY VEHICLE HITTING POWER POLE						
75524	131 N BROADWAY ..4-201-1	WIDMER PROPERTIES LLC	OWNER	\$1,484.15	\$0.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)]						
76259	1740 11th AV..1-1272	SUSAN K JOHNSON	COMPLETE ELECTRIC SERVICE AND MAINTENANCE LLC	\$50.00	\$1,000.00	Closed
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] REPLACING FEDERAL PACIFIC 100AMP PANEL IN BASEMENT WITH NEW 100AMP PANEL IN SAME LOCATION						
76277	520 PINE TERR..6-2512	STEPHANIE ORTIZ	CURRENT ELECTRICAL SERVICES	\$50.00	\$0.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] ELECTRICAL WORK TO MAKE HOME SAFE AFTER FIRE.						
76289	1831 AUGUST ST..21-2116-15	MICHAEL J ZOLPER	CHRISTOPHER NEJEDLO ELECTRIC	\$70.00	\$250.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] GOING TO CHECK WIRING THAT WAS AFFECTED BY A SMALL KITCHEN FIRE						
76301	351 CROSSWINDS LN..21-7675	MAYANK ARORA & LONIKA SOOD	SCHWEINER ELECTRIC	\$50.00	\$600.00	Abandoned
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] PANEL CHANGE OUT						
76306	421-425 S MILITARY AV..6-118	MARSHALL LIVING TRUST	DE BAKER, INC.	\$70.00	\$1,000.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] ADDING EXIT LIGHT/SIGNS						
76308	2150 WEST RED FERN LN..6H-4313	PETER & MICHELLE L YUREK	PETER & MICHELLE L YUREK	\$50.00	\$0.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] MISC WIRING ADD SWITCHES, OUTLETS, LIGHTS AND VENT FAN TO BASEMENT AREA						
76320	1526 SHAWANO AV..6-238	HUYEN T VU	FUSION ELECTRIC	\$50.00	\$500.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] ADD BATHROOM CIRCUIT AND BASEBOARD HEATER						
76322	1582 WESTFIELD AV..6-1260	CONSTANCE P WILSON	STIEGLER ELECTRIC	\$50.00	\$1,300.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] REPAIR PERI-SCOPE						
76325	1135 REDWOOD DR..1-1871	MICHAEL & JUDEEN SITES	BLACK-HAAK HEATING, INC.	\$50.00	\$1,200.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] PANEL UPGRADE TO 200 AMP						

76327	111 N BROADWAY..4-209	OWNER		\$340.00	\$3,324.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] MISC WIRING AND MISC WOOD FRAME WALLS						
76328	130 S CLAY ST..14-926	JASON R & MICHAELA M GEURTS	ADAMS HANDYMAN SERVICES	\$50.00	\$2,000.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] NEW ELECTRICAL SERVICE, REMOVE KNOB-N-TUBE						
76337	1717 MORROW ST..21-1201	GREEN BAY DRESSED BEEF LLC	VOS ELECTRIC	\$140.00	\$49,480.06	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] REMODEL/NEW 400A, 30, 480V SERVICE						
76349	1645 CHICAGO ST..21-1443-15	OLIVIA PONCE	NORTHERN ELECTRIC, INC.	\$50.00	\$1,400.00	Closed
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] REPLACING PANEL						
76354	1138 DAY ST..7-58	CASEY L KINNARD	OLSON ELECTRICAL CONTRACTORS LLC	\$50.00	\$200.00	Pending
[48-*** - Electrical Wiring (Misc., Alteration, Repair)] MISC WIRING						
76255	704 ALMA ST..5-58	NANCY & IDA MAE ROGERS	HEALTHY HOMES HEATING & COOLING	\$50.00	\$4,997.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76266	2542-2546 HAZELWOOD LN..6H-1490-B	WILLIAM G & PENNI S SYLVESTER	ACTION HEATING & COOLING	\$50.00	\$4,528.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE @ 2546 HAZELWOOD LN						
76267	2443 EAST SHORE DR..21-850	ROGER & ARDIS KUSKE	COMFORT CONTROL SYSTEMS	\$50.00	\$2,300.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76268	1193 RALEIGH ST..1-2484	DALE R & SHARON L BROWN	APEX HEATING & AIR CONDITIONING	\$50.00	\$4,950.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76278	1134 IRENE ST..21-460-2	CLAUDIUS A & MARY ANN DENAMUR	VAN'S HEATING & AC	\$50.00	\$4,385.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76279	1155 10th AV..1-232	KEVIN K CONLEY	WESLEY HEATING AND SHEET METAL	\$50.00	\$4,297.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76280	1545 CHICAGO ST..8-541	RUTHANN M ULLMAN	FOREMEN HEATING & VENT INC	\$50.00	\$3,800.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76281	870 ELMORE ST..5-1243	CHRISTY M REIMER	SINKLER HEATING & COOLING, INC	\$50.00	\$4,100.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76282	1215 S IRWIN AV..17-615-A	DOUGLAS L HABECK	ROBINSON HEATING & COOLING	\$50.00	\$2,900.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76285	2738 NICOLET DR..22-1458	NORTHEAST WISCONSIN PROPERTY MANAGEMENT LLC	BLACK-HAAK HEATING, INC.	\$50.00	\$4,500.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] BOILER						
76286	2740 NICOLET DR..22-1458	NORTHEAST WISCONSIN PROPERTY MANAGEMENT LLC	BLACK-HAAK HEATING, INC.	\$50.00	\$4,500.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] BOILER						
76291	835 OREGON ST..4-21	JUSTIN B & STEPHANIE A WETZEL	HEALTHY HOMES HEATING & COOLING	\$50.00	\$4,675.00	Closed

[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE

76292	1100 ST. CHARLES DR..21-1111-D-27	KRISTEN KARL	APEX HEATING & AIR CONDITIONING	\$50.00	\$15,263.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						
76293	2557 NEWBERRY AV..21-82-11	ROBERT L & SHIRLEY L BLASKOWSKI	APEX HEATING & AIR CONDITIONING	\$50.00	\$6,145.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76297	1123 S FISK ST..6-595	GODDARD REAL ESTATE HOLDINGS LLC	HEALTHY HOMES HEATING & COOLING	\$50.00	\$2,953.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76303	544 CHALLENGER DR..21-6984	BRIAN S KRUEGER	VAN'S HEATING & AC	\$50.00	\$4,715.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76304	1142 SHAWANO AV..3-1141	JOSE I CASTRO	VAN'S HEATING & AC	\$50.00	\$10,209.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] BOILER						
76305	429 N MAPLE AV..5-1011	ANTONIO & KAYLA PEREZ	BAY AREA SERVICES INC	\$50.00	\$3,000.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76310	430 MAIN ST..11-1	MANOS HOLDINGS GREEN BAY LLC	JF AHERN	\$70.00	\$28,169.00	Closed
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						
76321	840 S MADISON ST..16-39	RICHARD K MCNUTT	ACTION HEATING & COOLING	\$100.00	\$8,588.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE (2)						
76326	1214 WEISE ST..20-386	JENS M & PATRICIA A JOHANSEN REVOC LIV TRUST	WESLEY HEATING AND SHEET METAL	\$50.00	\$3,354.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76331	2060 9th ST..6H-1097-5	KIRK J & TRACY L VASSALLO	HEALTHY HOMES HEATING & COOLING	\$50.00	\$4,675.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76340	116 N MILITARY AV..6-235-B	WALGREEN CO STORE 11339 REAL ESTATE PROPERTY TAX	E&A PLUMBING	\$910.00	\$16,000.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] 7 FURNACES AND 6 AIR CONDITIONERS						
76344	1302 DANCING DUNES DR..6H-2844	MALISA R MANNING	BLACK-HAAK HEATING, INC.	\$50.00	\$4,000.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76346	122 S PLATTEN ST..6-261	BRIAN J WESLOW	NEWCAP, INC.	\$50.00	\$0.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76348	2232 MACCAUX DR..21-2144-M-19	TONG LEE	NEWCAP, INC.	\$50.00	\$0.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76350	1260 CHICAGO ST..14-1237	BULMARO CORONA CASTRO & MARIA V CORONA JIMENEZ	HEALTHY HOMES HEATING & COOLING	\$50.00	\$2,995.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76352	2565 FORESTVILLE DR..6H-2221	LAVONNE DELSART WITT	ROBINSON HEATING & COOLING	\$50.00	\$2,300.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] GAS SPACE HEATER (UNIT HEATER)						
76353	1062 KELLOGG ST..5-1366	PAUL T & SUSAN J SCHOULTZ	BAY AREA SERVICES INC	\$50.00	\$7,750.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						

76358	1222 ROYAL BLVD..18-1045	CREATIVE EDGE PROPERTIES LLC	CONTROL GROUP INC	\$50.00	\$4,000.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] NEW FURNACE						
76363	900 N BUCHANAN ST..18-930	NANCY M PEIL	VAN'S HEATING & AC	\$50.00	\$11,512.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						
76364	1256 GAIL DR..21-6410-57	JOHN H & RACHEL A ORTIZ	SINKLER HEATING & COOLING, INC	\$50.00	\$10,595.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						
76365	2078 SUGAR MAPLE CT..6H-3626	KENNETH C & DIANE K DESTREE	BAY AREA SERVICES INC	\$50.00	\$3,050.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] AIR CONDITIONER						
76366	802 DOUSMAN ST..5-471	JACOB T LUECKE	BAY AREA SERVICES INC	\$50.00	\$2,150.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76371	1205 WIRTZ AV..1-69-A	AIRWING HOLDINGS LLC	RICHARDS HEATING & COOLING	\$50.00	\$3,135.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76373	156 SCHOBBER ST..21-1714-10	RICHARD A & CHRISTINE M SOBIECK	BAY AREA SERVICES INC	\$50.00	\$4,300.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76374	1665 BOLAND RD..6-1395	SUSAN D DOERING	BAY AREA SERVICES INC	\$50.00	\$9,050.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						
76376	507 CARRIE LN..6-2517	DANIEL A HELMS	IDEALAIR HEATING & COOLING INC.	\$50.00	\$3,273.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76377	1265 EASTMAN AV..7-488	TIME WARNER CABLE MIDWEST LLC	MARED MECHANICAL	\$70.00	\$75,000.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] REPLACE ROOFTOP A/C UNIT						
76382	1825 JUNIPER DR..21-3209	JEANETTE M MARTIN	ACTION HEATING & COOLING	\$50.00	\$6,672.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76383	1203 SPENCE ST..1-1669	LEAH D ACKERMAN	APEX HEATING & AIR CONDITIONING	\$50.00	\$4,690.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76388	1032 THRUSH ST..18-1142	SPENSER & ROANNE AUSTIN	VAN'S HEATING & AC	\$50.00	\$5,700.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE & AIR CONDITIONER						
76389	307 OAK ST..3-795	JPTR LLC	NEWCAP, INC.	\$50.00	\$0.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76391	1400 N BAIRD ST..21-1198-6	PERRY PARK PARTNERS	VAN'S HEATING & AC	\$50.00	\$3,213.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE - LOT #23						
86390	1208 S JACKSON ST..16-215	JAMES R & SUSAN A WHALEN	IDEALAIR HEATING & COOLING INC.	\$50.00	\$3,099.00	Pending
[50-*** - Heating Unit Replacement/ Air Conditioning] FURNACE						
76339	3517 NICOLET DR..22-44	JAMIE D & ANGELINE I JENSEN	MAU & ASSOCIATES	\$50.00	\$0.00	Closed
[58-*** - Site (Erosion Control, Fill, Excavating)] An erosion control permit will not be required from the City of Green Bay because most of the work is taking place beyond the Ordinary HighWater Mark (OHWM); however; you will need a permit from the WI DNR. = MD						
76300	1459 ADMIRAL CT..6-143	NEIGHBORHOOD HOUSING SERVICES OF GREEN BAY	IDEALAIR HEATING & COOLING INC.	\$70.00	\$2,749.00	Pending
[60-*** - New HVAC System] FURNACE UNIT #3						

76260	1158-1168 S TAYLOR ST..6H-1086-9	WRIGHT WEBER MANAGEMENT LLC - STE #204	VANRITE PLUMBING	\$30.00	\$4,500.00	Closed
[62-*** - repair/alter existing plumbing system] COPPER WATER LINE REPLACEMENT						
76378	3081 OPEN GATE TR..6H-2680		TUNDRALAND	\$50.00	\$4,995.00	Pending
[62-*** - repair/alter existing plumbing system] TUB TO SHOWER CONVERSION						
76271	1629 MAIN ST..21-2005-3	WILLIAM R WINTON II	MZI Group, Inc.	\$140.00	\$15,000.00	Pending
[94-*** - Alteration to existing cell tower]						
76273	2210 MAIN ST..21-455-1	DJL INVESTMENTS LLC	BLUESTREAM PROFESSIONAL SERVICES LLC	\$70.00	\$20,000.00	Pending
[94-*** - Alteration to existing cell tower] ANTENNA ALTERATIONS						
76313	2210 MAIN ST..21-455-1	DJL INVESTMENTS LLC	SAC WIRELESS	\$70.00	\$0.00	Pending
[94-*** - Alteration to existing cell tower]						
76188	620 UNIVERSITY AV..7-596	EAST RIVER OF GREEN BAY LLC	SCHUH CONSTRUCTION	\$1,644.67	\$0.00	Pending
[203-*** - Certificate of Occupancy- Commercial]						
76296	2845 GREENBRIER RD..21-161-2	AURORA HEALTH CARE INC	MIRON CONSTRUCTION	\$10,618.19	\$0.00	Pending
[203-*** - Certificate of Occupancy- Commercial]						
Totals: 126 projects				\$46,898.59	\$8,515,767.06	

Summary of Projects Issued

2/1/2019 to 2/28/2019

Class of Work	Proj	Site	Plan	Bldg	Elec	HVAC	Plbg	EC	Fees Paid	Estimated Cost
01 Single Family House, Detached	2	2	4	2	2	2	2	0	\$2,690.98	\$550,000.00
58 Site (Erosion Control, Fill, Excavating)	1	0	0	0	0	0	0	1	\$50.00	\$0.00
48 Electrical Wiring (Misc., Alteration, Repair)	15	0	3	2	15	1	1	0	\$2,604.15	\$62,254.06
46 Electrical Service Change	9	0	0	0	9	0	0	0	\$540.00	\$14,107.00
47 Electrical Service Repair	1	0	0	0	1	0	0	0	\$50.00	\$0.00
50 Heating Unit Replacement/ Air Conditioning	45	0	0	0	0	45	0	0	\$3,200.00	\$319,487.00
40 Sanitary Sewers	1	0	0	0	0	0	1	0	\$30.00	\$2,495.00
62 repair/alter existing plumbing system	2	0	0	0	0	0	2	0	\$80.00	\$9,495.00
16 Temporary Office or Trailer	2	0	0	2	1	0	0	0	\$210.00	\$0.00
13 Addition to Commercial, Non-Residential Non-housekeeping	1	1	3	1	1	1	1	1	\$4,944.59	\$4,520,585.00
19 Addition to Garage, Carport (Residential)	1	1	2	1	1	1	1	1	\$389.17	\$250,000.00
02 Single-Family Residential Building, Alteration	8	0	6	8	7	3	3	0	\$1,426.75	\$103,059.00
10 Multi-Family Residential Building Alteration	2	0	0	2	2	1	2	0	\$540.00	\$45,000.00
12 Commercial, Non-Residence, Non-Housekeeping, Alteration	7	1	10	7	7	6	7	0	\$15,546.32	\$2,492,471.00
15 Raze Commercial Building or other Structure	1	0	1	1	0	0	1	1	\$240.00	\$16,000.00
23 Deck, Porch, Patio	1	0	0	1	0	0	0	0	\$50.00	\$1,125.00
35 Driveway Expansion	1	0	0	1	0	0	0	0	\$50.00	\$8,600.00
36 Fence	1	0	0	1	0	0	0	0	\$50.00	\$5,000.00
37 Signs	6	6	0	6	2	0	0	0	\$743.77	\$41,040.00
44 Water heaters/Appliances	10	0	0	0	0	0	10	0	\$360.00	\$10,400.00
60 New HVAC System	1	0	0	0	0	1	0	0	\$70.00	\$2,749.00
11 Industrial buildings(factories, machine shops, paper mills, beverage plants, manufacturing plants, printing plants)	1	0	1	1	1	0	0	0	\$490.00	\$0.00
203 Certificate of Occupancy- Commercial	2	0	5	2	2	2	2	0	\$12,262.86	\$0.00
94 Alteration to existing cell tower	3	0	0	3	1	0	0	0	\$280.00	\$35,000.00
05 Raze Single-Family house(attached or detached)	2	0	2	2	0	0	2	1	\$0.00	\$26,900.00
Totals:	126	11	37	43	52	63	35	5	\$46,898.59	\$8,515,767.06



MUNICIPAL COURT MONTHLY FINANCIAL REPORT

County Name Brown		County Code Number 05		Report for Month/Year February, 2019	
Municipal Name Green Bay Municipal Court		Municipal Code Number 231		Telephone Number 920-448-3131	
I. MUNICIPAL COURT OFFICIAL	Total Amount Collected	Share to be retained by Municipality	Share to be sent to County	Share to be sent to State	
1. Forfeitures for Municipal Ordinance Violations (Except for Municipal Ordinances in Conformity with Ch 348, Stats.)	\$ 77,401.85	\$ 77,401.85			
2. Municipal Court Costs (Chapter 814, Subchapter II, s. 814.65, Stats.)	\$ 26,013.55	\$ 22,434.21		\$ 3,579.34	
3. Penalty Surcharges (s. 757.05, Stats.)	\$ 19,610.20			\$ 19,610.20	
4. County Jail Surcharges (s. 302.46(1)(a), Stats.)	\$ 6,980.46		\$ 6,980.46		
5. Driver Improvement Surcharges (s. 346.655, Stats.)	\$ 9,656.55		\$ 5,069.05	\$ 4,587.50	
6. Crime Lab and Drug Enforcement Surcharges (s. 165.755(4), Stats.)	\$ 8,897.41			\$ 8,897.41	
7. Domestic Abuse Surcharges (s. 973.055(2)(b), Stats.)	\$.00			\$.00	
8. Truck Weight Restrictions (Municipal Ordinances in Conformity with Ch. 348, Stats., s. 66.12(3)(c))	\$.00	\$.00		\$.00	
9. Ignition Interlock Device Surcharge (s. 343.301(5), Stats.)	\$ 900.00		\$ 900.00		
10. GPS Tracking Surcharge (for violations of ordinances conforming to s. 813.12 or s.813.125, Stats.)	\$.00			\$.00	
11. Safe Ride Program (s. 85.55, Stats.)	\$ 1,126.50			\$ 1,126.50	
12. Adjustments (Attach Explanation)	\$.00	\$.00	\$.00	\$.00	
13. Totals	\$ 150,586.52	\$ 99,836.06	\$ 12,949.51	Pay This Amount \$ 37,800.95	

II. CERTIFICATION OF MUNICIPAL COURT OFFICIAL

I hereby certify that this report reflects all actions requiring forfeitures, court costs and surcharges collected during the month designated.

Name: NEIL BASTEN Signature: *Neil Basten* Date: 3-1-19

III. TREASURER'S CERTIFICATION

I hereby certify that the above amount due the state has been received. After so certifying, a copy of this report will be returned to the signer of this report as a receipt, and the stated amount will be remitted to the Department of Administration with this report.

Treasurer: *Paul R. Manley* Date: 3/4/19

In the event the Department of Administration has questions about this report and payment, who should we contact?

Name: Neil Basten Telephone # 920-448-3131 Email Address neilba@greenbaywi.gov



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # P.I.

Resolution authorizing 2019 transfer of \$3,575.58 from contingency account for one-time costs related to equipment repairs on air conditioner pump and Halon control panel in IT server room.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Resolution - Authorizing Transfer from Contingency to IT repairs

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

March 19, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of March 12, 2019, the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101099-59001 Contingency	\$ 3,575.58
To:	101106-55101 IT Equipment Repairs /Halon Control Panel	\$ 2,395.46
	101106-55101 IT Equipment Repairs /Air Conditioner Pump	\$ 1,180.12

Adopted _____

Approved _____

Mayor

Clerk

**VAN'S FIRE & SAFETY, INC.**

Fire Fighting and Safety Equipment
787 Mike McCarthy Way * P.O. Box 12055
Green Bay, WI 54307-2055
Phone:(920)494-3346*(800)242-6359

Telephone: (920) 494-3346
Fax: (920) 494-2224
Federal ID: 39-1144453

INVOICE

Bill To:

CITY OF GREEN BAY
100 N. JEFFERSON ST.
ROOM 105 - CITY HALL
GREEN BAY WI 54302

Location

INFO TCHNOLOGY SERVICE DEPT
100 NORTH JEFFERSON STREET
ROOM 16
GREEN BAY WI 54301-5026

Invoice #	Invoice Date	W/O #	Customer #	Customer P.O.
4120433	03/01/19		3367	
Terms	Ship Via		Salesman	
NET 15 DAYS			TONY J. LAPERRIERE	
Quantity	Item/Description		Price	Extended

***** DUPLICATE COPY *****

Work Ord # : 12492

1	A10058 430525 AUTOPULSE Z-10 CONTROL SYSTEM, RED	EA	1,169.00	1,169.00
1	A12014 430529 RELAY MODULE FIRE SUPPRESSION SYSTEM	EA	190.50	190.50
1	A12070 430687 2 AMP COIL SUPERVISE	EA	36.00	36.00
4	A12264 430559 PHOTO DETECTOR 2.8%ULI	EA	73.50	294.00
4	D20001 430567 DETECTOR BASE 2 - WIRE	EA	12.50	50.00
1	C34011 SERVICE CALL BY MIKE HRONEK WITH ANSUL FIRE CONTROL PANEL 4TH FLOOR DATA CENTER FOUND MAIN MOTHER BOARD BURNED	EA	85.00	85.00

(Continued on Page 2)

**VAN'S FIRE & SAFETY, INC.**

Fire Fighting and Safety Equipment
787 Mike McCarthy Way * P.O. Box 12055
Green Bay, WI 54307-2055
Phone:(920)494-3346*(800)242-6359

Telephone: (920) 494-3346

Fax: (920) 494-2224

Federal ID: 39-1144453

INVOICE

Bill To:

CITY OF GREEN BAY
100 N. JEFFERSON ST.
ROOM 105 - CITY HALL
GREEN BAY WI 54302

Location

INFO TCHNOLOGY SERVICE DEPT
100 NORTH JEFFERSON STREET
ROOM 16
GREEN BAY WI 54301-5026

Invoice #	Invoice Date	W/O #	Customer #	Customer P.O.
4120433	03/01/19		3367	

Terms	Ship Via	Salesman
NET 15 DAYS		TONY J. LAPERRIERE

Quantity	Item/Description	Price	Extended
----------	------------------	-------	----------

(Page 2)

OUT IN ANSUL CONTROL PANEL
LABOR 02/25/2019

5	*NA LABOR - INSTALL NEW PANEL AND DEVICES	HR	85.00	425.00
1	A18001 ON SITE MOBILE SERVICE	EA	21.00	21.00

WE ACCEPT VISA-MASTERCARD-AMERICAN EXPRESS-DISCOVER CARD

PLEASE INCLUDE SECURITY CODE FROM BACK OF CARD

☐  MASTERCARD	☐  VISA	☐  DISCOVER	☐  AMERICAN EXPRESS	AMOUNT
CARD NUMBER				SIGNATURE CODE
SIGNATURE				EXP DATE

Subtotal	2,270.50
Sales Tax	.00
Total Due On 03/16/19	2,270.50

1033 - 7th Street, Suite 3
East Moline, IL 61244-1465

Date	Invoice #
2/27/2019	33247

Bill To

City of Green Bay WI
Mike Hronek
100 North Jefferson
Green Bay, WI 54303

Ship To
City of Green Bay WI Mike Hronek 100 North Jefferson Green Bay, WI 54303

P.O. Number	Terms	Ship Date	Via	Sales Order #
Verbal Mike	Credit Card	2/27/2019	UPS RED	31950

Quantity	Item	Description	Price Each	Amount
2	M501M..	Mini Module, Addressable, System Sensor	38.50	77.00
1	US Alarm Line Card	Line Card listing all of the Fire Alarm Manufacturers we carry.	0.00	0.00
1	US Alarm Pen	US Alarm & Detection Supply Blue Ink Pen with Felt Sheath.	0.00	0.00
1	US Alarm Screw Drive...	Screw Driver Set with 4 different head attachments. Magnetized hole to hold the head in place.	0.00	0.00
1	Freight Charges	Freight Charges	47.96	47.96
		UPS Tracking #1ZAX43780198795955		

Thank you for your business.

Total

\$124.96

Invoice

Page: 1

ACCESS CUSTOMER SUPPORT INC
844 EHLERS ROAD
NEENAH, WI 54956
(920) 729-5900

Invoice Number: 0002420-IN
Invoice Date: 2/18/2019
Salesperson: LEH
Customer Number: 00-GRNBAY

Work Order #: 1079

Sold To: Ship To:

CITY OF GREEN BAY
PURCHASING DEPARTMENT
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026

CITY OF GREEN BAY
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026

Confirm To:
MIKE HRONEK

Customer P.O. Terms

Signed Agreement Net 30

Item Number	Unit	Quantity	Price	Amount
-------------	------	----------	-------	--------

/M 525.00

Evaluate high head alarm
on Liebert AC system, tag 10784.

DO NOT WRITE

Form 38-0024-0303

EXP 8060

CVV

SIGN HERE

X

The issuer of the card identified on this item is authorized to pay the amount shown as TOTAL upon proper presentation. I promise to pay such TOTAL (together with any other charges due thereon) subject to and in accordance with the agreement governing the use of such card.

ABOVE THIS LINE

PLEASE DO NOT WRITE ABOVE THIS LINE				
QTY.	CLASS	DESCRIPTION	PRICE	AMOUNT
		Invoice 0002420-IN		525 00
DATE			AUTHORIZATION	SUB TOTAL
REFERENCE NO.			SERVER	TAX
ID-FOLIO / CHECK NO. / LIC. NO. STATE			CLERK	TIP
				MISC.
2080386			TOTAL	525 00

SALES SLIP ORIGINAL

Net Invoice: 525.00
Less Discount: 0.00
Freight: 0.00
Sales Tax: 0.00
Invoice Total: 525.00

Access Inc

Invoice SO #10191

Sold by mvanoss@access-inc.com

01/30/2019 at 09:28 am

Express Item - Base Price	\$628.95
----------------------------------	-----------------

Sub-total	\$628.95
-----------	----------

Tax	\$0.00
-----	--------

Total	\$628.95
--------------	-----------------

Phone in
Order

Sold to Mike H	\$628.95
-----------------------	-----------------

Visa *8060 (Keyed)

Auth Code: 063433

Pump COND DUAL FLOAT

Access Inc

23400 Commerce Drive

Farmington Hills, AK 48335

248.616.9200

Picking Sheet

Warehouse: 000 WISCONSIN

Order Number: 0010191

Customer Number: 00-GRNBAY

Order Date: 1/30/2019

Salesperson: LEH

Sold To:

CITY OF GREEN BAY
PURCHASING DEPARTMENT
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026
Confirm To: GENE HONZIK

Ship To:

CITY OF GREEN BAY
100 N JEFFERSON STREET RM416
ATTN: MIKE
GREEN BAY, WI 54301-5026

Customer P.O.
CREDIT CARD

Ship VIA
UPS

F. O. B.

Terms
Net 30

Location	Item Number	Unit	Ordered	Shipped	Backordered
	LZ-1A19271P1S	EACH	1	1	0
PUMP COND DUAL FLOAT REPLACES					

ACCIDENT

844 Ehlers Road
Neenah, WI 54956-1415
Phone: (920) 729-5900

Invoice

Invoice Number: 0039795-IN
Invoice Date: 1/29/2019

Order Number: 0010074
Order Date 1/22/2019
Salesperson: LEH
Customer Number: 00-GRNBAY

Sold To:
CITY OF GREEN BAY
PURCHASING DEPARTMENT
100 N JEFFERSON STREET RM101
GREEN BAY, WI 54301-5026

Ship To:
CITY OF GREEN BAY
100 N JEFFERSON STREET RM 416
GREEN BAY, WI 54301

Customer P.O. GENE	Ship VIA BESTWAY	F.O.B.	Terms Net 30		
Item Number	Unit	Ordered	Shipped	Back Ordered	Price Amount
LZ-H-0450S	EACH	1	1	0	12.07 12.07
SAFETY SWT THERM (QTY 2)					
M# BE061G-CAEI5816					
S# N08D740103					

DO NOT WRITE

mihehr@greenbaywi.com 920448 3427

Above This Line

VISA
~~4185 5950~~
~~5020 0000~~
~~019 21 00~~ Auth# 089003
 code 796

EXPIRATION
☐ DATE
 CHECKED

PLEASE DO NOT WRITE ABOVE THIS LINE ↑				
QTY.	CLASS	DESCRIPTION	PRICE	AMOUNT
		Inv# 0039795 IN		
DATE		AUTHORIZATION	SUB TOTAL	
REFERENCE NO.		SERVER	TAX	
ID-FOLIO/CHECK NO./LIC.NO.STATE	REG./DEPT.	CLERK	TIP	MISC.
2395518			TOTAL	26 17

SIGN HERE
 x Per phone call

The issuer of the card identified on this item is authorized to pay the amount shown as TOTAL upon proper presentation. I promise to pay such TOTAL (together with any other charges due thereon) subject to and in accordance with the agreement governing the use of such card.

SALES SLIP ORIGINAL

Please Remit Payment To: Access, Inc., 844 Ehlers Road, Neenah, WI 54956

Net Invoice:	12.07
Less Discount:	0.00
Freight:	14.10
Sales Tax:	0.00
Invoice Total	26.17

Original



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # P.2.

Resolution authorizing transfer of 2019 budgeted revenue and expenses between accounts.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Resolution - Authorizing Transfer of Funds 2019 Revenues for PRF

**RESOLUTION AUTHORIZING
TRANSFER OF FUNDS**

MARCH 19, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of March 12, 2019, the following transfer of 2019 budget is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:		
101620	46914 TSA CONCESSION REVENUE	\$3,643.00
101620	54072 TSA CONCESSION EXPENSE	(\$1,494.00)
101620	56202 TSA PROPANE EXPENSE	(\$2,000.00)
101620	59013 TSA CASH OVER AND SHORT	(\$20.00)
101640	53038 RECREATION CREDIT CARD FEES	(\$12,200.00)
To:		
101640	46911 REC CONCESSIONS REVENUE	(\$3,643.00)
101640	54072 REC CONCESSIONS EXPENSE	\$1,494.00
101630	56202 PARKS PROPANE EXPENSE	\$2,000.00
101640	59013 REC CASH OVER AND SHORT	\$20.00
101600	53038 PRF ADMIN CREDIT CARD FEES	\$12,200.00

Adopted _____

Approved _____

Mayor

Clerk



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

March 19, 2019

PREPARED BY

AGENDA ITEM # P.3.

Resolution authorizing transfer of contingency funding of \$12,500 for a comprehensive Financial Management Planning report using an outside service.

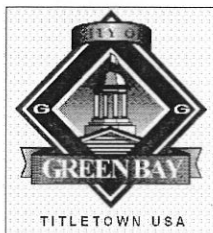
BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. FMP - Ehlers contingency request



CITY OF GREEN BAY

MEMO

TO: Members of the Finance Committee

FROM: Diana Ellenbecker, Finance Director

SUBJECT: Financial Management Plan

DATE: March 12, 2019

Finance Committee members:

This communication is to discuss with possible action on a request from the Finance Director to approve funding to complete a Financial Management Planning (FMP).

Ehlers proposes to assist the City of Green Bay to prepare a FMP for \$18,750.

Ehlers is an industry-leading municipal advisor firm servicing Minnesota, Wisconsin, Colorado, and Kansas since 1955. They work with more than 1,500 local governments, schools and public agencies. Ehlers leverages centuries of combined experience and specialized expertise to deliver innovative, fully-integrated public finance solutions that help governments and public agencies build strong, vibrant and sustainable communities.

Scope of work:

- Confirm City's planning objective and gather required information.
- Prepare a Client Based financial planning model to include:
 - Credit Profile Evaluation – analysis of Moody's credit rating to help identify areas of strength and potential weakness in the City's profile
 - Valuation Forecast – project growth in equalized value, and anticipate potential for timing of new development based on current projects, and impact of TID closures will be considered
 - Fund Forecast – will forecast revenues and expenditures for future budget planning for the funds receiving direct levy support
 - Capital Planning Model – using department's Capital Improvement requests to prepare various models including the funding sources to create a comprehensive 5-year CIP

- Debt Model – use current debt service schedule and project future tax levy requirements for general fund and other funding sources. Project debt financing required for capital improvement plan.
- Consolidated Tax Levy and Rate Projection Model – forecast future tax levy required to support the General, Capital, Debt, and other levy supported funds. Projected future levy requirements will be tested against Levy Limits and Expenditure Restraint.
- Include several workshops to present data, observations, findings, alternatives and recommendations, and to seek input during the process
- Final Report – receive a summary report that includes and explains all primary elements of the forecast model. Report will include key observations and recommendations, including modifications to policies if needed.

Total compensation for these services is \$18,750 not budgeted.

- \$12,500 from 2019 Contingency account
- \$6,500 from debt service fund

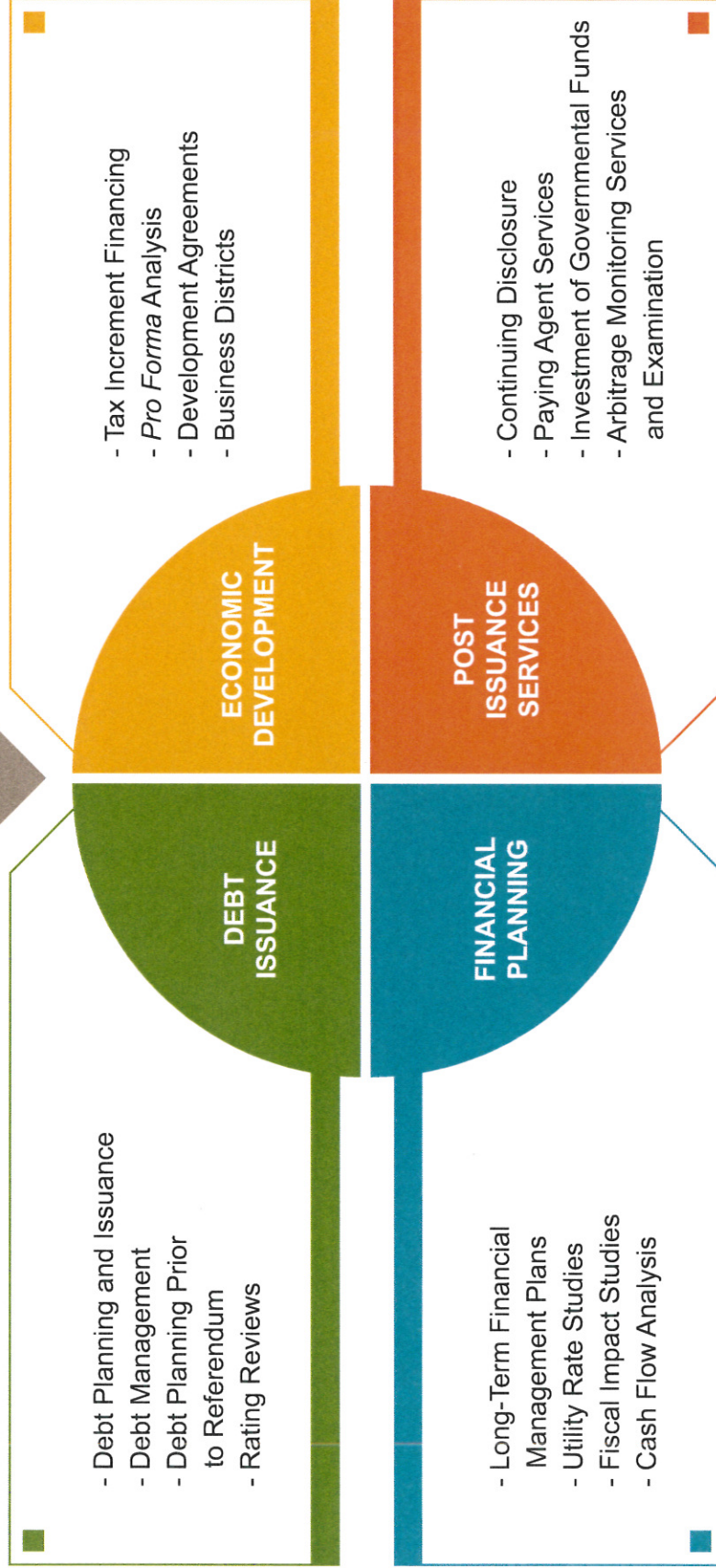
Timing:

- If funding is approved at 3/19/19 Common Council meeting, the process of sharing information with Ehlers could start shortly after
- Generally speaking about 120 days to Final report
- Estimated June bond issuance

We request \$12,500 contingency to help move the City of Green Bay forward to have a comprehensive analysis of our Financials. With the external expertise and years of experience provided by Ehlers this widespread project can be completed faster than city staff could produce.



BUILDING FINANCIALLY SUSTAINABLE COMMUNITIES



Appendix B

Financial Management Planning Services

Scope of Service

Client has requested that Ehlers to prepare a Financial Management Plan ("Project"). Ehlers proposes and agrees to provide the following scope of services:

Confirm Planning Objectives

- Prior to commencing the work, we will review our approach with Client staff to ensure that we have a full understanding of the Client's objectives, any particular areas of concern or focus, and desired process outcomes. If necessary, we can modify our Scope of Services to meet specific Client needs.

Gather Required Information

- To complete our work, we will need to gather certain information which may include: prior year audits and budgets (generally five years); current year budget; capital improvement plans; existing debt service schedules and allocations; strategic planning documents; staffing plans; and policies pertaining to fund balance, debt management; post-issuance compliance and financial management (Ehlers may already have some or all of this information on file).

Prepare Financial Model

- Based on the Client's objectives and the information available, we will prepare a Client-specific Excel based financial planning model that includes:
 - Credit Profile Evaluation. An assessment of selected financial, debt and demographic indicators will be prepared comparing Client to the State wide median indicators for its rating peer group, and to other governmental entities of comparable size or location. If applicable, the assessment will also include a comparison with the medians of the next higher rating classification and to representative governmental entities in that class. Analysis will be provided to identify areas of strength and potential weakness in the Client's credit profile.
 - Valuation Forecast. We will project growth in equalized value based on historical valuation trends, and anticipated potential for and timing of new development based on Client input. If applicable, "TID IN" and "TID OUT" forecasts will be provided. The impact of TID closure will be considered based on Client direction. One or more potential growth scenarios may be modeled based on Client's objectives.
 - Fund Forecasts. We will forecast revenues and expenditures the following funds based on prior year budgetary trends These are the funds receiving direct levy support per your 2017 financial statements. . Based on the Client's objectives and the information available to us, one or more alternate fund forecasts may be developed to reflect adjustments to service levels and staffing.

- General Fund
 - Debt Service Fund
 - Capital Improvement Fund
 - Community Development Fund
 - Information Fund
 - Police Equipment Replacement
 - Fire Equipment Replacement Fund
 - Park Equipment Replacement Fund
- Capital Planning Model. Using Client's capital improvement plans, we will prepare one or more models identifying funding sources for identified projects. Fund balances, tax levy, debt proceeds, and annual revenues will be evaluated as funding sources.
 - Debt Model. We will prepare a current debt service schedule including projected debt abatement sources and tax levy requirements. To the extent that debt financing is required for capital improvement projects, the projected impact of that financing will be modeled. The model will also forecast debt limit capacity utilization and the projected impact of future debt obligations on selected debt profile indicators (for General Obligation debt).
 - Consolidated Tax Levy and Rate Projection Model. A summary forecast will be provided that projects the future tax levy that would be required to support the General Fund, Capital Projects Fund, Debt Service Fund, and other levy supported funds. Based on the valuation projection model, a forecasted equalized tax rate will be provided. Future levy requirements will be tested against applicable levy and rate limits. A similar summary forecast will be provided for any enterprise funds included in the model, and will include a projection of any additional revenue requirements needed to support the forecast.

Conduct Staff Workshops

- A total of 3 to 4 workshops will be conducted concurrent with development of the financial model. The purpose of the workshops will be to present key data, observations, findings, alternatives and recommendations, and to seek input of key staff at periodic intervals before the model is finalized. Specific workshop dates, and the points at which they occur in the process, will be established in consultation with the Client based on the objectives of Client, the availability of the key staff, and the availability of information needed to complete the plan. Workshop duration is typically two hours, with three to four week intervals between workshops.

Final Report

- Following completion of the model and workshops, we will prepare a summary report that includes and explains all primary elements of the forecast model. The report will include a summary of key observations and recommendations. If applicable, we will recommend

modifications to existing Client policies pertaining to fund balance, debt management; post-issuance compliance and financial management.

Compensation

In return for the services set forth in the "Scope of Service," Client agrees to compensate Ehlers in the amount of \$18,750. Should the City like to include an analysis of any or all Tax Increment District (TIF) Funds requiring support from the General Fund, the fee would increase an additional \$750 per each TIF. We base this on a per TIF basis to give you the flexibility to determine which TIF's you would like included.

For any service directed by Client and not covered by this, or another applicable Appendix, Ehlers will bill Client at an hourly rate that is dependent upon the task/staff required to meet Client request at no less than \$125.00/hour and not to exceed \$300.00/hour.

Payment for Services

For all compensation due to Ehlers, Ehlers will invoice Client for the amount due at the completion of the work. Our fees include our normal travel, printing, computer services, and mail/delivery charges. The invoice is due and payable upon receipt by the Client.

**RESOLUTION AUTHORIZING
TRANSFER OF FUNDS**

March 19, 2019

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of March 12, 2019, the following transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101099-59001 Contingency	\$ 12,500.00
To:	101100-53001 Finance – Contractual Services Financial Management Planning (FMP)	\$ 12,500.00

Adopted _____

Approved _____

Mayor

Clerk

**FINAL RESOLUTION AUTHORIZING
ASPHALT RESURFACING IMPROVEMENTS AND
LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY
March 19, 2019**

WHEREAS, the Improvement & Services Committee of the City of Green Bay, Wisconsin, held a public hearing at the City Hall at 6:00 p.m. on the 13th day of March 2019 for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the Director of Public Works on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portion of streets:

**S Buchanan Street - Badger Street to Shawano Avenue
Delwood Drive - Harvest Road to Delwiche Road
Farlin Avenue - Danz Avenue to 230' east of Turek Street
Fiesta Lane - Laura Street to cul-de-sac east
James Street - Lincoln Street to Ashland Avenue
Laura Street - Debra Lane to Lilac Lane
Lilac Lane - Irene Street to Schoen Street
Maryland Avenue - Skyline Blvd. to Bretcoe Drive
Preble Avenue - Turek Street to east end
Redley Court - Twelfth Avenue to cul-de-sac west
Skyline Blvd. - Finger Road to Hillside Lane
St. James Circle - Laverne Drive to cul-de-sac south
Turek Street - Preble Avenue to Farlin Avenue
Wirtz Avenue - 9th Street to St. Paul Street**

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement and Services Committee, is hereby adopted and approved.
2. That the Improvement & Services Committee is directed to advertise for bids and to carry out the work of such improvements in accordance with the Report of the Director of Public Works as approved and authorized by the appropriate Committee.
3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the Director of Public Works.
4. That the assessments shown on and confirmed by the Report of the Director of Public Works as modified are true and correct, and found to be in the public interest are hereby confirmed.

5. That those special assessments not paid in cash shall be payable to the City of Green Bay in five (5) annual installments with interest thereon at the rate of four and one-half percent (4.5%) per annum.
6. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.
7. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted _____, 2019

Approved: _____, 2019

Mayor

ATTEST:

City Clerk

jld

**FINAL RESOLUTION AUTHORIZING
CONCRETE PAVEMENT IMPROVEMENTS
AND LEVYING SPECIAL ASSESSMENTS
AGAINST PROPERTY
March 19, 2019**

WHEREAS, the Improvement & Services Committee of the City of Green Bay, Wisconsin, held a public hearing at the City Hall at 6:00 p.m. on the 13th day of March, 2019, for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the Director of Public Works on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portions of streets:

ERIE ROAD – 805' S/O East Mason Street to south City limits

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement & Services Committee, is hereby adopted and approved.
2. That the Improvement & Services Committee is directed to advertise for bids and to carry out the work of such improvement in accordance with the Report of the Director of Public Works as approved and authorized by the appropriate Committee.
3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the Director of Public Works.
4. That the assessments shown on and confirmed by the Report of the Director of Public Works as modified are true and correct, and found to be in the public interest are hereby confirmed.
5. That those special assessments not paid in cash within thirty (30) days of the date of the billing will be placed on the current tax roll as a lien against the property and shall be payable to the City of Green Bay in five (5) annual installments with interest thereon at the rate of four and one-half percent (4.5%) per annum.
6. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.

7. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted _____, 2019

Approved _____, 2019

Mayor

ATTEST:

City Clerk

jld

**FINAL RESOLUTION AUTHORIZING
SANITARY SEWER AND/OR
SANITARY SEWER LATERAL IMPROVEMENTS
AND LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY
March 19, 2019**

WHEREAS, the Improvement & Services Committee of the City of Green Bay, Wisconsin, held a public hearing in the City Hall at 6:00 p.m. on the 13th day of March 2019, for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the Director of Public Works on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portions of streets:

ERIE ROAD – 805' S/O East Mason Street to south City limits

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement & Services Committee, is hereby adopted and approved.
2. That the Improvement & Services Committee is directed to advertise for bids and to carry out the work of such improvement in accordance with the Report of the Director of Public Works as approved and authorized by the appropriate Committee.
3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the Director of Public Works.
4. That the assessments shown on and confirmed by the Report of the Director of Public Works as modified are true and correct, and found to be in the public interest are hereby confirmed.
5. That the special assessments that were not required to be prepaid and were not paid in cash within thirty (30) days of the date of billing shall be payable in five (5) annual installments with interest thereon at the rate of four and one-half percent (4.5%) per annum.
6. That the special assessments that were required to be prepaid and were not deposited with the City prior to the awarding of the contract shall be payable to the City of Green Bay within thirty (30) days of the date of billing or they will be placed on the current tax roll as a lien against the property.

7. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.
8. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted _____, 2019

Approved _____, 2019

Mayor

ATTEST:

City Clerk

jld

**FINAL RESOLUTION AUTHORIZING
STORM SEWER AND/OR STORM SEWER LATERAL IMPROVEMENTS
AND LEVYING SPECIAL ASSESSMENTS
AGAINST PROPERTY
March 19, 2019**

WHEREAS, the Improvement & Services Committee of the City of Green Bay, Wisconsin, held a public hearing in the City Hall at 6:00 p.m. on the 13th day of March, 2019, for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the Director of Public Works on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portions of streets:

ERIE ROAD – 830' S/O East Mason Street to south City limits

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the Director of Public Works pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement & Services Committee, is hereby adopted and approved.
2. That the Improvement & Services Committee is directed to advertise for bids and to carry out the work of such improvement in accordance with the Report of the Director of Public Works as approved and authorized by the appropriate Committee.
3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the Director of Public Works.
4. That the assessments shown on and confirmed by the Report of the Director of Public Works as modified are true and correct, and found to be in the public interest are hereby confirmed.
5. That the special assessments that were not required to be prepaid and were not paid in cash within thirty (30) days of the date of billing shall be payable in five (5) annual installments with interest thereon at the rate of four and one-half percent (4.5%) per annum.
6. That the special assessments that were required to be prepaid and were not deposited with the City prior to the awarding of the contract shall be payable to the City of Green Bay within thirty (30) days of the date of billing or they will be placed on the current tax roll as a lien against the property.

7. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.
8. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted _____, 2019

Approved _____, 2019

Mayor

ATTEST:

City Clerk

jld

**FINAL RESOLUTION AUTHORIZING
WATER MAIN AND/OR WATER SERVICES
AND LEVYING SPECIAL ASSESSMENTS
AGAINST PROPERTY
March 19, 2019**

WHEREAS, the Improvement & Services Committee of the City of Green Bay, Wisconsin, held a public hearing in the City Hall at 6:00 p.m. on the 13th day of March, 2019 for the purpose of hearing all interested persons concerning the preliminary resolution and Report of the General Manager of the Water Utility on the proposed improvement and has heard all persons desiring audience at such hearings on the following streets or portions of streets:

ERIE ROAD – 830' S/O of East Mason Street to south City limits

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

1. That the Report of the General Manager of the Water Utility pertaining to the construction of the above described improvement, including plans and specifications therefore as modified, having been reviewed and discussed by members of the Improvement & Services Committee, is hereby adopted and approved.
2. That the Improvement & Services Committee is directed to advertise for bids and to carry out the work of such improvement in accordance with the Report of the General Manager of the Water Utility as approved and authorized by the appropriate committee.
3. That the payment for improvements be made by assessing the cost to the property as indicated in said Report of the General Manager of the Water Utility.
4. That the assessments shown on and confirmed by the Report of the General Manager of the Water Utility as modified are true and correct, and found to be in the public interest are hereby confirmed.
5. That the special assessments that were not required to be prepaid and were not paid in cash within thirty (30) days of the date of billing shall be payable in five (5) annual installments with interest thereon at the rate of four and one-half percent (4.5%) per annum.
6. That the special assessments that were required to be prepaid and were not deposited with the City prior to the awarding of the contract shall be payable to the City of Green Bay within thirty (30) days of the date of billing or they will be placed on the current tax roll as a lien against the property.

7. That the City Clerk shall be directed to publish this resolution in the official newspaper of the City of Green Bay.
8. That the City Clerk shall be further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll, whose post office address is known, or can with reasonable diligence be ascertained.

Adopted _____, 2019

Approved _____, 2019

Mayor

ATTEST:

City Clerk