



MINUTES OF THE IMPROVEMENT AND SERVICES COMMITTEE

**WEDNESDAY, JUNE 12, 2019, 5:30 PM
CITY HALL, ROOM 207**

PUBLIC HEARING 6:00 PM

A. ROLL CALL.

Present: Ald. Brian Johnson, Ald. Jesse Brunette, Ald. Bill Galvin, Ald. Andy Nicholson arrived at 5:41 p.m.

Excused: Ald. Chris Wery

Others present: Bryan Milz, Chief Smith, Chief Litton

B. APPROVAL OF THE AGENDA.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve the agenda. Motion carried.
Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

C. APPROVAL OF MINUTES.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve the minutes. Motion carried.
Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

D. REGULAR BUSINESS.

I. Consideration with possible action on request by Danielle Klaus to rescind the snow and ice removal charge of \$74.08 at 1414 East Mason Street.

Moved by Ald. Jesse Brunette, seconded by Ald. Andy Nicholson to open the floor for discussion. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

Moved by Ald. Jesse Brunette, seconded by Ald. Andy Nicholson to go close floor for discussion. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

Moved by Ald. Andy Nicholson, seconded by Ald. Jesse Brunette to approve request by Danielle Klaus to rescind the snow and ice removal charge of \$74.08 at 1414 East Mason Street. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

2. Consideration with possible action on results of sidewalk study on Ontario Road (referred to staff on request by Brian Milz, 512 Ontario Road, from the May 14, 2019 Improvement and Services Committee meeting).

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to open the floor for discussion. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to go close floor for discussion. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to approve results of sidewalk study on Ontario Road and order sidewalk installed at 436 Ontario Road and prepare sidewalk resolutions for 436, 450, 484, and 490 Ontario Road and 3093 Beth Drive. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, No- None, Abstain- None

3. Consideration with possible action on request by Ald. Scannell, on behalf of Jon-Thomas Korntved, for 8 additional overnight parking exemptions at 868 1/2 Dousman Street.

Moved by Ald. Jesse Brunette, seconded by Ald. Brian Johnson to hold request by Ald. Scannell, on behalf of Jon-Thomas Korntved, for 8 additional overnight parking exemptions at 868 1/2 Dousman Street. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

4. Consideration with possible action on request by Ald. Brunette for Public Works to provide an up to date account of revenue and expenditures of the Wheel Tax.

Moved by Ald. Jesse Brunette, seconded by Ald. Brian Johnson to receive and place on file request by Ald. Brunette for Public Works to provide an up to date account of revenue and expenditures of the Wheel Tax. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

5. Consideration with possible action on request by Ald. Galvin for a report on timeline of who knew what when from City employees as it pertained to reporting the flood from March 14th, and from that information staff to develop an early warning system for man made and natural disasters to help our citizens have as much time as possible to preserve life and property.

Moved by Ald. Bill Galvin, seconded by Ald. Brian Johnson to have Department of Public Works,

Green Bay Metro Fire, and Green Bay Police Department prepare a communication plan for man made and natural disasters to help our citizens have as much time as possible to preserve life and property. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

6. Consideration with possible action on request by Ald. Galvin for an update on when the plan to bring sidewalks up to code will be ready.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to receive and place on file request by Ald. Galvin for an update on when the plan to bring sidewalks up to code will be ready. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

7. Consideration with possible action on request by Department of Public Works regarding approval of the annual Compliance Maintenance Annual Report (CMAR) and resolution for Wisconsin Department of Natural Resources (WDNR) sanitary sewer collection permit.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to adopt a resolution approving the annual Compliance Maintenance Annual Report (CMAR), authorize the Mayor and City Clerk to execute the resolution, and authorize the Director of Public Works to submit the report to Wisconsin Department of Natural Resources. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

8. Consideration with possible action on request by Department of Public Works to enter into Intermunicipal Agreement for Reciprocal Aid with surrounding municipalities.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve request by Department of Public Works to enter into Intermunicipal Agreement for Reciprocal Aid with surrounding municipalities. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

9. Consideration with possible action on request by Speedy Clean, Inc. to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve request by Speedy Clean, Inc. to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

10. Report of actions taken by Department of Public Works

A. Award of contracts

1. To approve to award contract PAVEMENT 3-19 S. CHESTNUT AVENUE RECONSTRUCTION to the low responsive bidder, Advance Construction, Inc., in the amount of \$922,751.

2. To approve to award contract PAVEMENT 4-19 HAVEN PLACE RESURFACING to the low responsive bidder, MCC, Inc., in the amount of \$165,521.25.

3. To approve to award contract RETAINING WALL CONSTRUCTION - BLONDE AVENUE to the low responsive bidder, Highway Landscapers Inc., in the amount of \$86,020.50.

B. Granting of Licenses

1. Sidewalk Builder

- a. Blaser Construction
- b. Christensen Concrete
- c. Fischer Concrete LLC
- d. Melnarik Concrete, Inc.
- e. Q3 Contracting, Inc.

2. Tree & Brush Trimmer

- a. Asplundh Tree Expert LLC
- b. Jose Rodil Herrera
- c. Urban Tree Service

3. Underground Sprinkler System for RainMaster Irrigation, Inc.

C. To conditionally approve the applications contingent upon a positive review of references

1. Sidewalk Builder

- a. Crete Workx Green Bay LLC
- b. Total Construction DBA Joe Mains Concrete

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve the report of actions taken by Department of Public Works. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

E. INFORMATIONAL.

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

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to receive and place on file the recent

activities of the Public Works Department. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

2. The next Improvement and Services Committee meeting is scheduled for July 10, 2019.

3. To accept the report of the emergency sanitary sewer repairs at Radisson Street and North Quincy Street.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to receive and place on file the report of the emergency sanitary sewer repairs at Radisson Street and North Quincy Street. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

4. Report of emergency action taken to restore damage to North Broadway from Dousman Street to Mather Street.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to receive and place on file the report of emergency action taken to restore damage to North Broadway from Dousman Street to Mather Street. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

5. Report on execution of contract for professional services associated with Taylor Street bridge replacement design.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to receive and place on file the report on execution of contract for professional services associated with Taylor Street bridge replacement design. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

F. PUBLIC HEARINGS.

I. Public Hearing 6:00 p.m.

WATER MAIN AND/OR WATER SERVICES

SPARTAN ROAD – Humboldt Road to Luxemburg Road

CONCRETE PAVEMENT

NORTH WEBSTER AVENUE – Main Street to East River

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to order improvements completed and assessments levied for the project WATER MAIN AND/OR WATER SERVICES SPARTAN ROAD - Humboldt Road to Luxemburg Road; to defer assessments against Parcel 21-395 until developed; to defer assessments against the undeveloped portion of Parcel 21-394 (approximately 191 front feet) until developed. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to order improvements completed and levy assessments for the project CONCRETE PAVEMENT NORTH WEBSTER AVENUE - Main Street to East River. Motion carried. Vote: Yes- Andy Nicholson, Brian Johnson, Jesse Brunette, No- None, Abstain- None

G. ADJOURNMENT.

Moved by Ald. Jesse Brunette, seconded by Ald. Bill Galvin to approve to adjourn the Improvement and Services Committee meeting. Motion carried. Vote: Yes- Brian Johnson, Jesse Brunette, Bill Galvin, No- None, Abstain- None

VERBATIM MINUTES

- We're ready to go.
- All right, we'll call the meeting to order at 5:40 p.m. Alder Johnson is present, Alder Brunette is present, Alder Galvin is sitting in substitute of Alder Wery, Alder Nicholson is coming. Approval of the agenda?
- So moved.
- Second. A motion by Brunette, second by Galvin, any discussion? Seeing none, all those in favor say aye.
- [Together] Aye.
- Opposed? Motion carries.
- Approval of minutes?
- Move to approve.
- Second.
- I have a motion by Alder Brunette, second by Alder Galvin, any discussion? Seeing none, all those in favor?
- [Together] Aye.

- Motion carries. Regular business item number one. Consideration with possible action on request by Danielle Klaus to rescind the snow and ice removal charge of \$74.08 at 1414 East Mason Street, Director Grenier.

- Let's see here. February 20th, staff was called out to the property at 1414 East Mason Street on a complaint. At that time they found a sidewalk covered by snow and ice. Staff completed snow removal there, and issued an invoice to the property owner consistent with the provisions that are set forth in the snow removal policy. On March 11th we received a letter from the property owner contesting the clearing of the snow and ice. She feels that they shouldn't have been charged given the fact that they weren't notified and they have been extremely diligent in removing snow despite a harsh winter for even Wisconsin standards. Going back and looking, based on the photographs, it was pretty obvious that staff did have to complete that work, so we were not able to rescind that. We did notify the property owner that her appeal had been denied, and offered her the ability to come before the Improvement and Services Committee to contest that here, so that's what we've done. And Ms. Klaus is here in the audience if you wish to open the floor.

- I'd make a motion to open the floor.

- Second.

- A motion by Alder Brunette, a second by Alder Nicholson, any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. If you could just step up to the podium, and say your name and state your address for the record.

- [Danielle] Thank you. My name is Danielle Klaus. I live at 1414 East Mason Street, Green Bay. The date of which the sidewalk was cleared was the day of my grandmother's funeral. She passed away on February 16th, that Saturday previous. From the 15th when I went to stay with her at hospice, to be with her, through the 16th when she passed, and then in the days leading up to the funeral I was clearly taken by family issues, and it's the one instance in which I was not home, diligently removing my snow and ice, as I was dealing with family matters. I do have her obituary with dates, including service times, if you'd like to see it, but we pay someone to come plow us out all the time. There was one instance on February 13th where he plowed us out on the night of the 12th, and the next morning the plows had come through, we were out digging out again. I tried to stay on top of it as best I could during that stretch of five days. I was dealing with a loss in the family, so I was not clearing snow that day. So I don't know if you want to see the obituary.

- Sure, we can take it for the record here. Do you need this back?

- I have the date of her, I do not, I have the date of her death highlighted, I have my name, my fiancé's name highlighted, and the second page lists the time and date of her funeral arrangements and service. On the 19th was the visitation, with continued visitation and funeral on the 20th.

- Okay, any questions from the Committee? Anyone else that wishes to speak on this issue?

- Go ahead and have a seat.
- Thanks.
- I'll entertain a motion to close the floor.
- Second, or I'll make the motion.
- Seconded.
- A motion by Alder Brunette, second by Alder Nicholson. Is there any discussion?
- I've got a question, Steve.
- Well, can we hold that for one second. All those in favor, say aye.
- [Together] Aye.
- Opposed? Motion carries.
- Steve, this photo, I'm looking at this correctly, this is her property right here, correct?
- Yes.
- Whose property all the way down to the corner is it that's also unshovelled?
- That I do not know.
- [Man] It's a rental. There's all rentals around us. Nobody cares about their stuff. And we fight the plows non-stop, sorry.
- Okay.
- Okay. All right.
- Alder Nicholson.
- I'll make a motion to rescind.
- I'll second that, for discussion. Given the fact it's a sensitive thing, a death in the family, so the fact that we have the obituary and the extenuating circumstances, I feel comfortable going forward with rescinding the charge.
- Steve, do we have any other previous complaints on this property?
- To the best of my knowledge I do not believe so.
- Okay, any other discussion?

- I would, yes, say there's extenuating circumstances here. I'm normally someone that thinks people ought to, a big complaint of mine is keeping the sidewalks clear. I'm tired of seeing people walking in the streets. But there's certain situations I guess that arise that, when you're taking care of your family and a loved one, in a situation like this, I can see where some things are gonna fall by the wayside, and certainly Mason Street, like any Alder that's got a street on a main thoroughfare with no terrace to put the snow, they get the main snowfall and then they got to clean up every time a plow come through. So they're really getting hammered with that. And I think in this case we can have some forgiveness here.

- I agree, given that there's no previous history here with concern, there's certainly an extenuating circumstance, you brought the documentation to demonstrate that. I would support that as well. Any further discussion? All right, we have a motion by Alder Nicholson to rescind, second by Alder Brunette, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Alder Nicholson?

- Thank you. Number two?

- Yes.

- Yes sir.

- Okay, number two. Consideration with possible action on results of sidewalk study on Ontario Road. It looks like this was held up on May 14th. Director Grenier?

- This is actually a continuation of an item that was first brought forward by Alder Corpus-Dax. And we had asked her to hold this in abeyance pending the completion of the citywide bike ped study. That bike ped study is now complete. And it did go forward in front of the Traffic, Bike, and Pedestrian Commission at their last regularly scheduled meeting on May 20th. Unfortunately, it looks like the Traffic Bike and Ped Commission did not necessarily take a positive action on it. Their recommendation was to have solid yellow no passing center lines on Ontario Road during the same stretch, and referred to the Improvement and Services Committee to develop a plan with a timeline to install sidewalks in high-need areas which includes a cost-share mechanism between the City and property owners. So they didn't address this particular location. As we were doing the investigation on this to bring it forward to the Traffic Bike and Ped Commission, we actually wound up getting a comment from someone who had previously lived in the neighborhood that allowed us to go back to 2000, I believe it was 2011 or 2012, this had actually come before the I and S Committee, and an action was taken by the Committee, which was approved by the Council, ordering sidewalk installed in front of four residential homes along the stretch where the gap in sidewalk currently exists. However, for whatever reason at the time, the action from the Committee approved by the Council did not result in a resolution ordering the sidewalks installed. There was, it fell through the cracks there somewhere. So because the resolution never went forward, the sidewalks were not installed. So what I can do is I will provide you with an aerial photo showing the area, you can see on the west side of Ontario Road, there is sidewalk continuous except for a very small portion, and I've arrowed in the four properties that had previously been ordered sidewalks, but the resolution didn't go

through, and then there's one small area where there is a gap. Staff recommendation would be to close that gap, order sidewalks installed, and then have a resolution come before the Common Council at the next regularly scheduled Council meeting, ordering those sidewalks installed.

- Any questions for, Alderman Johnson.

- Steve, it made sense, the Common Council has previously authorized this, do we need to take action on that again, is there sort of a--

- No, what we would need to do is we would need to take action on the one parcel that there currently is a gap. There's four parcels that it was already ordered in, we would include those on the resolution, but we would need to close that one gap. And that will provide continuous sidewalk down the west side. Ontario is a high volume street. Depending on what the wishes of the Committee are, it does make sense that sidewalks could be required on both sides of the street. Bear in mind that those sidewalk costs are attributable back to the adjacent property owners. And Mr. Milz is here tonight if you wish to hear from him.

- Mr. Milz.

- Motion to open the floor.

- Can I ask a question real quick.

- Yeah, go ahead, Bill.

- I thought that we had an ordinance that when we're putting in these subdivisions and homes that sidewalks are part of the deal.

- This, Ontario Road pre-dates that change. The subdivision ordinance has changed multiple times, even in the 11 years that I've been here.

- Okay, all right, thank you.

- Motion to open the floor.

- Motion by Johnson to open the floor for interested parties, there's a second by Brunette. Under discussion? Hearing none, all in favor, nays, motion carried. Okay, now the floor is open. Just please raise your hand, I will address you, and then just come up to the podium, state your name and address for the record please. Mr. Milz, you want to raise your hand and approach the podium?

- [Bryan] Thank you. I had submitted the form as well, sorry about that. As I'd mentioned with the written comments I had submitted at your last meeting, it appears to be a gap there with those four houses, and there's one open plot, and I'm hoping that is the open section that he is talking about including, with the vacant property that connects with the rest of property close to McAuliffe Park, because there's undeveloped plats in there.

- Yes, what we're showing as a gap is the extension of Gilbert Drive, where Gilbert Drive is proposed to come onto Ontario Road.

- [Bryan] So that was my questions on it, and I don't know if you have any questions from last time.
- Do you have any comments towards our Director?
- [Bryan] That sounds like it would be a great solution.
- You're on board, okay great solution.
- [Bryan] Okay, thank you.
- Any question for Mr. Milz? Okay, thank you Mr. Milz.
- Thank you.
- Anybody else in the audience that would want to address this sidewalk issue on Ontario Road. If not I'll entertain a motion to close the floor.
- Motion to close the floor.
- Second.
- Motion by Johnson to close the floor for regular business. Seconded by Brunette, any other discussion, hearing none, all in favor?
- [Together] Aye.
- Nays, motion carried. Okay, regular order of business. I'll entertain a motion, or what are the wishes of the Committee.
- I move to authorize a resolution for all five properties and the installation for the one additional property that has not been previously authorized to--
- So order sidewalk installed on the one parcel that hasn't previously been done, and ask that a resolution be brought forward authorizing the installation of sidewalk at the next Council meeting.
- That's my motion.
- We can do that.
- Okay, motion by Johnson to that effect.
- Second.
- Second by Brunette, other discussion, hearing none, all in favor, nays, motion carried. Okay, number three. Consideration with possible action on a request by Alderman Scannell, on behalf of Jon-Thomas Korntved, for eight additional overnight parking exemptions at 868 1/2 Dousman Street, Director Grenier.

- I have no additional information on this, and have not heard anything from Alder Scannel.
- Okay, is Mr. Korntved here? No Korntved?
- I think what we should do is probably hold this for the next meeting.
- Okay.
- Motion to hold.
- Motion to hold to our next meeting by Brunette, second by?
- Second.
- Johnson, other discussion? Hearing none, all in favor?
- [Together] Aye.
- Nays, motion carried.
- Okay, where are we. Four, consideration with possible action on a request by Alderman Brunette for Public Works to provide an up to date account of revenue and expenditures of the Wheel Tax, Brunette?
- We talked about this as a Committee a few months ago, and I'm just curious what the update was, revenue received versus expenditures.
- Through yesterday, 6/11/19, we have received a total of \$641,788.00 in local vehicle registration fees. We have also received a total of \$1,902.72 in interest on those fees, where they're being held in the bank. So the total received is \$643,690.72. To date, we did come to you about a month or so ago asking for \$100,000.00 of that money to be encumbered for crack sealant material and blacktop patching, so that money has been encumbered. But we haven't necessarily paid the bills on it yet. Then with the projects that we have already let this year, the resurfacing contract, the South Chestnut, there's two projects on South Chestnut that have been awarded to contractors already. And the North Webster Avenue DoT contract that's currently under construction, plus Haven Place, the resurfacing at Haven Place, is out on the street right now. We have to encumber those funds, so with the encumbrance we have to designate their use, and that money can't be spent. So adding up what would have been assessed, and we had special assessments for pavement, and the \$100,000 in material purchased for maintenance purposes, we have a total encumbrance of \$932,776.71 year to date. So if we're to look at a cash balance, we would be negative \$289,085.99 at this point. But again, we continue to receive those revenues throughout the course of the year, so that money will catch up to us.
- We're a little less than halfway through the year.
- Correct.

- And I think when we last spoke we were going to fall short of the original projections for the reasons you've stated.

- Right.

- So where are you at right now with your--

- We are on track, we are on projection to get between \$1.3 and \$1.5 million, which was revised estimate.

- Okay. Steve, could you just have someone from your staff type that up so we can attach it to the minutes, because I don't know if the other Council Members will necessarily watch the entire portion of this meeting. Yeah, perfect.

- We've got it project by project, we'll definitely attach that to the minutes.

- Okay, thank you, no other questions.

- Steve?

- Any other questions?

- Yeah, I have--

- Alderman Galvin.

- North Webster, who owns the property on North Webster. I mean, normally we would have assessed homeowners there, but there are no more homeowners there, so when you say the assessment for North Webster, how much money would have been assessed to homeowners?

- There still would have been assessments levied because even though that became City right-of-way through platting purposes, the right-of-way winds up being a little wider than on a normal street, but we still have an adjacent property owner that abuts the right-of-way, it just would have gone to the next property in.

- But that wouldn't have amounted to very much, would it?

- Actually, the North Webster WisDOT project would have netted about \$182,432.00.

- From those adjacent properties?

- Both sides.

- Okay. Did any of these funds come out for, I saw Superior Road got some resurfacing?

- No, actually that was, the Superior Road, that was not a resurfacing, Superior Road was, as part of the Sitka Superior Pond, the initial plan was to directionally bore the discharge from the pond down to Baird Creek, and when we started doing the directional boring on it, we encountered boulders,

which was not getting the drill stem around, we couldn't install the storm sewer the way we had originally intended. So we put the storm sewer down the middle of the road because there are no other utilities in that section of Superior. We asked the contractor for a change order price, and because directional drilling is so expensive, he was actually able to step out, put the pipe in the road, and put the asphalt surface back on, I think the change order wound up being like \$16,000.

- Six.

- \$6,000 more expensive to do it that way. So we actually made out on the deal.

- Right.

- But that was paid for under a storm sewer project much like the patch on Elizabeth Street was, or when we redid the storm sewer on Preble Avenue and Farlin a couple of years ago, just to patch that trench back in. Here, because we went down the middle, we had to basically do the whole road. But it was basically a patch over the storm sewer trench.

- Well that was one road that was definitely due for some work.

- Well and that is not a reconstruct, and it is not a resurfacing, we didn't do any base work, we literally just laid a patch. But we're anticipating that patch is going to last at least 10 years.

- All right, thanks.

- Go ahead, Johnson.

- Steve, just going back to the North Webster project. When was that project engineered and committed to? And ultimately what I'm getting at is why is any Wheel Tax Money going towards that project?

- Because there still were assessments associated with it.

- So basically what we're saying is the assessments that were on City owned property, now we're using the Wheel Tax to fund it?

- No, that's City owned, again, because the City purchased each parcel down the east side, then when we recorded the plat, that becomes right-of-way, they're not independent parcels. They're not big enough to meet our criteria for a parcel. So it's right-of-way. And much like any, if you look at the west side of the street, the right-of-way is this way, and the property that abuts the right-of-way is the one that gets assessed, because we purchased this parcel, but we're moving the road over, we still have right-of-way there, and there's an abutting parcel, so that parcel would be assessed for it.

- So how were we planning to fund that, before we made the commitment to pass the Wheel Tax?

- The assessments. This would have been subject to special assessments for pavement.

- That \$180,000 that he said.

- All right, well if you guys are comfortable with what's going on here. I can get more clarity from you--
- I'm not.
- Afterwards. Maybe it's not just clicking with me yet, do you know what's happening?
- When we did--
- Not really.
- All right.
- Seems like it's been changing for a while.
- When we did Military Avenue, Military Avenue was done under the same local program. And for the City's portion of that cost, we levied special assessments. When Gallup Avenue was done, we levied special assessments. When Monroe Avenue was done, we levied special assessments.
- So basically with the Wheel Taxes, we said we're not going to levy special assessments, we're using a Wheel Tax to cover that.
- Right, so the property that we would have levied special assessments, those special assessments would have come out at \$182,000.00.
- Do you want to make a phone call and hold this for next month, or next meeting.
- Well, it's just a report, so, and that's all it is at this point.
- We can bring the report back, but it has possible action on it, we can take action.
- Well, I don't know what action we'd be taking at this point, it's just to receive and place on file, right Jesse?
- Yeah, I mean, it was sort of the question, because you hear things out in the community and you hear from constituents that they want an update on the expenditures to make sure that the Wheel Tax that has been levied goes for the projects that they're aware of. So I'm comfortable at this point receiving and placing on file, but you raise a good point, if there's some question that you have, likely Alderpeople have that same question.
- Yeah, and my point is, we can handle that outside of this.
- Exactly, yes, motion to receive and place on file.
- Let's do that.
- Motion by Brunette to receive and place on file. Number five, no, number four. Second by Johnson, any discussion? Hearing none, all in favor?

- [Together] Aye.
- Nays, motion carried. Steve, we have to go into Public Hearings now?
- We do.
- Okay, what do I have to read? Or do you read it.
- Did you give me a copy of the--
- It's in there.
- The engineers report?
- It's by the the last piece in there. It was in there, it was the last piece, in the back.
- In the back in here?
- In the back, yes.
- Okay, Public Hearing, June 12, 2019. In accordance with State Statute 66.0703, this Public Hearing is being held to levy assessments for the proposed pavement and water improvements which are included in the 2019 Capital Improvement Program. All of the projects being considered tonight will be included in contracts administered by the City of Green Bay, Department of Public Works, Engineering Division. All the proposed assessments are being levied in accordance with the City's assessment ordinance. During construction, the contractor is required to provide access to businesses at all times, and residences as much is practical. When a residential driveway is inaccessible, the property owners or tenants can receive permission from the City Police Department to park on adjoining streets. Problems during construction should be brought to the attention of the Department of Public Works, Engineering Division, by calling 448-3100. First project is concrete pavement, North Webster Avenue from Main Street to the East River, is classified as a principal arterial in a commercial or light industrial zoned area. Existing concrete with asphalt overlay, is an urban road section in poor condition, and is in need of reconstruction. North Webster Avenue will be reconstructed with a concrete pavement with integral curb over a gravel base, with a typical clear width of 60 feet. Estimated cost of pavement construction is \$360,000. Sanitary sewer, storm sewer, and water rehabilitation and construction will be performed prior to pavement reconstruction. The estimated cost of sanitary sewer, storm sewer, and water are \$234,000.00, \$342,000.00, and \$98,100.00, respectively. No assessments will be levied for the sanitary sewer, storm sewer, and water improvements. Water main and water services. Spartan Road from Humboldt Road to Luxemburg Road, is classified as a local road in a predominantly residentially zoned area. Spartan Road will have a 16 inch diameter water main constructed in the public right-of-way. Estimated cost of water main construction is \$180,000.00. So what we're looking at, the two projects we're considering, we're all familiar with the big project on North Webster Avenue. This simply goes from the East River Bridge back down to Main Street, so through that commercial corridor, it's that one little piece that's left to connect back out to where Main Street was resurfaced back in 2009. So as we're redoing that piece all the way up to the bridge, we wanted to grab that last little two block segment. There are some special assessments for pavement in there because that is

other than residentially zoned, so in accordance with the assessment policy, what would have been assessed last year, that's cut in half, so it's half of the normal assessment rate. The second project, there is a subdivision that is proposed on the west side of Spartan Road, just north of Humboldt Road on the far northeast side of the city. Currently water main exists at Humboldt Road but does not go north along Spartan, so in order to service the subdivision, water main is going to have to be extended up there. The cost of that water main during initial installation is assessed against the adjacent property owners. That is not under our, if you have questions regarding the water main, we do have representatives here from Green Bay Water Utility who can answer those questions.

- Should we handle the Webster from Main first?
- You can discuss both of them independently, yeah.
- Okay, do you have any cards for anybody that requested to speak on the Main Street? Or Webster to, what is it again?
- Webster Avenue.
- North Webster, Main Street to East River Bridge. Do we have anybody?
- There is one individual that I saw, let me see if they'd like to speak to it.
- Okay. Anyone?
- [Man] Nobody for North Webster.
- Okay, so what's, motion to approve whatever the, you have there, Steve?
- Right, what we'd do is to authorize staff to proceed with the project and order the improvements completed and the assessments levied.
- Okay, for the North Webster Avenue, Main Street to East River, correct?
- Correct.
- Okay.
- I need a motion to that effect. Unless we have questions.
- I'd make that motion.
- Motion to approve by Johnson, North Webster Avenue, Main Street to East River.
- Second.
- To the information that our Director has instructed us, right, Steve?
- Yes.

- Okay, second by Brunette. Under discussion? Hearing none, all in favor?

- [Together] Aye.

- Nays, motion carried. Okay, now we're going to tackle the Spartan Road, Humboldt Road to Luxemburg Road, water main and water services. Do we have anybody from the audience that wants to speak on that. Yes sir, just state your name, address, for the record please.

- [Randall] Yes, Mr. Chair. Here, I'll present the card to you as well.

- Okay.

- [Randall] Mr. Chair, good evening, and good evening Committee Members. I'm here to speak against and register an objection on behalf of one of the property owners to the Spartan Road special assessment. My name's Attorney Randall L. Gast. I'm an Attorney with the Hanaway Ross Law Firm here in Green Bay. I represent the Frankenthal Le Mieux Joint Venture. They're the owners of parcel number 21-394, which will be impacted by this special assessment. The street location is 3605 Humboldt Road. It's where Highland Howie's Pub & Grill is. Under Section 66.0703 of the Wisconsin Statutes, special assessments can only be levied against a property owner if there is a special benefit conferred upon that property owner. And special benefit is defined as an uncommon advantage accruing to the property owners as a result of the improvement made for which the assessment is being levied. We're here to object to the assessment on the grounds that no benefit at all is being conferred to Highland Howie's Pub & Grill. The proposed assessment is at \$85.00 a square foot for 509.12 feet of frontage on Spartan Road that Highland Howie's has. The assessment totals \$43,275.20, which represents 23% of the assessed value of this lot. This lot is only 2.389 acres, 2.4 acres. And 23% of the assessed value is going to be assessed as part of this special assessment. And what we're really objecting to is that there is no benefit at all to Highland Howie's. Highland Howie's has already been served by Green Bay Public Water, and has for over 25 years. They get water. They get nothing out of this main. And as a result, the assessment that's being proposed proposes no connection charge. Why, because we already have water. So there is no benefit at all being conferred upon this particular property to the tune of 23% of its assessed value. They get water, they have for over 25 years. As the Public Works Director indicated, this assessment and the water main extension is meant to serve as a subdivision to the north. Fine, it can service the subdivision to the north. It can provide water to that subdivision. But Highland Howie's already has water, so there is no basis at all to assess this particular parcel some \$43,000.00 for water that it already receives from the City and has for over 25 years. They've always paid the water bill. They get the water bill, they pay the water bill. We get nothing out of this, so we request that this particular parcel, for Highland Howie's, parcel number 21-394 be excused from participation in this assessment because the property owner gets no value at all. So we submit that to the Committee as our objection that with no benefit we should get no assessment. And this particular parcel, and perhaps others, let them speak for themselves, should be excused from this assessment since there is no benefit being conferred as a result of this water main extension down Spartan Road. We get it, we don't need it, and there is not even a connection charge being proposed as we're already connected to Green Bay water, and have been for many many years. So no benefit conferred, we'd request exception, exclusion, from this special assessment. It's really meant to service another property, and that's fine, but the other property should pay for it, and not my client, who already has Green Bay water and is happy with the water service that is being provided. So with that I would submit it to the Committee. I can answer any questions. I have

Howard Frankenthal here who is kind of the managing member of the Frankenthal Le Mieux Joint Venture, and I also have Howard Johnston, who's the tenant, who's been running Highland Howie's for 20 some years, over 25 years. If you have any questions of them, but the bottom line is we don't get any benefit, and we shouldn't pay any special assessment. So we're prepared to answer any questions that you might have or any concerns that you might want to have addressed.

- Alderman Brunette?

- Thank you, sir, what is Highland Howie's?

- [Randall] It's a pub and grill.

- I thought so, so they've been using city water since--

- [Randall] Over 25 years. What Frankenthal Le Mieux, the Joint Venture does, is they lease the property to Mr. Johnston, who has been running the business there, for I think over 25 years actually.

- [Howard] Yes.

- [Randall] And they've always had public water since then.

- [Jesse] Sure, that was my only question, thank you.

- Any other questions from the Committee?

- Thank you.

- [Randall] All right, thank you, Mr. Chair, thank you Committee Members.

- Just raise your hand. State your name and address for the record please.

- Marty Kroll, 1003 South Vanderberg Road. I guess I don't have the exact parcel, but it's retaining the same line on Spartan Road. But our land is zoned agricultural, and we don't plan on doing anything different, and we don't see why we'd have to pay for the water line, also.

- How much land do you own, sir?

- Alderman Galvin.

- There's 53 acres there I believe.

- And how much of your property, what's the lineage that's?

- I don't know exactly.

- [Kristin] I can answer that for him, it's 747 feet.

- And you have 53 acres.

- Yes.
- Okay. And you don't plan on developing that.
- No, none.
- That's all I have, thank you.
- Anybody else? Thank you. Anybody else from the audience?
- Actually, if I could, the gentleman who just, do you mind answering a question.
- [Marty] Sure.
- So it's rural residential, is that what you said, the property's agricultural?
- [Marty] Agriculture, yes.
- Is there an existing farm there?
- [Marty] No.
- Okay, any plans of developing a farm there, that you would need water?
- [Marty] No.
- Right now, currently, you do not get city water, do you have a well water connection?
- [Marty] No, none at all.
- So there's no development there at all.
- [Marty] None at all.
- No property, just--
- [Marty] No, no home.
- You just own the property.
- [Marty] Yes.
- Okay, thank you.
- Okay, any other questions? If not, anybody else from the audience? Nobody? Yes sir.

- [Randall] Just one more question, Mr. Chairman. I'm a little confused, I think I may understand where we are at in the process. I understand that the preliminary resolution has already been passed by the Green Bay City Council, is that true?

- A preliminary.

- [Randall] Right, and is the final resolution coming up for hearing? I think there's a meeting of the Council on June 18th.

- The final resolution will be pending the findings of this Public Hearing.

- [Randall] So basically look out for the City Council agenda to see when the final resolution will be on the docket.

- Yes.

- [Randall] All right, thank you very much.

- Okay, anybody else from the audience? Nobody else? Okay.

- So Steve, with the Public Hearing, do we have to make a motion, please help me out, I don't remember.

- It's always advisable to make a motion one way or the other.

- Well, what is the purpose of having any type of water services if like Mr. Kroll stated that he's just going to leave it as farmland.

- Well, and I'm sure Kristin Romanowicz from the Green Bay Water Utility can correct me if I speak out of turn, so, I'm depending on her.

- Oh, okay, you did state that before.

- There is a water main on Humboldt and I do believe we have some water main that comes out on Luxemburg Road, you do not have on Luxemburg. Are you north of the creek? Okay, so north of the creek on Spartan there's also water main, but that creates a dead end. So by running this up it firstly will have the ability to service the proposed subdivision on the west side of Spartan Road. Secondly it provides a looped water main system up Spartan which connects the Humboldt Road mains to the distribution system that is up in University Heights.

- [Kristin] We're not crossing the creek at this point.

- You're not crossing the creek, okay.

- Can you come up to the podium please so we can hear you.

- [Kristin] And I show you, I'll show you a map, I'm sorry, I have a cold, so.

- Pardon?
- I'm sorry I have a cold. If you can't hear me, just let me know.
- No, you're fine.
- [Kristin] But I'll keep my distance.
- She's trying to stand back.
- [Kristin] So this is Humboldt Road, and the blue line is the water main that we have. It dead ends at the corner of Highland Howie's property. They have their service just onto the dead end of that main. So back, 25 years ago, they connected on. There wasn't any assessment at that time because nothing was extended along the south property line there or on the west property line.
- Is this Kroll's right here?
- [Kristin] Correct.
- Is that what he's talking about? Okay, I'm on board now.
- [Kristin] And so the subdivision that is being proposed is in this field. We have to bring water main along Spartan Road, and as part of the Public Service Commission, they're required to assess the abutting property owners for a water utility, and that's why you'll be assessing both properties. The benefit to the properties is they now would have water main improvements, so if any development happened anywhere in this area, as of right now there is no water main to connect onto. We understand the situation of being not developed. There is ordinances as determined by Council that can be applied for deferment until developed. But the water main, if it goes in, has to be assessed to the property owners for PSC--
- Why does it have to be on this side? Why can't it be on that side of the road.
- [Kristin] It is going on the west side of the road, it doesn't matter which side of the road it goes on. The people on both sides have to be assessed.
- So both sides are being assessed. So if the assessment for him was 60 some thousand dollars, the equal amount of property on the other side would be assessed 60 some thousand dollars.
- [Kristin] Correct.
- All right, so if Highland Howie's property was developed, say 30 years from now they take that 2.4 acres, and they start building on it--
- [Kristin] The water main would be there to connect onto.
- You would have to tap onto that water main.

- [Kristin] Correct. As far as services, the farm field, we do not have an assessment for a service at this time because there's nothing to service there. Same with Highland Howie's, they already have their service. It was put in 25 years ago. We, for whatever reason it was not charged at that time, they've been getting water without any assessment for 25 years.

- So they made out. It happens.

- Well done.

- Thank you.

- [Kristin] They have been paying their bill, yes, so that, paying for the water they get. But the connection in this odd case had never been given an assessment.

- Alderman Johnson.

- So you'd mentioned that there is an opportunity to apply for deferment on the undeveloped land. But would there be an opportunity to do that with the Highland Howie's as well?

- Highland Howie's in its current, I'll check the current zoning use, it is considered other. So there's no agricultural zoning on it. So it would be, the restaurant portion is developed. I had discussed the possibility if they wanted to pursue the northern portion that is farm field. That that portion is not developed, if they wanted to pursue talking with the planning department to see if a portion of the parcel would be considered as undeveloped. But as it stands right now, the parcel is a developed parcel because they're running a business off of that parcel.

- So they couldn't defer the area that's parking lot or anything else, your interpretation?

- [Kristin] My interpretation.

- Is that they would not be able to get a deferment on the property including the parking lot area and everything else.

- [Kristin] In its current one parcel situation right now with a commercial property that is generating business?

- Mm hm.

- Is it would not.

- Okay, and that's your opinion.

- [Kristin] My interpretation.

- Yes, because obviously they've hired someone who has a different interpretation.

- [Kristin] Yeah, I am not a lawyer .

- So just for clarity's sake, on the deferment. If the property sells, that's not considered development, right, that's just a sale. So would the deferment apply, basically, until such a time that somebody actually needs to connect to it?

- [Kristin] I'm not exactly sure how the deferments happen as far as a water utility perspective, the deferment is actually a choice by the City. After this project is complete, the Water Department will be made whole for the PSC, and the deferment is held here in City Hall, so I thought maybe Steve could comment on that.

- Director Grenier, do you know how that works?

- Yes, the Department of Public Works would have to pay the entire cost of the water main to the Green Bay Water Utility, and then we would hold that deferral on our books until such time, actually, the Common Council is allowed to set period of time for the deferral, according to the ordinance.

- So would that need to be decided upon prior to adopting the resolution?

- Yes, you would have to. If you were to issue a deferral you would have to define the term of the deferral as part of the action.

- Is it also possible for us to issue a deferral on property classified as other?

- Not utilizing the general deferral against undeveloped properties.

- Could we make the decision to partially defer that property? For the portion of the property that is not being utilized?

- You're going to have to consult with Law Department on that, I can give you my layman's opinion on that, but it doesn't hold legally.

- Okay, and then what is the timing necessity on this particular resolution?

- The timing necessity, I would, no water main, no subdivision, it's that easy.

- Okay, so in theory, we could hold this to get answers to those questions.

- How long will it take to put the water main in? Is that time sensitive?

- Yes.

- Just a minute, Johnson, were you done with questioning?

- I'm sorry.

- Well yeah, ultimately what I--

- I'll get to you, Bill.

- And ultimately we're just conducting a public hearing right now for input, the resolution would be taken up separately, is that correct?

- Well what you would be talking about, the action, if the action was to move forward, like we did with Webster, the motion that you had, the action you took on the Webster Avenue project was to order the improvements constructed and assessments levied, they're part and parcel to each other.

- Okay. Is the developer here, do we know what time--

- The developer is here tonight.

- The developer is here?

- Yes.

- We have some questions for the developer.

- Yes.

- Okay.

- [Tina] Tina Bunker, 825 South Huron Road, Green Bay. I will say that I did offer to take out the lots along Spartan Road from my plat, and asked that the water line come off of Aldine Court in the same easement that the sewer line is going. And I was told that it didn't matter, that the water authority wanted this connection made.

- Can we see that map again, see what Ms. Bunker is stating here, thank you. Okay, what is she.

- [Kristin] Her and I have not had this conversation.

- I talked with Jim. And Jim said that he talked with you, and I was told that couldn't happen this way.

- [Kristin] Well I'm just saying, I wasn't.

- Or just stay with what you're saying, Tina.

- There's a sewer easement that's coming off of Aldine Court to serve this subdivision, and I said, because we have a lot of assessments on this as well, and I said, well why don't we just run the water with it, and I was told that it needs the loop, and that it can't go that way, that's what I was told by engineering.

- [Kristin] And I wasn't a part of the conversation, but I can talk on the technicality of the background of that.

- Sure.

- [Kristin] So the loop system, the reason why we're coming from Humboldt and coming up, right now the water is a dead end length. It goes from Humboldt, it comes half a mile into a neighborhood,

if we continue that, it's just one, long, dead end stretch of water main. That is not a desirable situation for a water system. Loop systems have the benefit of water quality because you turn the water over, you can have two different directions the water is flowing. It also helps for fire flows, and then reliability, if something happens at this point in the main, everyone downstream does not get turned off. So there is a system benefit for DNR purposes, and customer conveniences that it is helpful and necessary to have a loop system where possible. And that's per DNR code.

- Okay, what is the timing of your development, Tina?

- [Tina] Well I made a request for this subdivision on August 24th of 2016. I have been waiting for 2-1/2 years to make this subdivision come to fruition.

- And we've been holding it up?

- No.

- No, just let me ask her, who's?

- [Tina] I don't know what to do or say. I can tell you that I made a request for this subdivision to go in on August 24th, 2016. And I hired a surveyor to help me do this. I assumed that they are communicating with engineering to get things done in a timely manner.

- Your surveyor?

- My surveyor.

- And what has he been telling you.

- [Tina] I don't know why we're not getting answers. At this point I know that we are, I know that the project is bid out, from what I understand, that the engineering is complete. We've made timetables to try to get this done on multiple occasions, I was hoping to have done in '17, I was hoping to have it done in '18, now I'm hoping to have it done in '19.

- So from a--

- Do you have any other questions, Bill.

- Well, have you sold lots yet?

- [Tina] I do have one customer that is presently waiting for the plat to be recorded to be able to sell a lot to them. They are eager to start construction in the subdivision. There is not very many lots for sale right now in the City of Green Bay. A lot of the lots that are out there are smaller, narrower lots, or have, because there haven't been a lot of lots put on the market, a lot of those lots also have challenges in terms of what can be built on the lots.

- So this hasn't been platted yet?

- [Tina] I believe it's--

- Is a final plat recorded?

- [Tina] And again, I don't know why. I've paid my letter of credit to the City of Green Bay months ago. I've been patiently waiting. If someone asks me for something, such as they wanted the stormwater retention pond deeded over to the City, I got it, I turned it around in 48 hours. You wanted easement for something else, you put it in front of my face, I signed it. I don't know if my surveyor hasn't been following through with things, but I can tell you that if the City or anyone has asked anything of me, I have done it immediately.

- Any other questions, Bill.

- Alderman Johnson.

- From a time sensitivity perspective on this, if we held this until the next meeting to get some answers on that deferral program, and how it might impact abutting property owners, does that negatively impact your ability?

- [Tina] My concern at this point is to be able to get asphalt this year. And because asphalt plants shut down right around November of each year, my question would be to engineering, whether that would be possible to get that hard surface in a timely manner. We had also looked to do a fall showcase in the subdivision to bring customers out to the subdivision. At this point, it may or may not happen that way. I was supposed to make a deadline to the Brown County Home Builders for my fall showcase, it's a very nice, 2,500 square foot home, mostly brick front, four car garage. It will add nicely to your tax base. I have put nothing into the Brown County Home Builders because I am waiting to see if I can get a timetable for this. I certainly do understand where the property owners are coming from, especially the Krolls who farm it. I think that if you can provide them with an extended deferral, maybe even a certain number of years with no payment, considering how difficult milk prices are right now, I think that would be very beneficial to the family.

- Anything else, Alder Johnson. Alderman Brunette.

- It's Tina?

- Yes.

- Tina, have you developed other residential properties throughout the city?

- [Tina] I have been in this role for about 20 years, yes.

- Have you experienced issues in the past, or is this kind of, because it seems like you've been battling, or going through this for the last two years, 2-1/2 years, has this been your experience up to this point? What makes this different?

- [Tina] I have honestly been very challenged to get anything done in the last several years. It's very difficult to try to get anything done these days.

- And you've developed property outside of Green Bay, other municipalities, without municipal water?

- [Tina] Yes, without municipal water?

- Yeah, with or without.

- [Tina] No, always with. I've developed property, again, I don't know that it's me directing everything, but I've been a part of the development in the City of De Pere, Old Plan Settlement. We did McAuliffe Acres in the Village of Green Bay. We did in the Town of Scott. Typically it had been taking about a year, maybe about a year and a half, from the planning process to the installation of roads. And granted, I understand that the DNR law has changed things like that, but it has been extremely difficult to get anything done these days.

- You're saying a year, a year and a half.

- [Tina] From the start, from when you start to plat--

- you're talking what now?

- [Tina] to roads. From when you make an application to try to start to plat--

- Right, but we're talking with this process, how long has it been?

- [Tina] I made the application for the road, I could produce for you right now a letter that I made an application on August 24th, 2016. I asked to be included on the 2017 Infrastructure Plan.

- But you're not sure if your surveyor has been--

- [Tina] I don't know exactly what the delays are. I get them telling me they're not getting information. I get the City telling me they're not getting information, it's just a back and forth.

- I guess I just don't want this to come off as you're saying this is the City's issue, when in fact, from what you're telling me now, it could possibly be a combination of City and some of your subcontractors.

- [Tina] I don't exactly know what the cause is.

- You don't know.

- [Tina] I don't want to point any fingers without certainty.

- Oh, absolutely. Absolutely, all right, thank you.

- Any other questions for Tina Bunker? Okay, thank you. Yes sir.

- [Randall] Mr. Chairman, could I address maybe one more time.

- Yes, yes.

- [Randall] I think I heard what's probably the underlying cause or motivation for this Spartan Road special assessment. The developer graciously conceded that she was willing to take water from a different source other than along this particular road in the new special assessments. Pretty much right across the street to the west of Highland Howie's, right above the Kwik Trip lot, there's a residential development along Satellite Lane. They get water, that's directly to the south of Eaton Heights, the proposed development that this new water main is meant to serve. To the north across Luxemburg Road is Bay Highlands, that's a residential development, they get water. We have a developer here that's saying they were willing to take water from a different source other than this new water main that's being proposed and for which my client gets a \$43,000 special assessment. They can get the water from that area. I think what we heard tonight is that the real reason that the Water Utility wants to do this is to create a looped system. They said that there's some benefits to that, and there very well might be, I'm not an engineer, there could be benefits to a looped system. I suspect that there might be many water systems within the City of Green Bay that are not looped and are dead end, like the one that services my particular client. So now I have another problem. If the real motivation is to create this looped system because of some tangential benefit that doesn't directly benefit my client, there's another requirement of the Statue on special assessments, is that the assessment must be made on a reasonable basis, and there's a uniformity type requirement. Well if the real benefit is to create this big loop, then every single property owner that abuts the new loop should be specially assessed for this water main, if the true reason is, and the true supposed benefit is, even though my client gets water, we want a looped system, well fine. Then assess every single property owner on the loop, and not just put the entire cost of this water main on the few abutting parcel owners that have frontage where this water main is supposed to go. So once again, I don't think Highland Howie's gets any benefit at all, they've already got water. If the true motivation is some kind of a loop system and the tangential benefits, then everybody on the loop should get specially assessed, and not just the last people to complete the loop. So the developer said they'll take water from existing water sources that would obviate and get rid of the need for a special assessment at all, or for any of this construction work. But it seems that there's some reluctance on the utility's perspective to do that, even though there's water service all over the place out there, granted not along Spartan Road in the area that directly abuts Eaton Heights, but they can get it from the south and they can get it from the north. There's residential developments already existing there, and they're already serviced by water. So I've got to believe that they can connect to the water services to the south, which is that residential development on Satellite Lane, or somehow to Bay Highlands, and water they get, which is a residential development immediately to the north of this proposed new development. So there's water sources existing that should be tapped for Eaton Heights. If the true reason is to get a loop, I am not sure that my client gets a benefit from that, 'cause like I said, I don't think that every single water system in Green Bay is a looped system, there's a lot of dead ends all over the place, and to the extent there may be a benefit, then every single property owner on that loop should be assessed and not just the last people to complete the loop. So with that I would submit that I or my client could answer any questions you might have.

- Bill, you had a question?

- Yeah, if your client owns this property for the next 200 years, there's certainly no benefit to him if he does no improvements.

- [Randall] And there's no contemplate improvements, it's a 2.4 acre lot, and there's an existing pub and grill on there, and it's been that way for many years, and that's the current, existing intent, and it's going to stay like that.

- And as this land develops, he gains more customers.

- [Randall] That would be nice.

- Yeah, and as the land develops, and eventually at some point, Mr. Howie there, says I'm outta business, I'm leaving, and this gentleman here and his group decide to sell and develop that into residential or apartments or whatever, having that water there would certainly be an advantage to them wouldn't it?

- [Randall] Conceivably, but I believe that the existing water source would be sufficient to satisfy any future development on those 2.5 acre parcels.

- Okay. Have you talked to the Legal Department here at the City Hall about this?

- [Randall] No, Mr. Galvin, I haven't.

- Have you talked to anyone at the Water Department about this at all?

- [Randall] No, I just got recently retained to take a look at this with this Hearing coming up, and before I went to the City Council for special assessment.

- All right, thank you.

- Anything else, Bill? Alderman Johnson.

- So when I'm looking at this, and maybe you have this information, perhaps not, but it appears that at some point a connection charge was probably made, whenever this water line was brought in, but has this property ever paid an assessment for any type of access?

- To my understanding, no.

- [Howard] For water, no, other than the regular water bill, but we have had special assessments for sewer, and for sanitary, and I think some road improvements.

- Okay.

- [Howard] But assessed and of course paid.

- Okay, so the property right now, again, as I understand it is getting water access but has never paid an assessment.

- [Randall] That's true.

- [Howard] We were never billed an assessment.

- Right, okay.
- [Howard] Of course not, we didn't send any voluntary contributions to the City.
- I can appreciate that.
- Anything else Alderman Johnson?
- No sir.
- Okay, thank you.
- Thank you, Mr. Chair.
- Anybody else from the audience? If not, then what are the wishes of the Committee?
- I could see, looking at this deferment for the Kroll farm.
- Okay.
- And setting up some kind of a, well, I'm not sure what the parameters would be, but defer until they sold or until they developed the land at some point, but of course they're going to be sold from person to person to person on into who knows how long until someone actually starts to develop it. I'd like to see some way of maybe checking with our Law Department about at least offering at least a partial deferment for the Highway Howie's property, this part here that's certainly not developed and is agricultural, it's certainly gaining nothing. I'm not sure legally about the rest of it, where the business sits and that, I would defer that to our Law Department to give us an opinion on that.
- Okay, do you want to make a motion, Bill, to that effect.
- I'll make a motion to that effect.
- Okay, Steve, do you want to say that again.
- Sure, so my motion is to defer the Kroll property until that property is developed for residential or commercial use, until it's developed for something other than agriculture, and to check with our Law Department to see if we could offer the property that Highland Howie's sits on at least a partial deferment for the part of the property that's currently agricultural. I would have to defer to our Law Department about how they look at that, and then if want an assessment, then obviously you have steps you can take if you don't agree with that, and certainly that's your right, and I know you'll exercise that. But at least if we could offer them a partial deferment, that might help get this done.
- Okay, Steve, do you have everything. Just one second. Let's just wait until he's done writing.
- Yes.
- Alderman Johnson.

- If it hasn't been seconded yet, Bill, if I could maybe just offer up an amendment to that, if you'd consider it, is I say, let's just give them the deferral proportionately based on their frontage, and then let Law Department make that decision prior to Council taking up the resolution. That way it's--
- Sure, I'm okay with that.
- It's a definitive decision.
- What piece of the Highland Howie's or Kroll?
- On Highland, well Kroll's period, they're agricultural, they're getting nothing from this.
- Okay, I see what you mean.
- But you have this section right here that just, I think that's west, just west of the western most driveway, it looks like it's nothing but agricultural land, and so I think Brian's got a good suggestion there.
- Okay.
- I'll second that.
- All right, you want to jot something down for Steve?
- Sure.
- Please. For that amendment. Is that okay, Steve, if he, or do you have everything?
- Well what I'm anticipating is order improvements completed and assessments levied, except for defer parcel, and I'll look up the parcel number for the Kroll parcel, until developed, and defer, and we will get a measurement, we will come to concurrence with Water Utility on the measurement of the footage of the agriculturally used piece of property portion of parcel 21-394.
- And that is--
- That's what I have now anyway.
- Oh, okay, all right.
- Yeah, he's got it.
- Okay, thank you.
- [Howard] Just for a point of clarification--
- Yeah, just one second, I do see him. I just want to make sure, is that what you're looking for?

- Yes.

- Okay. Yes sir.

- [Howard] My only point would be that, I don't know it's defined as to agriculture--

- Can you state your name and address for the record please.

- [Howard] Oh, I'm sorry, Howard Frankenthal, 9160 North Upper River Road, River Hills, Wisconsin. And I represent the ownership, it's myself and the Estate of Anthony Le Mieux. And I just wanted a point of clarification that it's not agriculture in the sense that it's cultivated land or raised in crops, but Tony and I bought this property, or created a joint venture in 1983. It's 36 years ago, April, and it's been a bar and restaurant since before that. There's never been anything else on there, or anything else done with it. But it's not necessarily agriculture in the sense of cultivated land, I just wanted to make sure that that got--

- What the Committee is getting at is this portion would be defined as undeveloped land, and it would be available to the deferral. This portion is developed, so it would be assessed. Does that make sense to you? That's what they're contemplating.

- [Howard] Well that's interesting because I have to, to be honest, I see here, where it is cultivated land, and it's part of our parcel, but I've never realized it was.

- Okay. That's what the confusion is.

- [Howard] Okay.

- Do you guys see that can of worms opening up?

- That makes sense why it was so confusing.

- Does it make sense?

- [Howard] It still, we would not, going to the point of my counsel, we would not derive any benefit because we already have city water.

- Right.

- Understand, and that's certainly something that, but we're at least trying to offer, going forward, a partial deferment.

- [Howard] And I appreciate the attempt in considering that.

- It's like trying to work with everybody.

- Okay.

- All right. Any other questions from the Committee? We have a motion on the floor by Galvin, an amendment by Johnson, do we have a second on that? Alderman Brunette?
- Johnson seconded.
- But can he second his own amendment?
- Bill just--
- Galvin modified it.
- I just modified it.
- Sorry, just.
- All right, we're under discussion, Brunette.
- I didn't look at the map too closely, Steve, those are the only two properties that are affected?
- Kroll and--
- That's it, there are not other?
- [Kristin] There are four parcels that are being assessed, the other two are on the west side of the road, one being the developer outside of the subdivision, and the second one being between Humboldt and Satellite.
- This, between Humboldt and Satellite, this parcel would also be assessed, and then this parcel is receiving an assessment, but that is the subdivision, that's the developer's parcel.
- Right, so this person, I don't know if they're here, but they obviously haven't spoken, they've be noticed of this meeting?
- That's the Kwik Trip parcel?
- [Kristin] Yep, they're receive the notice, and I spoke to them on the phone, with a preview of what the rates are. They didn't have any exceptions verbally.
- They chose not to attend, okay, that's it.
- Okay, all right, all in favor?
- [Together] Aye.
- Nays, motion carried. It's a recommendation to the full City Council, correct Steve?
- Yes.

- So there could be questions, I would advise everybody to be there, and it's next Tuesday, 6:00 o'clock, what's the date on it?

- The 18th.

- The 18th, in room 207, which is just, or no, Council Chambers, it's just right down the hallway. Yes sir?

- [Howard] I have a celebration for life for my first cousin one removed in Denver, Colorado on the 18th of June.

- Okay.

- I can have my attorney there to represent me, but is there any possibility that it might be pushed to the next Council meeting?

- No.

- [Howard] Okay, I just thought I'd ask.

- We're only meeting once a month, the next meeting won't be until July, and for these folks to move forward on their project, unfortunately we have to try to keep this thing in motion. I'm sorry for your loss.

- [Howard] Thank you.

- Okay, all right, moving forward. We are done with the hearing, correct Steve?

- Yes.

- Okay, do we have to state anything that we're done?

- No sir.

- Okay, we're moving forward with the Improvement and Services Committee number five. Consideration with possible action on a request by Alderman Galvin for a report on timeline of who knew what when from City employees as it pertained to reporting the flood from March 14th, and from the information, staff to develop an early warning system for manmade and natural disasters to help our citizens have as much time as possible to preserve life and property. Alderman Galvin.

- Okay, so as we sat through, you guys weren't there, but we had a kind of a session at Anne Sullivan School, where all those affected by the flood could come forward. Some information came out at that time about timeliness of letting the people know that there was a flood coming their way. And a lot of them, if they had had some notification in advance at least might have been able to limit some of the damage done to their property. Certainly it couldn't have stopped the flood at any point there. But it was mentioned that an officer had been approached by a citizen that the water was rising. The Fire Department knew at 11:30 that they had the first 911 call. There were reports of cars stuck in water. DPW had a crew out pumping water from what time that night? 7:00 o'clock, 7:30.

- 8:00 o'clock.

- 8:00 o'clock, and right next to the East River, so there's a lot of play and motion there, and I know from when I was on the PD and after 9/11, we had emergency management training in which we did tabletop exercises. And this happens, and this is what you do, and this is how you go about, and who do you notify, and all these other things, and there seems to have been a real collapse in that process here, and it looks like a lot of people knew but there was no system in place, and I don't know why there wouldn't have been, but I certainly like to see, I'm not really looking to blame here, I'm looking to improve that so the next time, and I'm not just talking flood, it could be a terrorist attack, it could be a fire, it could be an airplane lands in the middle of the city, it doesn't matter, we need to have employees in place who know enough, okay, this just went above my pay grade, I need to notify this person. We need to put out an alert, we need to start doing something. And so that's what I'm looking for out of this process here, is just who knew what when, let's talk to those people, let's discuss why this didn't get out sooner, and we could have warned our citizens so that they could have taken action sooner. Had the people been notified, and they left of their own free will, we wouldn't have had the fire department trying to dig people out through icy water and boats and stuff and putting themselves at risk, we wouldn't have had cars getting stuck in the roads, and then having to be towed out. There was a lot of stuff that went on, that maybe with a little bit more warning, could have been at least somewhat diminished. And I think the people out there certainly would have been a lot happier with how things went. That's all I'm looking for outta this.

- Both Chiefs are here, are you for this issue?

- Yes.

- Yes sir.

- Okay, do you want to speak, any recommendation?

- [Andrew] A couple of things, if I may, one of the things, that I was notified early, like 6:30 in the morning, that the EOC was open because of flooding. I went down there at 6:30 in the morning and obviously most of the stuff that had occurred had already passed. It seems to me that the EOC was up and operational. They were dealing with flooding in the county. I know the County Sheriff's office was flooding and they were shuttling cars outta there because they were worried that their whole building was going to get flooded and they were going to lose some vehicles that were in there. So they spent the evening shuttling cars and filling up sand berms around it o keep things out. So they were concentrating on that. Meanwhile the river's starting to rise up here, ice floes are starting to block on the bridge is my understanding. The river's still covered in ice, so it's hard to determine exactly where the water's coming out or whatever. Officers did see some vehicles that were stuck in the water. Officers did see some water rising. Talking to some of the officers that worked that night, they said that this thing floods a couple of times a year, since this day, it flooded twice. I guess the officers working, themselves, didn't realize what was happening. But what I've asked is that if the EOC is open for a flooding event like this, someone, me, from the Police Department, needs to be notified so that we can staff it with someone from the Police Department, we can send out our patrols to keep an eye on it. And then I talked to Jared Preston who runs the EOC, and I said why didn't we do a Code Red, which is a telephonic alert to geographical areas, and he goes, well I'm not authorized to do that, only people from the City involved are authorized to do that. So I said, well call me next

time, I'll come down, and I'll authorize a notification that hey, if you're living in this area, we'll notify you telephonically that the water's rising and you're in there. I did take a look at some of the radio calls back and forth, and it was not a tremendously busy night for our officers. There was a car stuck in the water, and so it did close the street down on Mason Street, over that bridge. There were other high water calls, but there was not a flurry of 911 calls, not a flurry of other calls, people were-

- They were sleeping through it. It happened at night, if it had been the middle of the day. And this is the thing too, I think, that needs to be stressed at a County level. We're all one big happy family here, and we can't have silos that are that close to each other where we're not sharing this information. If the County's flooding in Bellevue, or Allouez, let's think about everyone else around here. And so it just seems to me there was a big, kind of a failing here, where I think we could do better. I'm not saying, I don't mean failure, but I just think we could have done better. And I don't know what that takes, if it's tabletop exercises, training exercises, I mean, we can have thick binders collecting dust because it was 29 years ago that we had our last flood. That's why I don't want to refer to this just as a flood. It could be any kind of manmade or natural disaster that we could run into, and we have to have a process in place so we can notify people. We have an air raid siren system, right, if there's a tornado coming in the middle of the night to warn people. So I just think we need to do better, or we need to develop a system that does better.

- Chief Litton, oh, I'm sorry, go ahead Chief, and then I'll go to the Fire Chief.

- [Andrew] Something we've done is used our Ready-Op system. And DPW's been sending people out, so when a high water event like we're seeing today, they're already starting to make the notifications that hey, water's flooded over this street, and they'll send a picture, and a date and time, and that will all be logged, and that goes to everyone that's on the Ready-Op system. So we can all see that in a real time, and it gets a little annoying when you get 42 of them in an evening of pictures of flooded over streets, but at least the information is getting out there to us so now we can make the right decision when it comes to who's going to come in, what's going to get closed off, and what kind of notifications are going to get sent out.

- Is that just City employees, or is that citizens alike?

- [Andrew] I think it's just City employees now.

- Okay, that's different than the Red Flag System that somebody was showing me on--

- Yes.

- Chief Litton, oh.

- One of the things that has happened since the March 14th, 15th flood is communication between our three departments has increased greatly. As Chief Smith was alluding to, this Ready-Op program that is available to first responders here in the city, they have been able to put together, in essence, a short form that's easily fillable, from a tablet, from a computer, from a smart phone, in the field. So you can simply go out, lean your phone out the window, take a photograph of what you're interested in, and send a short message along with it as who's doing it, what the time is, and then you have some text that goes along with that photograph, and then anybody who's part of that distribution list in

Ready-Op automatically gets that message in real time. So our communication amongst the three departments has increased greatly. Once we start talking about some additional measures, as far as things that have been implemented already since that flood event, that all falls under Emergency Management, which is Chief Litton's responsibility. So I'm definitely not going to try to speak for him, he knows his job a hell of a lot better than I do. I was trying to remember where I was going with the last--

- Take your time. Thank you.

- Thank you, Chief.

- Oh, one of the things that we did find with this particular event, was things were kind of holding their own up until about 3:00 a.m. We had street flooding, but that happens on a regular basis. We had flooding that got beyond the right-of-way, beyond the sidewalks, but had not got to the houses yet. And to be honest with you, not one of us in the world out there, and I was out there all night. Not my staff, Steve was on site all night long. So at the corner of Suydam and Eliza, I was on that puddle at 1:30 in the morning with the Battalion Chief. We didn't know how high that water was going to get. We had no idea.

- Well, and this is my point. Had every neighbor in that area known at 1:30 that you were standing in a puddle, then it's up to them do I make the decision, do I start carrying crap upstairs, do I pack up my stuff and go, or do I wait for the fire department to come with a Jon boat when now, oops, it did go too high.

- That puddle was there at 8:00 o'clock at night when I sent the pump out.

- Exactly. What I'm saying is that if we have a system that notifies, these people have been flooded enough, that if you knock on the door and tell them something is happening here, then it's up to them whether they make that decision. And if they don't heed the warning, okay, they didn't heed the warning. But if they heed the warning, then hey, we're heroes. We warned them, they were able to save and preserve their property, and get outta there before they had to be rescued. And if they stayed too late and their property gets ruined, well, then it's Mother Nature's fault, it's not ours. And this is what I'm hearing from the neighbors and the citizens down there, they're wishing they had had time. And again, you're not the weatherman, you're not the weatherman, you guys, you know, you just react to what's happening, and that's our job, unfortunately, is reacting. But if we can have some action where we're trying to prevent that, let them start making their decisions where they want to go, I think that puts us in a better light. I think it saves us trouble down the road. If half those people left their houses of their own free will, how much trouble would that have saved you, Chief?

- Chief Litton, do you want to respond to all of this?

- [David] I guess your statement was a two part statement, so what was the timeline and what happened there, and the second part is what are we going to do in the future.

- Right.

- [David] I can answer your second part very easily by what we've just already said. There's a fine line between crying wolf all the time, and saying to people, you have to get the hell outta your house,

right, and that's always the very fine, fine, fine, line. And so, yes, all of our departments were out there. Our department was at the EOC, but we were only there because of the flooding going on in the county, south in the county, out by the Sheriff's office, because at that point there was no flooding beyond what we had seen before here on numerous occasions. And so that night, what happened was, essentially, a flash flood that happened within about an hour's time. And by the time we were actually, the first time the water was reported coming into somebody's house, 4:00 o'clock in the morning, just like we said in our public meeting. Had we been monitoring that stuff before? Of course we had. But between 3:30 and 4:00 o'clock it became, it just flash flooded, and that's when we started the evacuation. So what have done, so to be able to crystal ball and say, is this thing going to flash flood, is it going to, how high is it going to go, is it going to go 10 feet deep, and flood half the city? God, I wish I had a crystal ball like that, because we don't. So what we've already started doing is, through this Code Red system that's run by the County, is now, and we're close right now, to sending out another Red Code message to the folks there, which is just gonna stir up, it's going to continually stir up a hornets nest for the next three years, because the lakes are high, and it's cyclical, and it's gonna stay that way from what I've been told by the U.S. Army Corps of Engineers, National Weather Service, we're here, we're gonna be dealing with this for the next two to three years. So all I can do is send out a Code Red to those folks and say, hey look, the water's rising again, we're getting to that point, and that's what we've already started doing.

- Absolutely.

- [David] The other part of that of what we're doing is the Ready-Ops system, so in all of our departments, they're all intertwined in that, people that need to be. The Ready-Op software platform is a magnificent tool, but we're still learning the platform, we've only had it a year, but we've got it integrated now between the three departments, we've actually added Parks, and you guys are all in it if you didn't know, for mass notifications, so those are the things that we've already done. We've looked into could we put in a water level gauge, onto each river, and the answer to that is yes. We've got a rough price of \$30,000. It'd be like a tornado, where an outdoor warning siren like you're talking about, that would give us some automatic readings and could give us some early preemption on that, so it's \$30 grand, and right in the make-up, the yearly maintenance on that is \$10,000, so that's a budget issue, that's something that I will be bringing forward to you and say, do you want to do this. It's an early warning thing right here in the city. The closest gauge that we have on the East River is up in Ledgeview, there's one there, and there's one at the mouth of the Fox River. And the one at the Fox River is an automatic one like I'm talking about, the one in Ledgeview is a gauge read, where the person has to read the gauge type system. So all that stuff takes money, and it takes time to get it through the approval process, and I'm not even near, so I don't know exactly all of that, I just know that that's the cost because we've been doing the research.

- Sure.

- As far as what I think, the homeowners in that area, I think think that there is some long term solution here. And my opinion on that is, is there is no long term solution. I don't think we can throw a hundred million dollars at this and fix it, that's my layman, non-engineer opinion.

- You mean the river rising?

- [David] No, the flood plain area, I don't think we can fix their problem, I don't think we can build a wall.

- No, and I--

- And they don't need it.

- [David] And I think that we as a City have to say to them, look, you live in a flood plain, and there is no long term fix here, we can't build a wall because we couldn't build a wall all the way up the river, all the way up to, you know it's fed from the lake, the big lake, right. Not this lake, but the lake that's, what's the name of the one up in the--

- Well, the East Lake.

- [David] It's fed by Winnebago, and it's controlled by the Army Corps of Engineers through a lock system, so that's how all this is working. So there's two things to do there, three things. We can just continue the early warning, which we will continue to do. We can spend money to raise their homes, money that would have to be paid for either through a federal grant or taxpayer funding. Or we could buy and knock the homes down in the flood plains and be done with the issue.

- I can tell you, I am aware of all of these suggestions, and I've been getting phone calls, and I still get phone calls almost on a daily basis, and everyone thinks they have the answer. Dredge the river really deep, make holding ponds in all the property along the river so the water goes flooding into it, bank it up as high as you have to. And I keep telling people, that's not a reality. We even looked at the City purchasing some homes on the end of Eliza Street, and just converting it into park space, or like you said, raising them up. But all I'm interested in is, I like your idea of the department people all notifying each other, I like the idea of the float or whatever it is in the river that rises. It's kind of like the weatherman, bad storms are coming, we're gonna get 16 inches of snow, you guys, oh my God, every man on deck. And we get two inches of snow, and we're all what a bunch of B.S., you know, and so what you're afraid of is you get people all pumped up and nothing happens, so the next time maybe people don't react the way they should, and you end up with even more problems. I think we have to balance that with give them the information, let them make the decision. But they weren't afforded that opportunity this last time, and I would like to see them offered that opportunity in the future, that we at a point, however we come to that decision, this is the point where we're going to push the button, get the Bat Phone up, and the neighbors are notified in the affected area. If they want to stay, if they want to take precaution, it's up to them, that's all. That's all I'm looking for.

- [David] And again, that area is probably right now, I'm gonna guess, I haven't been over there yet, with this rain all day and what we had last night, it may be getting to the point where streets are starting to flood again.

- Nope.

- [David] I haven't any gotten reports on it yet. If it continues--

- Well, I can tell you last Friday, right along the East River on the East River Trail, and we hit eight spots that are still underwater. And my wife got done with the eighth one, I kept telling her it wasn't gonna be that deep, she was pretty mad at me. We went back home, and that's been like that since that flood, that has been flooded, and it's not going away anytime soon.

- [David] Right, so to your point, in retrospect, yes, a Code Red message going out would have been absolutely appropriate.

- Right.

- [David] Absolutely.

- And we didn't have that in place, but let's--

- [David] But going forward, what I'm telling you is that it is in place. We are actually going through the entire reach of the operations plan, page by page, with each department, with whose responsibilities are what, looking at can we actually do what we say we are going to do in this plan. And we met with the Police Department today. We're meeting with Public Works coming up, every single department, we're going through that with them. There's going to be a revised Emergency Operations Plan coming before the Council probably, I'm gonna say August, maybe into September, depending on how long it takes us and how much we rewrite it. But all those things are in the works right now.

- Okay, and that's all I'm asking for. I remember in the days when we had snow, and we wanted to get a snow plow out on the night shift. Well we had to call a supervisor, one of our supervisors, who had to make the decision to call the west side of the garage, who had to call a supervisor who had to get out in his car to drive around and see if the cops really knew that the roads needed to be salted and plowed, and by then it was 50 accidents, and everybody's crying and pulling their hair out. And I'm thinking there's a fire with some kind of hazardous chemical, and it's blowing downwind, boom, push the button, the alert goes out, shelter in place or get the hell outta there or do something. I like where you're going with this.

- [David] I can assure you that we are, that after, and as a result of this flood, that the communication in and amongst our departments is 100% better, not that it wasn't good before, but it's obviously put a sharp focus on this thing, and also the people that are working for us. Our mid-management people will have to be involved in all these things to be able to make decisions, and so, I think that's where we're at.

- And also associated with that, I think next week is when Mayor's Office is starting up that communication, they're got a group of people who are responsible for mass communication with social media, and various other outlets, kind of like a POI training. That will also play off of this, so if a natural or manmade disaster pops up, we will all know who the information officers for respective departments are, and what their communication strategies are to utilizing something other than just Code Red, because right now Code Red is basically set up for natural disaster, it's not, well you do have the ability to geo-fence it, so we can target certain areas there, but for larger areas, or like a rainstorm like today, we have, and I was going to inform you of this in the Director's Report, we have made some temporary enhancements to the Eliza Street station so that it's not flooding in a way that it used to.

- Yeah, you called me about that.

- So that's why Eliza's not getting ponding water today, but Shawano Avenue is, and--

- You took their pump and put it over there?

- Well Ashlin is flooding, and the whole slough area heading up to West High School we have flooding there, so we could geo-fence that, and say, rainfall event, and we're seeing street flooding, we could do snow plowing, we could do a train derailed downtown, whatever that thing is, but in addition to just the Code Red, there has to be some buy-in from the public, they have to take the step to sign up for that, okay. Then in addition to that, Code Red goes out, and Shelby Hearly gets the Code Red message, and she jumps on the City's Facebook page and says, a Code Red was just initiated for this, and then the rest of us, our Facebook pages pick it up, and we start, those communication plans are being talked about right now.

- Lets wrap this up, what are you looking for Bill.

- I mean, I can talk and talk and talk, I mean, what are you looking for?

- What I'm looking for is them to put together a paper, something that we can, I mean, we're going to have to approve this system, putting the time into it, I'd like to see some training tabletop exercises coming out of this. But yeah, that would be my recommendation, that staff going forward continues to pursue this.

- Like the three of us sitting down, prepare a plan on notification to the public.

- Yes, PSAs, whatever it takes.

- Move to refer to staff?

- I mean, that's great, but you know, I don't know. What kind of communication would have worked over by that flooding, by East River, I mean, that's a pretty elderly area, the people I know of, so how would they be on social media at 4:00 o'clock in the morning, or 3:00? How would that help them?

- [Andrew] Well the Code Red can call their home phone as well.

- [David] If they have a hard-line phone.

- And if someone's not signed up, the neighbors can notify each other, we can use the neighborhood associations to get their members to sign up, the City can do PSAs.

- Okay, if it's worthwhile, because, just like the Chief said, you're living on a river. You've got to use some common sense.

- Right, absolutely, so in the middle of the night, they get a Code Red, it's their choice then, it's on their shoulders if they leave or they stay. All right, make a motion, Bill.

- Motion that staff continue putting together this program.

- Okay.

- Second.

- Motion by Galvin, second by Johnson. Under discussion, hearing none, all in favor?
- [Together] Aye.
- Nays, motion carried. Thank you, I gotta excuse myself.
- All right, Chiefs, just a quick question, off agenda here, but, do we have the ability to send emergency push notifications by using geo-fence data?
- [Andrew] Emergency push notifications.
- So that it would come on your phone, you know, emergency alert, your area's flooding.
- [David] If you sign up for Code Red--
- Code Red will do that.
- [David] But understand this, so Code Red system works like this, if you are within the geographical area of the alert, it will go to your hard-line. Now I personally do not any longer have a hard-line, so I have cell phones. So you have to go to the Brown County website and register. You can register not only a cell phone number, you can register multiple email addresses as well. And you will get the alert within that area. If you are living within that area, and you've signed up for it, it will automatically come to your email address. But if your cell phone, if you are in, let's just say Madison, and the alert is for the East River, because you're geographically not in that area, you're not getting the alert, that's the way the system works.
- But at least we have that option, or that ability. I understand it may not be perfect, but it's--
- [David] Anybody can sign up with their email, and we've put out notices on that, we've put it up on our Facebook and our webpage.
- So maybe we've need to do kind of a, you know, just a special, yeah, a push on that.
- [David] We can do stuff--
- [Andrew] Especially in that area.
- 'Cause I wasn't even aware that that was something that you could subscribe to.
- Yeah, I've been telling a lot of the neighbors to get involved with their neighborhood association. That's the best way to communicate.
- [David] Yeah, and Cheryl in that group does a good job of communicating and stuff within them.
- And I could see just like doing some lit drops in that neighborhood, just to let them know that.

- [David] We can do stuff at the Farmers Market with a simple little, there's all kinds of ways of getting the message out, it's just the matter of people signing up for it and paying attention to it.

- If even a few neighbors knew about that then they could have knocked on the doors of other neighbors.

- [David] I will tell you this, it's not an argument, that even when we were going door to door telling people that they had to leave, and we don't actually have emergency authority to actually force anybody to leave. Absent of fire or the need for first aid, State law does not afford us the ability to order them out of their home. And I would say at least 40% of them refused to leave. And I would say another half of them we did take out, and all of them went back the next day, and we had to go get them again.

- Well that's when we start billing them, isn't it?

- [David] Not in that circumstance because it's already a sore topic, and do you want to be answering those questions at this meeting or at Common Council, probably not.

- Every time I see firemen going out on the ice to get ice fisherman I think they oughta be billed, but I know that doesn't happen.

- All right, thank you Chiefs. All right, item number six. Consideration with possible action on a request by Alder Galvin for an update on when the plan to bring sidewalks up to code will be ready. Alderman Galvin.

- I know I think I put in that communication over a year ago.

- Yes, and we had asked you to wait until the results of the citywide bike ped plan were completed.

- That was so long ago, I don't remember.

- And the bike ped plan just became complete in May. Staff is busy, they have been busy. Before we can identify a plan on how to bring the sidewalks up, we have to have an inventory, which we do not have believe it or not.

- I can believe that, yeah.

- 46 square miles of city, and we don't know how much sidewalk we have. So staff has actually been completing the inventory. We expect the inventory to be complete by July 4th. After the inventory is complete, I plan on giving you a call, Alder Galvin, to come up with some parameters on how such a program would work. What frequency, how much of the city are we going to do in the course of a year, that kind of thing, so that we can prepare a plan. And then we plan to bring the plan.

- Sounds good.

- All right.

- Our goal would be to have a plan ready for the, and this actually times perfectly with the discussion that was held last night at Finance Committee, bringing the CIP discussion prior to the budget so that that could all be considered, deliberated, and anticipated for next year's budgeting. We plan on being ready to go for that fall discussion.

- Okay, thank you.

- Motion to receive and place on file.

- Yes.

- So we have a motion by Alder Brunette, a second by Alder Galvin to receive and place on file any other discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Item number seven. Consideration with possible action on a request by Department of Public Works regarding approval of the annual Compliance Maintenance Annual Report, CMAR, and a resolution for Wisconsin Department of Natural Resources, WDNR, sanitary sewer collection permit. Director Grenier.

- We have included a memo from Matt Heckenlaible, the Utility Manager, regarding the CMAR in the packet. We can go through and give you the highlights, or we can give you the really short highlights. I'm anticipating you want the really short highlights. Things continue to get better with the sanitary sewer system. We took on a whole different mindset on managing our sanitary system a couple of years ago. That has been spreading over to our storm sewer system as well. Taking a look at the table that's included, 2018 our financial rating is an A, our sewer system rating is an A, our overall rating is an A. It's been that way since 2009. Overall we've cleaned 71.6% of our system, televised 25.9% of our system. Total number of complaints this year actually went up a little bit. There were 214 total complaints up from 174 the year before, but of those complaints, only six of them, as opposed to 11 last year, were due to backups due to a city main problem. Those numbers do exclude complaints due to flooding or an industrial release, where it was not actually a city backup. And that one refers to, we had an incident down at the corner of Main and Elizabeth where there was a discharge from an industrial client that blocked our sewer, that was not a city problem, that was actually a private problem that intruded into our sewer, so that doesn't count as a city backup. And zero sanitary sewer overflows. So we had nothing escape the system again this year. It's really a fantastic effort going forward from the folks in the utilities division, and a real dedication to making sure that they're doing a job to take care of the system and manage it properly. So what we are looking for is a request to, the action we would be looking for is to adopt the resolution approving the WDNR NR 208 CMAR report, authorize the Mayor and clerk to execute, and allow the Director of Public Works to forward these documents to the Department of Natural Resources, and I'd be happy to answer any questions you have.

- So moved.

- I don't have any questions.

- Do you have a second?

- Second.

- We have a motion by Alder Brunette, a second by Alder Galvin, is there any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Item number eight. Consideration with possible action on a request by Department of Public Works to enter into Intermunicipal Agreement for Reciprocal Aid with surrounding municipalities.

- We have included a copy of an Intermunicipal Agreement for Reciprocal Aid in the sharing of equipment and services. This is something we have been working on for about two years with municipalities across Brown County. We have routinely been there to help each other out with men and equipment wherever necessary, if one municipality has a breakdown or finds itself short, other guys just sort of pitch in. And what we realized is we didn't have the legal authority to do that, and there was no way to protect us that if we sent a snow plow to De Pere, and it got damaged, who's responsible for fixing it. So the respective public works directors have been working with their respective law departments, came up with this reciprocal intergovernmental agreement. Everybody has reviewed it with their law departments, everybody's fine with it, and this will provide legal basis for us to be able to share equipment and services to help each other out. It basically mirrors what police and fire have. But again, we didn't have a legal basis going in.

- Wasn't there an issue a couple of years ago, with, was it PD, that they didn't have something, and it created some confusion around this issue, am I making that up.

- I don't know, there may have been, but, it's not uncommon for us to send equipment to other municipalities to help out. In addition to the contract work we actually have. So when we're painting in De Pere or Bellevue, that's actually under contract, so that's something else. Here, De Pere calls up and, hey, one of our tool cats went down during a snow event, can we borrow yours, so we'll throw a tool cat on a truck, and we'll run it down to De Pere, and send it back with a full tank when you're done kind of thing, it was just a gentleman's agreement. Well what happens if that thing gets broken, other than normal wear and tear. We trust that it will be taken care of, but there's actually no document that covers that, so all we're doing is making sure our bases are covered.

- Okay, Alder Brunette.

- Yes, thank you, Chair. Two questions, one, obviously Green Bay's the largest municipality in this group?

- Right.

- Do you feel that there's an imbalance with us giving versus taking?

- No, I don't.

- So there's a good balance there?

- Absolutely.

- And remember, second question, when we had our meeting with the folks at Oneida in February, I think you mentioned the boots on the ground between your department and Oneida's working. I know technically they're not a municipality, but are they part of this, do we share any equipment with--

- At this point they're not.

- No service agreement, no--

- Well, this is born out of, we have what's referred to as a Brown County Public Works Association, so public works directors from each of the municipalities in the county routinely get together, and we talk about things that are of mutual interest, and items like us doing signal work at other municipalities, us painting for them, working collaboratively on yard waste disposal, okay, all kinds of things. And we routinely, I don't loan equipment off to everybody. A lot of times we may do some stuff in Allouez here and there, a lot of times, De Pere being second largest municipality, they don't have something go down, but we oftentimes have similar equipment. We'll have something go down, we know they've got one. Bellevue may not because they're not big enough. Then Bellevue and Allouez and Howard were like, well you guys are working together pretty well, what happens if, would you be willing to help us out if something, okay? So because we routinely work together that, but we would have no issue entering into a similar type of an agreement with Oneida if they desired to do that. It's just we don't routinely work with them in that vein.

- Okay, thank you.

- So this is really to just make us codify something that's already occurring?

- Exactly.

- Okay.

- Move to approve.

- Second.

- A motion to approve by Alder Brunette, second by Alder Galvin, is there any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Item number nine. Consideration with possible action on a request by Speedy Clean, Incorporated, to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.

- As you may be aware of, several years ago a company by the name of K.S. Energies, working on behalf of the Wisconsin Public Service, requested that they have the ability to enter our sewer system

so they could televise our sewers. And what they are doing is they're going up the mains and then sticking a camera up the lateral to find the lateral, so that way when Wisconsin Public Service is doing, primarily, directional borings into terras, they don't inadvertently cross bore our facilities. We worked out a master agreement with K.S. Energies. They had to demonstrate that they had staff who were competent in closed circuit television and sewer systems. They had to provide insurances, they had to demonstrate their competency that they weren't going to damage our system and things of that nature, and by and large it has worked out very well because that gives us another set of eyes that we can trust who are in there looking for potential problems before they become problems. So it's been a real good relationship with K.S. Energies over the past several years. We now have a new company representing other utility companies who is going to be doing similar work. They are requesting entering into the same agreement that K.S. Energies has enjoyed with the City of Green Bay. We have interviewed them, we are comfortable with their competency and their ability to protect our infrastructure, so staff does recommend entering into a master agreement with Speedy Clean as well.

- There's nothing attached, so are you preparing the document for approval, or?

- Well, yeah, we can definitely give it to you. We took the K.S. Energies agreement, removed K.S. Energies and put Speedy Clean in, it's the same document that's been executed for several years. But we'd be more than happy to give you a copy of the--

- Yeah, for the Council meeting, you can attach it to the agenda.

- Sure.

- Just, because there's nothing here. I agree with the concept, but without seeing something in writing it's hard to know what we're actually agreeing to. I'll make a motion to approve contingent on, move with the understanding that Public Works will attach this to the Common Council agenda for review.

- I have a motion from Alder Brunette.

- Second.

- Second by Alder Galvin, any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Report of actions taken by the Department of Public Works. A, award of contracts. One, to approve to award contract PAVEMENT 3-19, South Chestnut Avenue reconstruction to the low responsive bidder, Advance Construction, Incorporated, in the amount of \$922,751.00. We can take these all at once, Steve?

- Sure.

- Item two, to approve to award contract PAVEMENT 4-19, Haven Place resurfacing to the low responsive bidder, MCC, Incorporated, in the amount of \$165,521.25. Item three, to approve to award contract retaining wall construction, Blonde Avenue to the low responsive bidder, Highway Landscapers Incorporated, in the amount of \$86,020.50.

- We have provided for you copies of the bid tabulations for all three contracts. Staff was very pleased with the prices that we received on these. Going back, just a commentary here for your consideration, relative to the Blonde Avenue retaining wall, we did only receive a single bid on that. That is a very specialized type of construction. Highway Landscapers is the company that did all of the retaining wall construction associated with the U.S. Highway 41 corridor. We are very comfortable with the fact that we only got one bid, but it's specialty construction, and part of what was required here, I don't know, you're probably not familiar with Blonde Avenue because it's a very tiny little street, and it's kind of hidden away. If you're heading on east on Newberry, right where the practice fields for Preble High School are, before you get to the tennis courts, Blonde cuts off to the south there. And there's a house on top of the hill, and there's just a slab limestone retaining wall. Part of this contract requires the contractor to consult with a geo-technical engineer to design the retaining wall because every one of them has to be independently designed. We could not, it's not possible for us to design that wall and then put it out for bid because each manufacturer of retaining walls is going to have different requirements. So put the bid out, and it does require the landscape designer, or the landscape company who's doing the bid, to have a geo-technical engineer sign off on it. A lot of your smaller landscape companies don't have that kind of relationship with a geo-technical engineer, whereas a highway landscaper does. We're very, very confident because of the specialty nature of the construction that's why we only got the single bid. So we're simply reporting out that these three contracts have been awarded, and again, we're very happy with the numbers that we saw, even though we only got a single bid on one of the contracts.

- Committee?

- Move to approve.

- Second.

- A motion by Alder Brunette, a second by Alder Galvin, to receive and place on file.

- I think so.

- Well it would be approve the, approve our report.

- To approve the report, okay.

- Yes.

- Any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Item 10B, Granting of Licenses. Number one, Sidewalk Builder. A, Blaser Construction. B, Christensen Concrete. C, Fischer Concrete LLC. D, Melnarik Concrete, Incorporated. E, Q3 Contracting, Incorporated. Item two, Tree and Brush Trimmer. A, Asplundh Tree Expert LLC. B, Jose Rodil Herrera. C, Urban Tree Service. Item number three, Underground Sprinkler System for RainMaster Irrigation, incorporated. Committee?

- And they were all repeat customers in good standing, so staff went ahead and issued those licenses.
- Motion to approve.
- Second.
- I have a motion by Alder Galvin, second by Alder Brunette, any discussion, seeing none, all those in favor say aye.
- [Together] Aye.
- Opposed, motion carries. Item C, to conditionally approve the applications contingent upon a positive review of references. Number one, Sidewalk Builder. A, Crete Workx Green Bay LLC. And B, Total Construction DBA Joe Mains Concrete.
- And again, that's just, we're reporting out that we issued those letters to the contractors, and we're still following up on reference checks on them.
- Okay, I'll make a motion to approve.
- Second.
- I have a motion by Alder Brunette, a second by Alder Galvin, any discussion? Seeing none, all those in favor say aye.
- [Together] Aye.
- Opposed, motion carries. Informational, number one, Director's Report, on recent activities of the Public Works Department.
- A very, very short Director's Report tonight. I did want to give you an update to let you know that two of our critical positions in the engineering division, the two pavement technicians, we were successful in filling both of those positions. So the resurfacing program and the sidewalk and pavement repair programs both are fully staffed again. And staff that was covering in the absence did perform very well. and we got a lot of cross-training out of it, so it turned out pretty good. We do have an engineer coming in for a second interview--
- The 28th.
- End of this month, so hopefully that will pan out, and we'll get the engineering staff back up to full song as well. Other than that, we have completed spring loose leaf cleanup. Staff is very, as you saw with the CMAR report, sewer staff is extremely busy. Sanitation staff, we are taking a look at some process improvements that I hope to be able to report on later this summer. And the street section is actively engaged in maintenance activities across the city. Operations division is pretty busy right now too.
- Move to receive and place on file.

- Second.

- A motion by Alder Brunette, a second by Alder Galvin, to receive and place on file, any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. The next Improvement and Services Committee meeting is scheduled for July 10th, 2019. Item number three, to accept the report of the emergency sanitary sewer repairs at Radisson Street and North Quincy Street.

- If you're familiar with that area, that is directly in front of the Green Bay Packaging expansion. And we had a sewer lining that was completed out there a couple of years ago under a citywide contract, and a flaw in the bottom of that liner was creating a backup. So we need to complete some work to remove that pillow and reinstitute the flow line in the bottom of the pipe. As our staff was cutting that deficiency out of the liner, what we found was the bottom of the pipe was severely deteriorated, and we couldn't get our cutter across the hole without dropping it in and potentially damaging our equipment. As we were making plans to make a repair, that's also on the detour out for the Webster Avenue project, we started getting reports in that pavement in the vicinity of the railroad crossing at Radisson Street right at Quincy was starting to fail. So we got a camera back down inside of that line and found out that the void in the pipe was causing a void in the pavement. That turned into an emergency situation, we had to get that pipe excavated and repaired quickly, being that it was a heavy truck route, and it was the detour for the Webster Avenue project. De Keyser Construction is under contract with the City to handle emergency type repairs. We did contact De Keyser, got in there, got the hole opened up, got the pipe fixed, got everything reinstituted, and got the detour back in. Cost of that construction was about \$70,473.00, and that was paid for out of the Emergency Repair Fund in the sanitary sewer utility. So we're simply reporting out that emergency action was taken.

- I make a motion to accept the report.

- Second.

- A motion by Alder Brunette, second by Alder Galvin, any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Item number four, report of the emergency action taken to restore damage to North Broadway from Dousman Street to Mather Street.

- Okay, North Broadway, this was a project that was completed by Green Bay Metropolitan Sewage District NEW Water. They're forced mains, they're interconnectivity between the De Pere plant and the plant at the mouth of Fox River. They had some repairs that needed to be made at joints at that pipe along a large segment of that, and part of that goes up North Broadway between Dousman and Mather. So last fall through the winter, their contractor, Degroot, dug down, made the repairs on the pipe, and they put a temporary pavement in place. This spring that temporary pavement had to come off and a permanent patch needs to be constructed. So in order to allow them to do that work, all of

their holes were in the southbound lane, the contractor pushed all the traffic over into the existing northbound through lane and parking lane, and put up the drums and the delineators to do that. What we couldn't have anticipated was the minute they put that traffic over there with the heavy truck traffic, that pavement just absolutely fell apart. It was actually in worse shape than what Webster was before we closed Webster. So we went out, staff went out, and we tried to identify where we were going to put the patch to repair it, and every time we tried to patch it, the pavement immediately adjacent to that, fell apart underneath our wheels. So we had an absolute mess on our hands. And that being U.S., that's connecting highway for U.S. Highway 141, it's also alternate I-43. We can't have that highway down. So staff had to make a decision, it was literally a hazard to motor traffic. It was worse than what Webster was before we closed Webster. So staff came in, met with me, showed me what was going on. We went over, took a look at the site and again, a declaration of emergency condition was made. I consulted with the Law Department and with Finance Department before we did that, but we did declare an emergency over there. It looks like a resurfacing. That's not what we did, that was not a resurfacing project. That is a patch, we are anticipating that patch to buy us at least 10 years worth of additional service life out of those through lanes, so we think it is a good investment. But there was an expenditure of \$144,731.00 to make that emergency repair.

- Well that road's been just a disaster for several years now, and I think that, the thing that just concerns me most, and this certainly is no fault of yours, but the fact that my understanding is that wasn't even on the State's six year plan.

- Correct.

- And it's their road. So I hope that, aren't they responsible for maintaining it?

- No, they're not.

- I thought State highways that came through the City were the responsibility of the State.

- It's connecting highway, and under the connecting highway legislation if we accept, and trust me, the money we get under connecting highways is substantial. They provide us with money every year, and that money is intended for us to perform, among other things, to perform maintenance. When it comes to a reconstruction, then it winds up being, I think, an 80 20 split, under reconstruct, but we would have to initiate the discussions to get that reconstruction started.

- So how does that work over on Shawano Avenue?

- Same way, absolutely the same way. So we are actually working with them to get Shawano on their radar right now.

- So if it's the same way, we don't, so basically because this was, as you stated, a patch, and just a very big one.

- Yes.

- So, is this, my concern with Shawano in particular, and I know it's been before this Committee before, that's in very similar condition as what North Broadway was. If there were circumstances on North Broadway that accelerated that deterioration while that other work was going on, I

understand that, but Shawano is in similar condition, and if there State's not going to put this on their radar for another six years, is there an advantage for us to declare Shawano in the same state of emergency?

- Well, we're actually looking at, Shawano is not as bad as Broadway was, and we are looking at more of a patch type, but a longer patch. That would be part of our regular Capital Improvement Program. What differentiates this is because it happened so rapidly, there was not adequate time to get a set of plans and specs together and use the bidding process, it had to be done immediately. We don't have that same emergency on Shawano. I think with Shawano, we have the ability to plan that. So we're trying to get a plan together on what we're gonna do over there that will provide a rideable surface and serve the public, but not overspend, because we do want that to get on the State's radar. Truth be told, if we do too good a job patching it, then they'll look at it and say there's nothing wrong with it, there's no reason for us to get involved.

- So what's your timeline for that?

- I don't know if we were planning on getting something into next year's Capital Program?

- [Jim] That's what we're trying.

- We're trying to get something together to get it into next year's CIP. In the meantime what we're doing is we're patching it, whenever and wherever we need to do that. But we want to do something more substantial than just continue to patch it. And what that may end up being is redoing what they did back in 2006. Pull off that existing asphalt layer, put another thin asphalt layer on it just to make it more rideable and get that asphalt to adhere to the underlying concrete, knowing that it's only going to last us 10 years. But don't put a 25 year effort into a 10 year patch, put a 10 year effort into a 10 year patch.

- Okay, one other question I have for you Steve is, and I know I shared this with Dave Hanson just because we were talking about something else, but when the trucks were rerouted around North Broadway, and then they started taking a lot of turns back onto to Broadway off of Dousman Street there, they kept riding that curb, and the whole curbing system buckled off.

- Oh, okay.

- Is that going to get repaired, or does that just stay off?

- Jim is making a note of it right now.

- Okay, and while you're making a note of that, there's several spots along Broadway there, where the curb has buckled off. I can think, like in front of Kavarna in particular, there's a big stretch that's off.

- General rule of thumb is, the first instance you were talking about was on a corner, that could create a hazard to traffic because people routinely go up against a curb on a corner. When you're more on a straight line segment, the curb head, I don't want to say isn't functional, but it doesn't have a primary function for the gutter conducting water. As long as the curb and gutter system continues

to direct water, we don't have excessive dirt falling into the road, small sections of the curb head can be gone, and we will not fix that.

- Okay, but the corner's different.

- Right,

- I watch those semis ride that thing every day, repeatedly, and it just--

- And that's especially why, it would cause an accident with traffic going over it. And it's not just the semis, sometimes it's our equipment that does that as well.

- Okay, any other questions?

- Nope.

- Motion to receive and place on file.

- Second.

- We have a motion by Alder Brunette, second by Alder Galvin, any discussion? Seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries. Item five, report on execution of contract for professional services associated with Taylor Street bridge replacement design.

- Okay, this one, and with the last one, I wanted to let you know that that emergency repair was funded out of our contingency fund within the CIP, the pavement contingency. For the professional services contract associated with the Taylor Street bridge design, that was actually an item that was listed within the CIP. The reason we're reporting it out is because when we received, negotiated the contract with the design consultant, total contract value was \$68,351.71. That's an 80/20 cost split between the DoT and the local. So DoT's picking up the lion's share. The City's share of that is only \$13,670.34. Because that's under \$25,000.00, the approval of that contract doesn't come to the Committee, but I wanted to make sure that you were aware of it. We're just reporting that out so we can make sure you guys are well informed.

- Motion to receive and place on file.

- Seconded.

- Motion by Alder Brunette, second by Alder Galvin. Any discussion, seeing none, all those in favor say aye.

- [Together] Aye.

- Opposed, motion carries.

- Motion to adjourn.
- We have a motion to adjourn by Alder Brunette.
- Second.
- Second by Alder Galvin, any discussion? Seeing none, all those in favor say aye.
- [Together] Aye.
- Opposed, motion carries, we are adjourned.