



MINUTES OF THE COMMON COUNCIL

**TUESDAY, SEPTEMBER 17, 2019, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

A. ROLL CALL.

Present: Craig Stevens, Mark Steuer, Kathy Lefebvre, Randy Scannell, Brian Johnson, Veronica Corpus-Dax, Andy Nicholson (arrived at 6:07 p.m., left at 7:36 p.m.), Chris Wery, Jesse Brunette, Barbara Dorff, Bill Galvin, John VanderLeest

B. PLEDGE OF ALLEGIANCE.

C. INVOCATION.

I. A moment of silence was led by Alder Lefebvre, District 6.

D. APPROVAL OF MINUTES.

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to approve. Motion carried.

I. Approval of the minutes of the August 20, 2019 Common Council meeting.

E. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to approve. Motion carried.

F. REPORT BY THE MAYOR.

G. ANNOUNCEMENTS.

H. RECOGNITIONS AND AWARDS.

I. APPOINTMENTS.

1. New Appointments:

Ethics Commission

Brankica Bakovic, 1114 Thorndale St., Green Bay, WI 54304

Term to expire: March 1, 2021

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to confirm the new appointments.
Motion carried.

2. Re-Appointments:

Traffic, Bicycle and Pedestrian

Daniel Theno, 621 Schwartz St., Green Bay, WI 54302

Term to expire: March 1, 2022

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to confirm the reappointments. Motion carried.

J. PUBLIC HEARINGS.

No one appeared to speak on the ordinance.

1. General Ordinance No. 19-19

An Ordinance to Repeal and Recreate Subchapter Chapter 13-1700 Green Bay Municipal Code, Off-Street Parking, Drives and Loading.

K. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to suspend the rules and take up items 1 through 3 with a roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to adopt items 1 through 3. Motion carried.

Yes- Andy Nicholson, Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

1. General Ordinance No. 19-19

An Ordinance to Repeal and Recreate Subchapter Chapter 13-1700 Green Bay Municipal Code, Off-Street Parking, Drives and Loading.

2. General Ordinance No. 18-19

An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.

3. General Ordinance No. 28-18

An ordinance to repeal and recreate Section 6.15 Green Bay Municipal Code, relating to special events.

L. REPORT OF THE REDEVELOPMENT AUTHORITY (AUGUST 20, 2019 AND SEPTEMBER 10, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve with the exception of item 3, 6, 8, 10 and 18. Motion carried.

1. To adopt a Territory Amendment Resolution and amend the Project Plan for TID Five (5), East and West Downtown. The proposal seeks to remove parcels from TID 5 that are generally located in the area east of S. Maple Street, south of Howard Street, west of the Fox River, and north of Fifth (5th) Street. (August 20, 2019)

2. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors. (August 20, 2019)

3. To adopt an Affordable Housing Extension Resolution for TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors. (August 20, 2019)

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve item 3. Motion carried.

4. To adopt a Termination Resolution for the dissolution of a Project Plan, for the closure of TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors. (August 20, 2019)

5. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Eight (8), Henry and Morrow Streets. (August 20, 2019)

6. To adopt an Affordable Housing Extension Resolution for TID Eight (8), Henry and Morrow Streets. (August 20, 2019)

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve item 6. Motion carried.

7. To adopt a Termination Resolution for the dissolution of a Project Plan, for the closure of TID Eight (8), Henry and Morrow Streets. (August 20, 2019)

8. To adopt a Termination Resolution for the dissolution of a Project Plan, for the closure of TID Nine (9), State Highway 54/57 Business Park. (August 20, 2019)

Moved by Ald. Bill Galvin, seconded by Ald. Randy Scannell to approve item 8.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to open the floor.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to close the floor.

Moved by Ald. Barbara Dorff, seconded by Ald. Andy Nicholson to hold until the Oct. 1 meeting. Motion failed.

Yes- Andy Nicholson, Barbara Dorff, Chris Wery, Craig Stevens, Jesse Brunette, No- Bill Galvin, Brian Johnson, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy

Lefebvre

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve item 8. Motion carried.

9. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Twelve (12), I-43 Commercial Development. (August 20, 2019)

10. To adopt an Affordable Housing Extension Resolution for TID Twelve (12), I-43 Commercial Development. (August 20, 2019)

Moved by Ald. Barbara Dorff, seconded by Ald. Brian Johnson to approve item 10. Motion carried.

11. To adopt a Termination Resolution for the dissolution of a TID Plan, for the closure of TID Twelve (12), I-43 Commercial Development. (August 20, 2019)

12. To adopt a Resolution amending the Project Plan for TID Thirteen (13), Downtown Redevelopment. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID. (August 20, 2019)

13. To adopt a Territory Amendment Resolution and amend the Project Plan for TID Fourteen (14), North Broadway Redevelopment. The proposal seeks to add parcels that are generally east of Broadway, south of Mather Street, west of the Fox River, and north of Dousman Street. (August 20, 2019)

14. To adopt a Standard Extension Resolution for TID Fourteen (14), North Broadway Redevelopment. (August 20, 2019)

15. To adopt a Termination Resolution for the dissolution of a TID Plan, for the closure of TID Seventeen (17), 900 Block North Broadway. (August 20, 2019)

16. To adopt a Creation Resolution to establish TID Number Twenty-Two (22), The Shipyard, and adopt the Project Plan. TID 22 is generally located in the area east of S. Maple Street, south of Howard Street, west of the Fox River, and north of Fifth (5th) Street. TID 22 will be classified as a blight elimination district based on the identification and classification of the property proposed to be included within the TID. Proposed projects include cash grants and loans to owners, lessees, or developers of property within the TID; road, pedestrian, bicycle, and other transportation improvements; potable water, sanitary sewer, and storm water infrastructure; public spaces and amenities; land acquisition, environmental remediation, structural rehabilitation, and new construction; and administration. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID. (August 20, 2019)

17. To adopt a Creation Resolution to establish TID Number Twenty-Three (23), Legends District, and adopt the Project Plan. TID 23 is generally located in the area east of Holmgren Way, south of Lombardi Avenue, west of Bart Starr Drive, and north of Mike McCarthy Way. TID 23 will be classified as a blight elimination district based on the identification and classification of the property proposed to be included within the TID. Proposed projects include cash grants and loans to owners, lessees, or developers of property within the TID; road, pedestrian, bicycle, and other transportation improvements; potable water, sanitary sewer, and storm water infrastructure; public spaces and amenities; land acquisition, environmental remediation, structural rehabilitation, and new construction; and administration. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID, subject to the amendment and removal of the blight designation from parcels owned by Ron Smits, Tax Parcels I-1841-E and I-1841-E-I, but keep the parcels within TID 23. (August 20, 2019)

18. To approve Resolution 19-04 Regarding Commitment to Redevelopment of the Pulliam Plant and refer to Common Council for approval as a joint resolution from the Redevelopment Authority and Common Council. (September 10, 2019)

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

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve item 18. Motion carried.

19. No action was taken on Development Agreement 18-06 with Breakthrough Fuel, LLC for development project at the Shipyard, 239 Arndt St., 101 Bridge St., and 119 Bridge St. (Tax Parcels 3-551, 3-554-A, 3-556). (September 10, 2019)

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M. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (SEPTEMBER 4, 2019 AND SEPTEMBER 11, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve with the exception of items 1, 7 and 8. Motion carried.

1. To direct Directors Grenier and Vonck to consult with the Law Department for an opinion regarding who is the responsible party to install the private storm sewer system on request by Ald. Nicholson to address surface water drainage issues at 1661-1663 Elkay Lane. (September 4, 2019)

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve item 1. Motion carried.

2. To receive and place on file the request by Ald. Brunette on loosening the restrictions and requirements of paved driveways on residential lots to alleviate flooding issues. (September 11, 2019)

3. To hold the request by Ald. Brunette on amending the City's ordinance on landscaping, weeds, vegetation, and gardens on residential lots. (September 11, 2019)

4. To refer to staff the request by Ald. Galvin that the Department of Public Works develop better systems to better and more quickly respond during disasters and, at the September 25, 2019 Improvement and Services Committee meeting, staff will present a summary of lessons learned from the March 2019 floods. (September 11, 2019)

5. To refer to staff the request by Ald. Lefebvre that the gate at the east side yard waste site is left open during the winter and report at the September 25, 2019 Improvement and Services Committee meeting the hours of operation and the procedure for closing the gate at the site. (September 11, 2019)

6. To receive and place on file the request by Ald. Johnson on the authorization of the installation of crosswalk art at the intersection of Broadway and Hubbard Streets. (September 11, 2019)

7. To receive and place on file the request by Ald. Johnson to bring an update on the progress from Storm Lift Stations 110 and 106 and to determine solutions to solve the flooding on Antoinette Street. (September 11, 2019)

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to approve item 7. Motion carried.

8. To receive and place on file the request by Ald. Nicholson to address surface water drainage issues at 1661-1663 Elkay Lane and to approve the City to reimburse Jeremy Kroll \$3,000 of the cost to install the private storm sewer. (September 11, 2019)

Moved by Ald. Mark Steuer, seconded by Ald. Chris Wery to approve item 8.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to amend item 8 to read: "To receive and place on file the request by Ald. Nicholson to address surface water drainage issues at 1661-1663 Elkay Lane."

Moved by Ald. Mark Steuer, seconded by Ald. Randy Scannell to open the floor.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to close the floor.

Moved by Ald. Chris Wery, seconded by Ald. Mark Steuer to send item 8 back to the Improvement & Services Committee. Motion carried.

9. To receive and place on file the request by Ald. Nicholson to address pavement ponding issues at 2405 Hampton Avenue. (September 11, 2019)

10. To receive and place on file the request by Ald. Nicholson to address chronic flooding in the Schwartz Street/Edison Street area. (September 11, 2019)

11. To approve the report of actions taken by Department of Public Works (September 11, 2019)

A. Granting of Licenses

1. Tree & Brush Trimmer

a. EPIC Innovations LLC

N. REPORT OF THE PROTECTION & POLICY COMMITTEE (SEPTEMBER 9, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve. Motion carried.

1. Informational: To approve a request by Brewski's on Broadway at 1100 S. Broadway to temporarily extend their licensed premises to their parking lot on September 26, 2019 for an event, subject to complaint. (The Protection & Policy Committee took final action at the September 9 meeting.)

2. To approve a request by V3, LLC at 2056 Main St. to temporarily extend their licensed premises to the parking lot on September 28, 2019 for a grand opening party with the condition that the licensee confirm with the Police Department that they will have security and fencing for the event prior to the council meeting on Tuesday, September 17, 2019.

3. To approve the request by Old Bavarian LLC at 1583 Main St. to extend the issuance of their reserve "Class B" liquor license and Class "B" Beer license for 60 additional days.

4. To deny an application for a "Class A" Liquor License and approve the Class "A" Beer license for Singhs C Store 3, LLC at 610 E. Walnut, with the approval of the proper authorities. (Currently licensed with a Class "A" Beer license as Singhs C Store I, Inc.)

5. To approve an application for a "Class B" Combination license for Brinker Restaurant Corporation at 2363 W. Mason St. with a licensed premises as "Dining and bar areas, locked storage., with the approval of the proper authorities." (Currently licensed as ERJ Dining III, LLC.)

6. Informational: To approve an appeal by Kristi Stascak regarding the denial of her operator's license. (The Protection & Policy Committee took final action at the September 9 meeting.)

7. To approve an appeal by Thomas Williams for the denial of his operator's license.

8. To suspend additional re-inspection fees at the Lang residence at 970 Elmore St. until September 30, 2019 and to hold the appeal for staff and the appellant to meet and work out a plan to address the work and report back to committee at the October 7 Protection & Policy meeting.

9. To receive and place on file the Liquor Violation Report from the Police Department for September 9, 2019.

O. REPORT OF THE PROTECTION & POLICY COMMITTEE GRANTING OPERATOR LICENSES.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve. Motion carried. Ald. Mark Steuer abstained from Leah Weycker.

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

P. REPORT OF THE FINANCE COMMITTEE (SEPTEMBER 10, 2019).

Moved by Ald. Kathy Lefebvre, seconded by Ald. Randy Scannell to approve. Motion carried.

1. To approve the purchase of one Chevrolet Silverado 1500 Pickup Truck with Crew Cab from Sheboygan Motor Company for \$31,258.

2. To approve the purchase of three Chevrolet Silverado 1500 Pickup Trucks with Double Cabs from Sheboygan Motor Company for \$84,803.

3. To hold the request by Ald. Gavin for the Police Department to work with IT to set a system on the City's Request for Service icon for citizens to report problems and request service until the September 24th Finance Committee meeting.

4. To approve the request by the The Information Technology and Services Division to renew a 3 year Microsoft O365 Enterprise 6.6 Agreement with Advanced Threat Protection from CDW and State of Wisconsin State contract pricing for \$681,344.64 or \$227,114.88 annually.

5. To accept Staff's recommendation to stay with CVMIC for liability and EPL insurance for the 2020 insurance year.

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6. To accept the Claims Committee's recommendations in the Report of the Claims Committee.

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Q. REPORT OF THE PARK COMMITTEE (SEPTEMBER 11, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve with the exception of item 3. Motion carried.

1. To approve the purchase of a 33,000 GVWR Cab & Chassis from Truck Country for \$75,399.

2. To approve the purchase of a 26,000 GVWR Cab & Chassis from Truck Country for \$69,970.

3. To receive and place on file the request by Ald. Dorff to consider adding a playground area separate from the Baird School Playground in Baird Park.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve item 3.

Moved by Ald. Barbara Dorff, seconded by Ald. Kathy Lefebvre to amend item 3 to have money that has been allocated to replace the playground equipment from the old Baird School playground be used for a new playground at McKenzie Ln Park. Motion carried.

Moved by Ald. Jesse Brunette, seconded by Ald. Randy Scannell to refer item 3 back to the Park Committee. Motion carried.

4. To receive and place on file the request by Ald. Lefebvre to review the Forestry policy for tree removal in the downtown, in particular the 100 block North Adams, plus other streets downtown.

5. To refer to staff to gather additional information on the request by Ald. Lefebvre to reinstate the deer management program at the Wildlife Sanctuary and also look at this issue Citywide and report back to the next Park Committee for further discussion.

R. REPORT OF THE PERSONNEL COMMITTEE (SEPTEMBER 10, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve. Motion carried.

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.

- a. Truck Driver (Sanitation) - Public Works
- b. Park Maintenance Worker - Parks, Recreation & Forestry

2. To approve the motion to increase the annual salary of the teachers to \$41,486, and increase the wage of the Naturalists to \$18.53/hour.

S. REPORT OF THE PUBLIC ARTS COMMISSION (AUGUST 28, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.

1. To increase the Rotating Art Program artist stipend to \$1,500.

2. To adjust the Annual Grant Program application deadline to 3 times a year to review all eligible grant applications during the regular monthly meeting of the Green Bay Public Arts Commission during the months of April, August and December.

T. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (AUGUST 19, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve with the exception of item 2. Motion carried.

1. To receive and place on file the request to look at placing signs that read "STATE LAW - YIELD

TO PEDESTRIAN IN CROSSWALK" on Shawano Avenue at the Ben Edinger Trail crossing.

2. For the Police Department to enforce both pedestrian and motorist law on Shawano Avenue at the Ben Edinger Trail.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve item 2. Motion carried.

3. For signs to be installed on the Ben Edinger trail approaching the Shawano Avenue crossing warning pedestrians of the Shawano Avenue crossing.

4. To receive and place on file the request to place SPEED LIMIT 25 signs on eastbound and westbound Bond Street between Military Avenue and Fisk Street because the signs exist.

5. To establish a NO PARKING zone on east side of Vroman Street from Elmore Street to Mather Street.

6. To establish a I-WAY YIELD condition on Ernst Drive at Shirley Street.

7. To establish a I-WAY YIELD condition on Neufeld Street at Shirley Street.

U. TAX INCREMENTAL DISTRICTS JOINT REVIEW COMMITTEE (AUGUST 19, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve. Motion carried.

1. To adopt a Territory Amendment Resolution and amend the Project Plan for TID Five (5), East and West Downtown. The proposal seeks to remove parcels from TID 5 that are generally located in the area east of S. Maple Street, south of Howard Street, west of the Fox River, and north of Fifth (5th) Street.

2. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors.

3. To adopt an Affordable Housing Extension Resolution for TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors.

4. To adopt a Termination Resolution for the dissolution of a Project Plan, for the closure of TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors.

5. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Eight (8), Henry and Morrow Streets.

6. To adopt an Affordable Housing Extension Resolution for TID Eight (8), Henry and Morrow Streets.

7. To adopt a Termination Resolution for the dissolution of a Project Plan, for the closure of TID Eight (8), Henry and Morrow Streets.

8. To adopt a Termination Resolution for the dissolution of a Project Plan, for the closure of TID Nine (9), State Highway 54/57 Business Park.

9. To adopt an Allocation Amendment Resolution and amend the Project Plan for TID Twelve (12), I-43 Commercial Development.

10. To adopt an Affordable Housing Extension Resolution for TID Twelve (12), I-43 Commercial Development.

11. To adopt a Termination Resolution for the dissolution of a TID Plan, for the closure of TID Twelve (12), I-43 Commercial Development.

12. To adopt a Resolution amending the Project Plan for TID Thirteen (13), Downtown Redevelopment. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID.

13. To adopt a Territory Amendment Resolution and amend the Project Plan for TID Fourteen (14), North Broadway Redevelopment. The proposal seeks to add parcels that are generally east of Broadway, south of Mather Street, west of the Fox River, and north of Dousman Street.

14. To adopt a Standard Extension Resolution for TID Fourteen (14), North Broadway Redevelopment.

15. To adopt a Termination Resolution for the dissolution of a TID Plan, for the closure of TID Seventeen (17), 900 Block North Broadway.

16. To adopt a Creation Resolution to establish TID Number Twenty-Two (22), The Shipyard, and adopt the Project Plan. TID 22 is generally located in the area east of S. Maple Street, south of Howard Street, west of the Fox River, and north of Fifth (5th) Street. TID 22 will be classified as a blight elimination district based on the identification and classification of the property proposed to be included within the TID. Proposed projects include cash grants and loans to owners, lessees, or developers of property within the TID; road, pedestrian, bicycle, and other transportation improvements; potable water, sanitary sewer, and storm water infrastructure; public spaces and amenities; land acquisition, environmental remediation, structural rehabilitation, and new construction; and administration. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID.

17. To adopt a Creation Resolution to establish TID Number Twenty-Three (23), Legends District, and adopt the Project Plan. TID 23 is generally located in the area east of Holmgren Way, south of Lombardi Avenue, west of Bart Starr Drive, and north of Mike McCarthy Way. TID 23 will be classified as a blight elimination district based on the identification and classification of the property proposed to be included within the TID. Proposed projects include cash grants and loans to owners, lessees, or developers of property within the TID; road, pedestrian, bicycle, and other transportation improvements; potable water, sanitary sewer, and storm water infrastructure; public spaces and amenities; land acquisition, environmental remediation, structural rehabilitation, and new construction; and administration. The proposed costs include projects within the proposed boundary and within a one-half (1/2) mile radius of the proposed boundary of the TID, subject to the amendment and removal of the blight designation from parcels owned by Ron Smits, Tax Parcels I-1841-E and I-1841-E-1, but keep the parcels within TID 23.

V. RECEIVE AND PLACE ON FILE.

I. Building Report for August 2019.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve. Motion carried.

2. Municipal Court Report for August 2019.

Moved by Ald. Barbara Dorff, seconded by Ald. Mark Steuer to approve. Motion carried.

W. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to suspend the rules to adopt resolutions 1 through 18 with one roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to adopt resolutions 1 through 18. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

1. Resolution drawing final orders to contractors for September 17, 2019.

2. Resolution regarding a Territory Amendment for Tax Increment District Number Five (5), East and West Downtown ("TID 5").

3. Resolution regarding an Allocation Amendment for Tax Increment District Number Seven (7), Ashland Avenue and Lombardi Avenue Corridors ("TID 7").

4. Resolution regarding an Affordable Housing Extension for Tax Increment District Number Seven (7), Ashland Avenue and Lombardi Avenue Corridors ("TID 7").

5. Resolution regarding Termination and Dissolution of the Project Plan for TID Seven (7), Ashland Avenue and Lombardi Avenue Corridors.

6. Resolution regarding an Allocation Amendment for Tax Increment District Number Eight (8),

Henry and Morrow Streets (“TID 8”).

7. Resolution regarding an Affordable Housing Extension for Tax Increment District Number Eight (8), Henry and Morrow Streets (“TID 8”).

8. Resolution regarding Termination and Dissolution of the Project Plan for TID Eight (8), Henry and Morrow Streets.

9. Resolution regarding Termination and Dissolution of the Project Plan for TID Nine (9), State Highway 54/57 Business Park.

10. Resolution regarding an Allocation Amendment for Tax Increment District Number Twelve (12), I-43 Commercial Development (“TID 12”).

11. Resolution Regarding an Affordable Housing Extension for Tax Increment District Number Twelve (12), I-43 Commercial Development (“TID 12”).

12. Resolution regarding Termination and Dissolution of the Project Plan for TID Twelve (12), I-43 Commercial Development.

13. Resolution regarding an Allocation Amendment for Tax Increment District Number Thirteen (13), Downtown Redevelopment (“TID 13”).

14. Resolution regarding a Territory Amendment for Tax Increment District Number Fourteen (14), The Rail Yard ("TID 14").

15. Resolution regarding a Standard Extension for Tax Increment District Number Fourteen (14), The Rail Yard ("TID 14").

16. Resolution regarding Termination and Dissolution of the Project Plan for TID Seventeen (17), 900 Block North Broadway.

17. Resolution regarding the Creation of Tax Increment District Number Twenty-Two (22), The Shipyard ("TID 22") and Adoption of the Project Plan.

18. Resolution regarding the Creation of Tax Increment District Number Twenty-Three (23), Legends District ("TID 23") and Adoption of the Project Plan.

X. REFERRAL OF PETITIONS & COMMUNICATIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to refer the petitions and communications to the appropriate Committee or Commission. Motion carried.

A request by Ald. Mark Steuer to the I&S Committee to look at the possibility and feasibility of renaming the Walnut Street Bridge to the "Bart Starr Memorial Bridge."

A request by Ald. Mark Steuer to the Law Department to revisit our City Sign ordinance as it pertains to advertising signage on city property, specifically athletic fields and venues.

A request by Ald. John VanderLeest to the Parks Department to redoing Black Top pathway of Beaver Dam to Firemans Park.

A request by Ald. Andy Nicholson to PD to review repairs to the armadillo's with possible action.

A request by Ald. Brian Johnson to the Protection & Policy Committee to review internal policies related to recording orders made on properties to ensure documented transfer when ownership changes.

A request by Ald. Chris Wery to the Public Arts Commission for discussion/action on whether the city should require development agreements to include funds for Public Art and if so, what level, amount, percent it should be (request directed to P.A.C. per City Attorney Chavez).

A request by Ald. Brian Johnson to RDA to create a policy guaranteeing City Council oversight and disbursement of funds related to Affordable Housing Extension Resolutions for TIDs 7, 8 and 12.

A request by Ald. Jesse Brunette to the Traffic Commission for discussion with possible action on improving traffic flow and enforcement on West Mason from Packerland to Hillcrest, and in the neighborhoods surrounding this area, specifically during times of school start and dismissal.

A request by Ald. Wery to the Improvement and Services Committee and the Personnel Committee to discuss, with possible action, policies and procedures of the Inspection Department as it applies to communicating and working with constituents who request their alderman's assistance. Further, to discuss customer service standards and work expectations of inspectors. Investigate the addition of evening and/or weekend inspection hours.

Y. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to advance the ordinance to a second reading. Motion carried.

I. General Ordinance No. 20-19

An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.

Z. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adjourn at 7:55 p.m. Motion carried.

Kris A. Teske
Green Bay City Clerk

These minutes in their entirety, are available in the City Clerk's Office and on the City website at greenbaywi.gov

VERBATIM MINUTES

- Call to order. Call to order the meeting of the Common Council for Tuesday, September 17, 2019. Roll call.
- [Clerk] I I are present, your honor, with Alderman Nicholson not here.
- We have a quorum and will proceed under the Pledge of Allegiance. Please rise for the pledge.
- [All] I pledge Allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with Liberty and Justice for all.
- Now, under the invocation, the Alderman from the sixth will lead us in a moment of silence. Oh, sure.
- [Kathy] Sorry. I'm going to start of first. Must be this.
- [Honor] You're on.
- Okay. I just wanted to start out with I tried to get a rabbi to come in, but we don't have a resident rabbi. The rabbi that was here, she retired about three, four years ago and he comes in from Milwaukee twice a month, so he said he would like to do it Skype, but I don't know how to do that, so instead, and I had no time. I would've asked the Imam to come, as these are the Christian, the Jewish, and the Muslims are all part of the monotheist religions, and we have a number of those in our community, so I thought it would've been nice, but I didn't have time to get the Imam. So, I thought I would just do a moment of silence. So, if we can all just bow our heads and just reflect.
- Thank you. Item D, approval of the minutes. I'll entertain a motion to approve the minutes of the August 20, 2019 meeting. Motion made by Alder from the ninth, seconded by Alder from the first. Are there any corrections that need to be made? Seeing no requests, all in favor, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. Minutes have been approved. Approval of the agenda.
- [Randy] So moved.
- [Kathy] Seconded.
- Motion made by Alder from the seventh, seconded by Alder from the sixth. Any changes that you'd like to make? All right, all in favor, please signify by saying aye.
- [All] Aye.
- Opposed? The ayes have it. The agenda before you has been approved without any changes. Item F, report of the Mayor. Just a few items tonight. Wanted to let folks know that we have the Heart Walk on Saturday morning out at NWTC, and there is a city team participating, so we're thanking them for supporting a good cause and wishing them a great walk. Also on Saturday, at one PM, we do have the east west game. I am Switzerland in this whole thing, but I will be participating in the coin toss. We're really looking forward to that, encouraging folks in the community to support both teams. Been a real historic rivalry and a great community event to participate in. So, wanted to note that. Also just wanted to touch on a grant that we won recently, thanks to the efforts of Ms. Jeffreys and the Department of Public Works, and Community and Economic Development Departments. We won a green infrastructure grant related to a code audit that will be undertaken, thanks to the Great Lakes champions. So, there was an article in the Green Bay Press Gazette

that touched on this a little bit. As you all might have noticed, we've experienced a little bit of flooding in recent days, so obviously, we are focused on this as a city, and looking forward to uncovering some of those barriers that might exist within our city codes to really invest in green infrastructure. We really can't build our way out of this problem with traditional solutions, although they will be a big part of it. Green infrastructure is gonna be key. So, just wanted to note that good news and thank all those who participated in the successful effort to win that support from Great Lakes Champions. And with that, that concludes my report. On to item G, announcements. Any announcements? Got nothing? Ignite Market? Ignite Market? Right? Okay. Yeah. It's just a lag. There you go. Alder from the ninth.

- Thank you, Mr. Mayor. I have actually three things, and I'm gonna refrain, maybe, from the shameless plugs. I'll let you take care of that for me, but one is I wanna congratulate the rail yard. They were recently recognized by Wisconsin Economic Development Association for real estate redevelopment and reuse award, which is a very prestigious award state wide amongst economic development professionals, and so that was quite an honor for us to be able to bring that award here back to Green Bay in recognition for the entire redevelopment of that site, but in particular, one part of the campus that has already amounted to over 35 million dollars of investment, 26 companies, and 150 new jobs, I believe it is. So, it's a very substantial investment, and I thank the council for their previous leadership in making that happen. Secondly, I wanna thank Give A Daam Ventures. D-A-A-M. I'm not cussing here. As well as the many other volunteers who, every month, show up in parts of my district to really, they pick up trash. They help clean up and they beautify the neighborhoods, and we have a small role in helping to coordinate those volunteer efforts, but it's been a very successful campaign for us and we thank them for that. Lastly, I want to acknowledge and thank Associated Bank who recently adopted Fort Howard Elementary School in partnership with Big Brother Big Sisters, not only by way of financial investment, but more importantly, volunteer efforts to really help mentor and give some of these kids in my district, as well as Alder Scannell's district, a leg up in being able to see some alternative ways through that mentorship experience. So, thank you to those organizations for taking the lead on that.

- [Mayor] Very good. Thanks, Alder. And the last Ignite Market is Saturday night.

- It's just on Broadway. It's Thursday, if you wanna say that.

- [Mayor] That, too. Alder from the first.

- Thank you. I wanted to announce that on Saturday is the Big Apple-Fest for Oneida. I'm planning to attend that. It's Saturday, September 21st from 10 to four. It's at the Amelia Cornelius Cultural Park, 37 oh three Hillcrest Road, and the Oneida had reached out, I think, to a lot of us, and I have responded back that I'm going to be attending and I'm bringing the principal of King School with me, 'cause King is over on Oneida land, I believe. So, we will go be looking at apples. Thank you.

- [Mayor] Very good. Great event. Any other announcements? All right. We are on to recognitions and awards. We don't have any recognitions and awards to report, so we'll move straight along to appointments. Item I. Entertain a motion?

- [Craig] So moved.

- [Mayor] Motioned by Alder from the second. Seconded by Alder from the fifth to confirm the appointment of Brankica Bakovic to the Ethics Board. All in favor, please signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. The item has been approved. Oh, apologies. Alder from the eighth.

- Thank you, Mr. Mayor. I appreciate it. I did have a question regarding not necessarily this appointment, but all appointments. I understand recently a letter went out to members of the Police and Fire Commission, a couple of them, asking them to step down 'cause they didn't live in the city of Green Bay. Are you gonna be notifying all non-resident members of all the commissions?

- So, that is not my intention to take a bright line on that, but Police and Fire Commission is one of our most powerful, most important commissions, or committees, or boards in the city of Green Bay, they have the power and authority to hire and fire, and when those two appointments were made, those folks were within the bounds of the city of Green Bay. Obviously, I understand that it's a prerogative of those who are serving whether or not they're interested in continuing that service, in spite of the fact they don't live within the city's boundaries any longer, but I think it's important to take these on a case by case basis, and council will have an opportunity to weigh in if we decide to make it clearer which boards and commissions should be exclusively for residents and those that will be a bit more flexible.

- I appreciate it. I've always be a strong proponent of if you work for the city, you should live in the city of Green Bay. I know that's changed recently, so I really don't have a problem if you're in a commission, then you should live in Green Bay. I was curious because I think four of your apartments previous to this had been outside of Green Bay, somebody from the Public Arts Commission, Sustainability Commission, Traffic, Bicycle and Pedestrian, and Transit Commission, and this is where maybe we can have staff verify as well, two of the addresses listed Green Bay, but it was actually Alloway for Sustainability Commission and Howard for the Traffic, Bicycle, and Pedestrian. It said Green Bay in the notes, but if you look up the address, it's actually not in Green Bay. So, make sure we're clear on that. I don't know if they delay listed it wrong and so we just didn't double check it. So, I was just seeing if that was a new policy on your point, but it sounds like it's gonna be case by case, and I would hope you get a little better customer service when I had asked your Chief of Staff for a list of all your appointments. I was basically go told to find it myself. So, I wanted a thorough list of that and I was told, "well, here's where I can get it. "Go get it. "Sure."

- [Mayor] Yeah. Obviously there's a lot we're working on every day.

- Pretty simple request.

- In City Hall here, but appreciate your frustration.

- Maybe Sherry can find it. Thanks.

- Sure. Thanks. All right. And we are onto item two there on re-appointments.

- [Veronica] Motion to approve.

- Motion made by Alder from the second. Seconded by Alder from the fourth. To confirm the reappointment of Daniel Theno to the Traffic, Bicycle, and Pedestrian Commission. All in favor, please signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. That item has been approved. We are on to public hearings. We have one item for public hearings. Is there anyone here who would like to speak regarding the items? Anyone here who would like to speak regarding this item? Is there anyone here who would like to speak regarding this item? Clerk, please let the record reflect that no one appeared to speak to this item. On to ordinances. Item K. Clerk.

- [Clerk] You may under suspension of the rules take up items one through three with a role call vote.

- [Barb] Second.
- Motion made by Alder from the seventh, seconded by Alder from the from the first to suspend the rules and take up these items with one roll call vote. All in favor of the motion, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The rules are suspended.
- [Randy] Motion to adopt.
- [Bill] Second.
- Motion made by Alder from the seventh, seconded by Alder from the fourth to adopt items K one, K two, and K three. Please, use the board. Those items passed, 12 all. On to item L, report of the Redevelopment Authority, August 20, 2019 and September 10, 2019. What are your?
- Motion to approve.
- [Barb] Second.
- Motion made by Alder from the seventh. Seconded by the Alder from the first to approve report L, which is the report of the Redevelopment Authority from the meetings on August 20, 2019 and September 10, 2019. Any items under this report you wish to handle separately?
- [Barb] Item eight.
- [Man] One and two.
- Any others?
- [Man] Five.
- Okay, we will.
- [Randy] 18.
- Any others? Items, one, two, five, eight, and 18 will be handled separately. Hearing none others, all in favor of approving the remainder of that report, please signify.
- One more order, mayor. Which is basically maybe I pulled the wrong tool. Just having problems. refers to low income housing.
- Affordable housing?
- [Andy] Pardon?
- Affordable housing.
- [Andy] Affordable housing.
- Director Vonck.

- [Andy] Which number is that?
- Proposing an affordable housing extension resolution, that would be item number three, item number six, and item number 10.
- Three, six, and 10. Okay, did someone pull one of those? If not, I'll pull all three, and then I won't pull one and two, if I may, Mayor.
- [Mayor] Pull them back?
- The first two does not have anything to do with that.
- Correct.
- So, I wanna push that back. I wanna leave those two alone.
- [Mayor] Okay, so items one and two we're not taking separately.
- Yes, please.
- [Mayor] Okay.
- And then, what are the three again?
- [Mayor] Three, six, 10.
- Please. Thank you.
- I'll also pull five. I just.
- [Mayor] Take it out?
- Yeah.
- Okay.
- [Man] Take it out.
- [Mayor] So, I have items three, six, eight, 10, and 18. Any others? All right. All in favor of approving the remainder of that report, please signify by saying aye.
- [All] Aye. Those opposed, nay. The ayes have it and that report has been approved with the exception of items one, three, six, eight, 10, and 18. I'm sorry, three. So, item three is before us. Alder from the third.
- So Kevin, can you just give us the gist for the record, please?
- Sure. So, what the affordable housing extension allows you to do, state statute when you are terminating TID, terminating a Tax Increment District, it allows you to keep that Tax Increment District open for one additional year to take all of the increment that comes into that district during that year and put it into a fund for housing. The money that goes into that fund has to be used for housing, and within it, no less than 75% of that money has to be used towards affordable housing projects. The state does not provide a lot of tight

guidance in terms of what constitutes affordable. What we've looked at here at the city is to say affordable could be defined as housing that costs no more than one third of a household income, and basically would allow the city to go through and write a policy on what that would mean in terms of affordability. What you do today is by allowing for that extension, we'd allow the city to set up a fund, fund it, we would still have to come back here to get some policies or parameters of how that money would exactly be spent, but with that, I think the ones that we're proposing this for, all those Tax Increment Districts, even though it's an extension, all three that we're proposing it for we're gonna close before the mandatory term date. So for example, I think what we're talking about right now, you had pulled item number three, the affordable housing extension resolution for TID seven. That is the Lombardi Ashland corridor. This TID was established basically for the Tundra Lodge and some redevelopment in the Legends district area. If you look at, I'm just gonna pull up the dates. That TID was created in 2002. It has to close by 2029. And so, what we are proposing here is for that particular TID, we would start a path of winding it down, that we would basically shut it down or pay off all the project costs in 2020, we would use all the increment for affordable housing in 2021, and then at the end of 2021, it would be completely shut down. So, eight years ahead of schedule. So, even though it's called an extension, we would still be moving forward, terminating this TID before its mandatory date.

- Okay, so specifically it's the Lombardi Avenue corridor?

- Correct. So, we're proposing this for three Tax Increment Districts for TID seven, which is Lombardi and Ashland, TID eight, which is Berger Morrow. That's on the near east side, around the Bornemann Nursing Home, and TID 12, which is our I-43 industrial park. So, we're proposing for TID seven and TID eight, basically to pay off the project costs in 2020 to do affordable housing in 2021, and then those would be shut down at the end of '21. For TID 12, we would pay off project costs in 2021, use affordable housing funds in 2022, and have that completely shut down at the end of 2022. So, we're proposing it on here for three of the Tax Increment Districts that we're shutting down.

- Okay. You mentioned parameters. So, we don't have any specifics what we wanna do then? It's up to the council?

- So, what we've discussed is, looking at, we have community block grant dollars right now that go into affordable housing projects. We're required by federal law that those moneys be targeted towards low to moderate income individuals. When we do provide funds for those projects, there's strings that are attached making sure that they do go to LMI individuals, and certain restrictions in terms of future sale or future rents. What we would look at is maybe expanding some of these programs, but doing so with the funding source that didn't have as many strings attached. So, something that we've talked about is we have a home loan rehab program right now, which allows individuals who have been living in the home for a while, maybe it needs some repairs, to take a loan from the city, a low interest or no interest loan, put it as a lean against the house, and do some repairs. This would allow, basically, those who don't fall into that LMI category, but would still benefit from it, or still couldn't afford to do some of those things. I think a bigger thing that we see though is the ability to leverage this into development projects for both redevelopment and new development, especially for projects that are not in Tax Increment Districts, whether this is single family housing, or another good example would be the friary project over at Saint Marys of the Angels, renovating the old friary into some affordable units, building some new town home units there that's not in a Tax Increment District, but we could use some of these funds to help support some of this development. So with that, we would have to go through and probably, like we do for the Community Development Block Grant Plan and the Neighborhood Enhancement Plan, we would come through to Council with a policy of guidelines of how we would spend those funds, and generally, we've designated them the RDA to check of the projects as they come through and allocate those funds, but the specific policy, it's not before you tonight, as we wouldn't have those funds, really, until 2021 or 2022.

- Question, Kevin. Can some of the funds be used to take down buildings?

- Yes. As long as it's related to a redevelopment project that involves housing in some form, then yes, those funds could be used for structures themselves or demolition, site preparation, infrastructure that's related to a housing function.

- Thank you. No more questions. Thanks, Mayor. Thanks, Kevin.

- [Mayor] Alder from the ninth.

- Thank you, Mayor. Just a couple comments that I wanted to make. I guess, to speak in support of all three of these that are currently being discussed. I think, really, what's important to look at is the key difference here between this and maybe any other type of investment is very similar to the reasons why somebody might choose to invest in real estate versus the stock market, and it's leverage. We have, if I recall correctly, and Director Vonck, please do correct me if I'm incorrect in these numbers, but I think we're looking at about three point two million dollars for these three?

- [Kevin] That would be correct.

- So, three point two million dollars, and of course, what that does is it puts it into a pool and we can leverage that with some additional resources, including organizations like Neighbor Works, Habitat for Humanity, Community Reinvestment Act funds with our local banks, and we can turn that three point two million into who knows what number, especially if you're looking at creating investment properties that would add additional assessment to the tax wall, and I think it's important to note that TIDs are truly one of the only mechanisms that we have for local economic development. We don't get a lot of tools, particularly those that come without a cost, and I think that's a really important thing. We're not borrowing money here, so there's no cost that comes by way of interest, and it really allows us to specify or designate this for a certain use, in this case, the affordable housing. Green Bay retains 100% of the funds for one year, which means that the other taxing jurisdictions for that one year do not get a portion, yet it still benefits them because you're closing these TIDs early, so the other jurisdictions will start to receive their payment early. Worst case scenario, I think you can substitute the borrowing for neighborhood enhancement funds that we currently do. That's worst case scenario. Best case scenario, again, you take the three point two million that you're creating and you can leverage that into additional investment, and I think one thing that I didn't hear mentioned, there are no restrictions in terms of the funding having to be invested in the TID, meaning that these are city-wide application, and that's really important when you start to talk about some of the blighted neighborhoods that we have that perhaps could use a little bit of investment that might not currently reside in a TID, and it was my intent, and still is, to submit a communication at the end of the meeting requesting the Redevelopment Authority to bring back a policy draft ordinance on how we're, I guess, going to be able to spend those funds. So, that will go back to the RDA because I do believe that City Council oughta have oversight and authorization on how we spend those funds. So, thank you, Mayor.

- [Mayor] Thank you, Alder. Alder from the tenth. I'll th, rather. Sorry.

- Thank you, Mayor. My question is for Kevin. I'm glad that we're able to use those funds for the next year or two years, and get the money back into the general fund. Will that be three point two million that will be going back to the general fund?

- Correct. So, based on our, again, estimates at this time, what we have for increment in each of those districts, we would see potentially then, with these closures, an additional 400,000 come on the levy. Just break that down. I guess, as Alderman Johnson said, that three point two million, that's the increment from all the taxing districts, so the city's about 37% of that, more or less. So, of that three point two million, what we would see, based on the phasing, is in the city in 2022, we'd have about another \$400,000 added to the levy, and then in 2023, with the closure of all of them, we'd have about one point two million, almost one point

three million coming onto the levy, and we'd have that one point two million then moving forward from seven, eight, and 12.

- That money would be very handy to disperse for future needs. So, thank you very much.

- [Mayor] Alder from the 10th.

- Thank you, your honor. I appreciate the conversation on this. Alder Johnson, I appreciate what you've brought up on this, and I think one of the things we gotta look at, it's not just specifically in those areas that the money is being spent. There's other areas, too, and it's been mentioned. I got an email from Noel Halverson about this, and talking about the fact that we can look at Imperial Lane, Western Avenue, and a few other places, too, that definitely need some help. So, I'm emboldened by that. The fact is, we don't have enough affordable housing for a lot of folks, and we need to balance that out as we move forward as a city. So, I'm all in favor. Thank you.

- [Mayor] Any other comments?

- No.

- [Mayor] I forgot to entertain a motion on this item.

- [Randy] Motion to approve.

- [Barb] Second.

- [Mayor] Motion made by alder from the seventh, seconded by Alder from the first. Seeing no other request to speak, all in favor of the motion? Please signify by saying aye.

- [All] Aye.

- [Mayor] Those opposed, nay. The ayes have it. Item has been approved. Onto item six.

- [Randy] Motion to approve.

- [Mayor] Motion made by Alder from the seventh.

- [Barb] Second.

- [Mayor] Seconded by Alder from the first. Seeing no request to speak, all in favor of the motion, please signify by saying aye.

- [All] Aye.

- [Mayor] Those opposed, nay. The ayes have it. Item six has been approved. Onto item eight.

- [Bill] Motion to approve.

- [Mayor] Motion made by Alder from the fourth. Seconded by Alder from the seventh. The item was pulled by Alder from the first.

- Thank you. I wanted to talk a minute about this TID. This is the only TID I think that I have in my district, and it's about this TID closing, and first, I know that I have two residents that would like to speak, and then

afterward, I would really like to hear from Kevin Vonck, because there are good arguments to keep it open, there are good arguments to close it. I'd really like all sides to be heard on this. So at this time. I'd like to make a motion to open the floor.

- [Randy] Second.

- [Mayor] Motion made by Alder from the first. Seconded by Alder from the seventh to open the floor. Those in favor, please signify by saying aye.

- [All] Aye.

- [Mayor] Those opposed, nay. Floor is open. And please, just state your name and address.

- Hi, my name is Shannon Maddigan, 10 oh five, South Clay Street. I'm here on behalf of 71 80 and Scott Development in regards to the proposed closure of TID nine, located on highway 54 and 57. In 2002, a developer's agreement was created between the city of Green Bay, 71 80, and Scott Development offering support from the city in exchange for annexation. Part of that support was the creation of TID nine. Since the inception of the TID, and based on our developer's agreement, we as land owners have fulfilled our portion of the guarantee every year. Any outstanding balance is the result of other expenditures and not related to our land. We were caught off guard by the proposed closure of the TID, but had a chance to meet with city staff following the Redevelopment Authority meeting. Unfortunately slash fortunately, through those discussions, we realized that city's copies of our joint developer's agreement term sheet and letter of commitment were lost somewhere along the way, and current city staff had not actually seen them. I gave a copy to them just last week, and upon following up, I was told the Development Team needs more time to review before meeting again, which I completely understand. Based on the positive note of our first meeting, I think there are solutions that'll work for all parties involved, but more time is definitely needed to make the right decision. I'd like to request that the voting to close TID nine be put on hold until further review can be done and all parties can meet. Our concern is upholding the developer's agreement without a TID in place, will you still be able to meet the obligations of that agreement without the TID? Thank you for your consideration.

- [Mayor] Thank you.

- Hi, I'm Diane Peters. I also own land in the business park.

- [Mayor] Your address, ma'am?

- 4426 Algoma Road, which is the same as highway 54. I guess, at this time, I don't feel enough marketing was done for the business park. We have no water out there. I own acreage out there and I have a farm field full of manhole covers, and we gave the city some land to put a road in. The road has never been put in, nothing's ever been done out there. It's been 15 years. So, I agree with everything she said, and I would like them, at least, to take a look at the border agreement and she has a developer's agreement. At least take a look at the paperwork before you make a decision on this. Thank you.

- Thank you. Any questions? Entertain a motion.

- [Randy] Motion to approve.

- Motion made by Alder from the seventh, seconded by Alder from the fifth. Close the floor. All in favor, please signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. The floor's closed.

- [Barb] Dr. Vonck?

- Sure. So, this is a tough one. As we've discussed this both internally, also with Miss Maddigan. TID nine was created in 2003. So, if we can rewind to that time, you can think about economy, despite the 9/11 dip, was relatively doing pretty well, and population was expanding quite extensively, especially in the northeast area of the city and town of Scott. Growth was pretty abundant and the city believed that this was going to be the next big wave of development up in that area, and so we engaged in a boundary agreement with the town of Scott, we created this Tax Increment District, and really, within it, created a planned unit development, which the zoning governing what was to happen there, feeling that this was going to fill up with a number of big box retailers, primarily along the 54, 57 corridor, with then some light industrial as you moved further to the east. So with that, the development, for a variety of reasons, never materialized. I think, as we've seen, the recession starting in oh six, but really seven, oh eight, oh nine, really changed development patterns, changed growth patterns, also has really changed the retail landscape in terms of big box builders, and they follow rooftops, and we just weren't getting the rooftops out there. With that, and when we did have some success in the light industrial side, some small development that happened out there. Unfortunately, we did not get enough new development to pay for some of the initial investment that we made out in that area. So with that, just from a financial summary, the reason that we're proposing to close this TID is it's really running a deficit and will continue to do so and dig itself deeper into a hole. Going into 2019, the fund balance is nearly one point five in the red, one point five million in the red, and with that, every year we have had development, so we do have increment created of about \$190,000 of new taxes coming in there. Unfortunately, our debt expenses are about \$220,000 a year. So every year, we owe more than we're taking in. So, if we continue to keep this Tax Increment District open, which it's scheduled to close in 2026, we'll continue to go deeper into deficit. What we've proposed as part of, really, the package of adjustments to our Tax Increment Districts is to use surplus from TIDs seven, eight, and 12, basically to fill the outstanding hole and then fill our outstanding obligations. We're about one point five in the hole and we have nearly another one point five due in future debt service. So, all then we're three million dollars that we need to basically come up with somewhere. If we do not use, state law allows you to transfer or allocate funds from Tax Increment Districts to another, and we can do so through approval of this body and the Joint Review Board. If we do not do those allocations, then when the Tax Increment District closes, if there's a deficit, the municipality is responsible for it. And so, what we put together is what we feel, and this is in consultation with Director Ellenbeck and her development team is it's fiscally prudent to do these amendments, to do these allocations, and shut it down now before it continues to go further into debt. I think one of the things that makes us a little bit nervous is that the debt continues to increase, and we're also at the end, or close to the end, of our expenditure period. Again with state law, you can't really allocate new expenditures in the TID in the last five years, so that is coming up in 2021, and with that, in terms of development projects, while we have had prospects out there and have referred individuals to investigate further development, we haven't had a project move forward, and also, just given the time crunch, don't know if there's enough time in the TID to really get a deal going to get that increment up and going. Even if we were to, let's just say, sign a deal tomorrow, best case scenario, and a project gets under construction and it's open some time in 2020, it goes on the tax roll in 2021, those taxes are due in 2022. So, it's really only four years of taxes. Even if it's a mega million dollar project, that's not a lot of time to fill that three million dollar gap. So with that, and further discussion with Miss Maddigan and with the development team, I think there's a few things. One, we do need to look a little bit further at that development agreement in terms of what our obligations are, and I think that goes also a little bit deeper into our boundary agreement with the town of Scott, which we had that discussion. I think that's one of the first meetings the Mayor took in his administration to further flush out the responsibilities with that border agreement. If the Tax Increment District is terminated, as proposed today, that does not mean that the quote unquote business park goes away, nor does it mean that we would not continue to market that land as available for development. I think we have committed to put on our next Economic Development Authority meeting some discussion about how to potentially look at this area again. I think in talking with some of the property owners, they'd be willing to reconsider some changes in the zoning out there to maybe target more manufacturing and industrial versus

the commercial, which I think would be good in terms of that's the space that we need in the community, and then also, if we have a future development project, there's no reason why we could not potentially create a new Tax Increment District out there, and so that's a possibility for the future, but just based on the performance of this specific TID that was created right now, we feel it's in the best fiscal interest of the city to shut it down.

- I understand that it would be a hardship to the city as a whole if it were kept open at this time because we would continue to lose money. What about the point that was made about taking a little bit of time to look at the development agreement? Is this something we absolutely have to do tonight, or is there time for you to speak with the residents and look at the development agreement that we had?

- Sure. I just put out, I believe, in terms of termination, based on our timeframe of when we proposed terminating this TID, I think there's a few things at play. One, this would end the TID at the end of 2021. So, in terms of when the official resolution had to be passed by the municipality, there is an opportunity, actually, into 2020 to pass that final resolution. I think one of the things that we've looked at though, to balance is the package of amendments that we're offering for the Joint Review Board. We're asking for their permission to create two new Tax Increment Districts, and to make a number of allocations to this district. I can't speak for the Joint Review Board, but there might be some concern that if we decide to allocate money to this underperforming TID, and then keep it open, are we gonna end up back? We may right the ship and then bring that balance back to zero, but if we keep it open for a few more years, is it just gonna crawl right back in and need another allocation from somewhere else? So, I think that would be the concern in terms of how it's tied to the other allocations amendments, that we might not get the full Joint Review Board's support, of if we did the allocation and kept it open or Council chose to not terminate it, that we could be here in a few years looking at potentially another deficit again.

- [Barb] When does the Joint Review Board meet?

- So after tonight, after Council passes or adopts these resolutions, the Joint Review Board has to meet within 60 days, but with that, we have to have our changes in for this year by the end of October, so we're looking to schedule a meeting with the JRB potentially for next week or the first week of October.

- There are no more Council meetings between now and then. No more RDA meetings.

- No. One potential is if you did hold it until October first, JRB could meet after that. I think it's one of those things we also have to look what our Finance Department does and our Assessor's office in terms of gathering all the data and the property information that has to be submitted to EDR. It puts a little bit more of a crunch on the time that they have to do, but that potentially could be a way if you elected to hold it at this time.

- I'll make that motion and it will be up to the Council to decide. So, I would like to move that we hold it at this time until they get the information and have time to review the information that they've gotten.

- [Mayor] Motion made by Alder from the first to hold over this item until the next Council meeting. We have a motion. Do we have a second? We have a second for the motion?

- Sure, we can be done speaking. Yes, absolutely. I will hold that motion until we're done speaking on this.

- [Mayor] Very good. Alder from the fourth.

- Thank you. I have some questions. Director Vonck, kind of a long dissertation here, but in the beginning you made a mention of we wanna close this out because we don't wanna be responsible for the debt. Is that it? Did I kinda?

- So, when a Tax Increment District closes, if there's surplus in the funds, it goes back to the taxing jurisdictions, split proportionally how you do your taxes. If there is a deficit in the TID, the municipality is responsible for that debt.

- We're trying to get this debt to zero and then close it?

- [Kevin] Correct.

- Okay. Town of Scott, they're okay with what we're doing?

- The town of Scott, I guess I would say in terms of negotiations between the two, and maybe I'll defer to our city attorney, this can be taken separately of the boundary agreement. I guess I don't wanna go too far in because we have had discussions about that agreement, and probably shouldn't discuss them openly in open session.

- Okay. I'm getting the impression this whole project, with all the TIDs, the closing, the allocation, and everything, I know we've talked about it in the past, but it seems rushed. That we have people coming forward that say they have agreements with us, they've allocated property, things like that, and yet, deadline is October first and we're making the decision today, but I don't remember any real discussion about this in the past, to this extent where these concerns have been brought up.

- I think one of the things, as I mentioned with Alder Dorff is that we've sat down, director Ellenbeck and I and our development team and really looked overall at the performance of all of our Tax Increment Districts and how that plays a role in both our fiscal health, our bond rating, everything like that, and really, I know there's a lot coming on here, but we really feel that these are all really coming together to basically look at what's worked in the TIDs, what hasn't worked in the TIDs, and basically correct, moving forward, to be able to put us fiscally in a good position moving forward. I think that, again, I'll reiterate the biggest concern that I have with TID nine, and I don't know if Director Ellenbeck wants to speak separately, is that we have run a deficit in this TID in terms of our obligations are more than our revenue, and we're gonna continue to do that, and the longer we keep it open, the longer we will continue to basically stack up, dig ourselves into that hole, and if we continue to do that without a way out with allocations from the other Tax Increment Districts, I have concern that the city could be faced with some pretty big exposure. Right now, over three million dollars of obligations is a pretty big hole for us to fill, and we have to make some tough choices about how we would fill that.

- So, it seems to me, and if this is a bad analogy, I'm looking at a line of dominoes, and it seems like we have to have all of these dominoes, all these different things happening in order for the whole thing to completely fall down, and if we pull number nine out of this, is there a potential that this whole thing could just fall apart, and we end up with a lot of debt?

- Yes, in the sense of, I think, without speaking for the Joint Review Board, these are things that we've talked about with them, with the other taxing jurisdictions and the representatives. They want the same thing, I think, as this Council does, and that is, once a TID has served a purpose, end the TID, and let the money go back to the taxing jurisdictions. And so, I think the way we proposed this is somewhat, in a sense, a set of dominoes that if we are asking their permission to create additional Tax Increment Districts and use funding in those districts to complete additional projects, that we want to show that we're being fiscally responsible in terms of the overall package. There's a possibility, if this item does get held, that the JRB does not have to weigh in on terminations, but they will get the report whether we terminated this or not. So, they'll know going into the next meeting, all right, the city's committed to terminating these or doing the other types of resolutions. So, they'll know and will make their decisions based on that information. I can't speak for them how big of a deal TID nine is to them. I think this is more, not necessarily though for JRB, but for the city itself, and that is we agree that we would like to see additional development out in the 54, 57 corridor, but the tool we put in place, TID nine, did not do the job and we should stop it before it keeps hurting us fiscally.

- And if we, this Council has been, and hindsight is always 20/20, but in the past, we've vacillated or dragged our heels on certain projects and it's cost us dearly, and other times, though, since I've been on Council or just before I got on Council, we made a decision to close a door on a project and it cost us in a lawsuit. Pretty heavy. And I'm sure the legal team has looked at this, but I haven't heard anything from them. Do these two individuals that spoke here today, or anyone else, would they have a claim going forward? Obviously, if we drag our heels too long on this, we could mess up the whole deal, is what I'm hearing. But if we go too fast on this, are we gonna be facing legal action that's gonna cost us in the future?

- [Mayor] Attorney Chavez?

- Short answer is no. In reviewing the agreement, there's actually a provision that anticipates a review of the performance of the TID, and so the city is supposed to be making a good effort to determine financial position of the TID, protect its future, natural life, and expenditure period, and then the closure date was actually clearly established as solely at the discretion of the city, I think, to address this very situation.

- [Mayor] Thank you.

- I guess my opinion then is I'd like to see us move forward with this tonight. You've made statements here that we're gonna try and appease or meet with at least these two individuals here and the town of Scott to try and come out with the best agreement for everybody, to be fair, so I support moving ahead with this. Thank you.

- [Mayor] Dr. Vonck?

- Sure. Just to respond to Alderperson Galvin. I think in terms of the good faith effort to move forward, we did say that we would put an agenda on the next Economic Development Authority meeting really to talk about this. The EDA is the one, really, who is tasked with developing our business parks. We've discussed closing this TID down with them, but to discuss with them, okay, what's the future type of development, and really to get our arms around what's the right type of land use out there, what's the right type of marketing we need to do, and then be ready for creating another Tax Increment District when that development would come. So, that will be placed on the agenda at our next EDA meeting.

- [Mayor] Alder from the 12th.

- Thank you, Mayor. A couple thoughts. I think it's a major setback for the city in a lot of ways. Perhaps we were overly aggressive in planning this. Almost all of us were not here at that time, so going back, the vision were 2020, perhaps the city would not have been so aggressive in this area, but of course, we can't predict future events always, but for those who have questioned TID districts and TIF districts and whether or not moving forward with such zest on some of these projects is a good idea, this is a pretty good reminder that we really need to look at these things very carefully; but one question that I have for Director Vonck is on the agenda item, the report that comes through our system here, on the background statement of this agenda item it says, sufficient property tax increment will be collected as of 2020 tax roll, payable in 2021 to cover TID nine project costs and thus, should be closed before its mandatory termination date of October seventh, 2026. Yeah, 2026. Obviously, I know that that's a background and it's very succinct, but is that true? I think that might be a misleading statement, because if I heard you correct, I think we're using revenue from other TID districts to cover this?

- Sure. That is correct. So, what we would look at doing in 2020 is when TID seven, TID eight, and TID 12 would make their allocations to TID nine, all in, it would be about two point six million dollars, which would cover past debts and any future obligations. So, TID law allows you to make those allocations and count that

as tax revenue. So, there's only gonna be 190,000 of revenue from TID nine itself. The two point six that's needed to make up the difference will come from allocations from those other Tax Increment Districts.

- So, from a visibility standpoint to our constituents and the public and all those affected, I think we need to correct that, put a little more detail on there because that statement, I don't think, I'm not saying it was intentional, Director Vonck, at all, but I don't think that's a very true representation of what's happening. There is sufficient property tax increment, but it will be collected from other TID districts. I think if this appears before the Council again, whatever we decide tonight, I think we need to be very clear in that background information so that we're completely, fully, 100% transparent because it is a setback to the city and we need to be very clear on what that means for our other TID districts. So, thank you, Mayor.

- Yes. I think, two parts. One, the presentation that was made to the Redevelopment Authority clearly stated cash flows and where that money was coming from, and I think the other point is in all the resolutions for the allocations, it's clearly stating that TID eight is gonna allocate a certain sum of money, up to a certain sum of money, for TID nine, but in terms of the report, the closure, that is definitely the intention is to use allocation to close that out.

- Thank you for that explanation. Again, I don't want to come off like I'm accusing you of hiding that information, but it would be helpful if that was in the background information for this specific agenda item, 'cause it kinda creates a lot of balance to look at this more objectively when we make these decisions. Thank you.

- [Mayor] Alder from the tenth.

- Thank you, your honor. Director Vonck, I was just gonna ask, if we waited for this October meeting, how much more would the city stand to lose? I mean, it's only a couple of weeks, but is there any idea?

- Yeah. I guess it would be predicated on what the Joint Review Board decides to do at their meeting. So, I guess I can't answer that.

- I think one of the things, the fact is that we we can still develop on that property, just wouldn't have that TID there, so that's good that we still have that opportunity, and the fact that we can borrow from other TIDs, that's kind of a last resort, if you will, at times, and in a sense, I would like to see those TIDs kinda take care of themselves and not have to borrow upon those. So, as much as I feel like the folks that testified, it's very important that they came forward with what they did. I'm a little uncomfortable letting this drag on too much longer. I'll wait for the vote. Thank you.

- [Mayor] Alder from the seventh.

- Thank you, your honor. I'm for closing the TID now. I don't know what would be in those agreements that would want us to keep this TID open. I can't imagine there'd be anything of significance that would make us say, "oh, this TID's gonna be okay now." The only concern is that we don't wanna be harming anybody we've gone into agreement with, and I think Alder Galvin, thank you, reading my mind again, asked the questions about we're not liable and we are making a good faith effort to make everybody whole. I don't know what more we can do. I can't see how holding this is gonna do anything. I think we're gonna have to shut it down. Let's just shut it down and move on. Thank you.

- [Mayor] Alder from the eighth.

- Thank you, Mr. Mayor. I always have to point out how this is another example of how a Council meeting once a month hurts our efficiency and our service. I think if we had met twice a month here, I know we could have handled this the meeting before and had two weeks time to hold it up, look into it more. So, maybe

keeping that in mind for next year. September really isn't a September month, so we really should be meeting twice a month in September. As Alder Galvin had pointed out, I think we all very much dislike being given these big items when we have to make an important decision and have no time to hold or discuss it or do anything with it, other than just make a big decision right here and right now. So, if we can keep that in mind for the future, your Honor, when you bring things forward, give us some time, some wiggle room, rather than trying to cram it down our throat. Now that being said, from what I've heard, this is fiscally prudent, legally permissible, and I hear staff commitment to put this on an EDA, Economic Development Agenda, in the near future, and so with those things in mind, I'm fine with closing it, but would like more time on some of these topics. Thanks.

- [Mayor] So, the motion before us is approval.

- [Mayor] Alder from the first.

- Sometimes it's hard because there's two good competing things happening at the same time. What's good for the city sometimes is good for all the districts, and sometimes it's not for all the districts. In this particular case, I'm going to go with my district and I'm going to make a motion to hold this, and it'll be up to Council to decide what to do. Thank you.

- [Mayor] Motion made by Alder from the first to hold this item until October first. Is there a second?

- [Andy] I'll second it.

- [Mayor] Seconded by Alder from the third. All in favor of the motion, please signify by saying aye.

- [Two People] Aye.

- [Mayor] All opposed, nay.

- [Many People] Nay.

- [Mayor] Nays appear to have it. I'm gonna use the board. We'll use the board. Motion fails seven to five. Entertain a motion.

- [Randy] Motion to approve.

- Motion made by Alder from the seventh, seconded by Alder from the tenth to approve item eight. All in favor of the motion, please signify by saying aye.

- [Most people] Aye.

- All opposed, nay.

- Nay.

- The ayes have it. Item has been approved. We are on to item 10. Any discussion regarding item 10? Motion made by Alder from the first, seconded by Alder from the ninth to approve. All in favor of the motion, please signify by saying aye.

- [All] Aye.

- All opposed, nay. The ayes have it. Item has been approved. We are now onto item 18.

- [Randy] Motion to approve.
- Motion made by Alder from the seventh.
- [Barb] Second.
- Seconded by Alder from the first. The item was pulled by the Alder from the ninth. You've got the floor, Alder.
- Thank you, Mayor. I just wanted to provide a little bit of background on this. This is a resolution targeted, obviously, at the relocation of the coal piles that are located in my district. This was a resolution that was originally drafted before the RDA. I had simultaneously been working on a separate resolution to come before Council. At the RDA, there was discussion about maybe some things that I wanted to reconcile between what I was looking at and what the RDA had drafted, and I just, again, because of that discussion at RDA, I wanted to provide some clarity here. I did request that the RDA's resolution be forwarded to the full Council as a joint resolution, which the RDA agreed to, and I am fine with that without any revisions. I obviously support this. This is a project that's been a long time in the making, and pending Council approval of this particular resolution, I also just wanted to indicate that I'll be circulating a Change.org petition so that the general electorate can have an opportunity to sign on to this particular verbiage, and those signatures can, in turn, also be forwarded onto the respective parties at the Governor's Office Interstate Legislature. Thank you.
- [Mayor] Thank you, Alder Any further comments? All in favor of the motion, please signify by saying aye.
- [All] Aye.
- [Mayor] Those opposed, nay. The ayes have it. The item has been approved. Around to M, report of Improvement and Services Committee.
- [Randy] Motion to approve.
- Second.
- Motion made by Alder from the seventh, seconded by Alder from the first to approve report M, which is the report of the Improvement and Services Committee from the meetings on September fourth and September 11th, 2019. Any items under this report you wish to handle separately?
- [Man] Eight.
- Seven.
- Any other items?
- One.
- [Mayor] One. Items one, seven, and eight will be handled separately. Hearing none others, all in favor of approving the remainder of that report, please signify by saying aye.
- [All] Aye.
- [Mayor] Those opposed, nay. The ayes have it. The report has been approved with the exception of items one, seven, and eight. What are your wishes regarding item one?

- [Randy] Motion to approve.
- [Mayor] Motion made by Alder from the seventh, seconded by the Alder from the first. The item was pulled by the Alder from the tenth. Tenth Alder, you have the floor.
- Thank you, your Honor. Actually, reading this over, Director Grenier, we're still in the process of working this out, correct? As far as the opinion? Do you have? Oh, you have?
- [Mark] I can
- Can you?
- [Mayor] Alder from the 12th.
- I'm not Chair of that committee, but what had happened is we had a special meeting on the fourth. We referred it at that meeting to the meeting on the 11th. So, we don't really have to act on this item. It's gonna be discussed. It was pulled from one of the other Alders. So, they're related, but they're different.
- All right. Seeing no other requests to speak, all in favor of the motion, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The item has been approved. Around to item seven.
- [Barb] Move to approve.
- Motion made by Alder from the first. Seconded by Alder from the seventh. Item was pulled by Alder from the ninth.
- Thank you, Mayor. Director Grenier, I apologize. I wasn't able to attend this particular meeting, and so before taking action on this item, I was just hoping that you could provide an update on this particular item?
- [Mayor] Director Grenier.
- The storm lift station for basin 110 is currently out for bid. The lift station for one oh six is under design, but the pumps, I understand, are to be received rather soon, so we're hoping to get that one built over the winter, and the flooding on Antoinette Street, we have put some temporary measures, including a temporary pump in there that's gonna require a longer term fix. As we had mentioned at several meetings, I was also not at the meeting Wednesday, I was coming back, but from what I understand, staff did give an update on this. The biggest problem with the flooding on Antoinette Street is the pavement of Antoinette is lower than what the current river level is, so it's very difficult, we've got a portion of the city that's built below the river elevation. It's gonna be very difficult to keep that dry.
- [Mayor] Alder from the ninth.
- Thank you. So Director Grenier, when you say there's a more longterm solution required on Antoinette, but that there was a short-term solution, are we actually implementing that short-term solution?
- For the time being, we are. Unfortunately, what it involves around is the use of some portable six inch pumps, and we have been using those pumps every time it rains, since around March, and those pumps are starting to get worn out. Out of the four pumps, I have one that is completely down. It may not be repairable.

I have two that are being limped along and one that's carrying the load, and right now, that's actually out covering a sanitary break in Main Street on a 24 inch line that collapsed due to saturated ground conditions. So if we get hit with a rain storm, most of my assets are currently tied up.

- So, right now we have four pumps, I guess, that can deliver that particular type of temporary relief. Would the city benefit from having a fifth pump?

- We have three.

- [Brian] Three that work?

- Three that work.

- [Brian] Right.

- Two of them are marginal, one of them is operational. I just had a conversation today with the city attorney to get clarification as to whether or not the loss of that pump could be considered an emergency action. She has concurred that, given the critical nature of the infrastructure it is protecting that that would be considered an emergency. We did reach out to the vendor that we purchased the six inch pump from earlier this year that do go through a bid process, and it was a low bid vendor. They have agreed to honor the pricing from earlier this year, so we do have a vetted vendor for a six inch pump, and we are going into the rainy day fund to go out and purchase another one that hopefully will be delivered by the end of October.

- Thank you. I appreciate that update. And then, as it relates to the longterm solution on that, is that something that staff is currently working on?

- [Grenier] Yes.

- Okay, and will we be able to have an update on that at the next INS meeting? Do you need more time?

- I think we still need some more time. We're looking at trying to come up with an underwater solution right now, quite literally.

- I'm not sure what that means, but I trust you guys do. So, thank you for the update.

- Seeing no additional speakers, all in favor of the motion will signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. The item has been approved. We're on to item eight, which is regarding this item. Motion made by Alder from the tenth, seconded by Alder from the eighth to approve. Any discussion?

- [Randy] Yes.

- Alder from the seventh.

- Yeah, I pulled it. Yeah. The item is a two-parter and it's the second part that concerns me, where we're reimbursing Jeremy Kroll 3,000 of the cost to install the private storm sewer. Sewer. It's my understanding that there are some issues with this concerning that this is really for damages from lost rents, and that this is really a claims issue. Is that really up to the committee? This is something that Mr. Kroll should take to the Claims. We have a separate commission to handle that, and that also, the agenda item was consideration was

possible action on request by Alder Nicholson to address surface water drainage issues on 16 61 63 Elkway Lane, which doesn't have anything to do with any kind of damages. It just has to do with the agreements that have been put up, and so I think, I'm a little concerned that we're taking action that is not in our per view, and would be setting a bad precedent, and so I would like to amend this to just receive in place on file the request by Alder Nicholson to address surface water drainage issues at 16 61 16 63 Elkway Lane period. Thank you.

- [Mayor] A motion's been made by Alder from the seventh to amend the item. Do we have a second?

- [Brian] I'll second the changes to be made.

- [Mayor] Seconded by Alder from the ninth. Alder, excuse me. Attorney Chavez, would you like to weigh in on the comments from the Alder?

- Yes, your Honor. So, I share the same concerns the Alder expressed, the first one being that this was not properly noticed as an expenditure of funds. We try to generally get as much latitude as we can out of the agenda items, but when we're actually spending money without telling money that we're gonna spend money, that's when we start getting into open meeting ex-violations, and so this really should go back and actually be approved as a separate item if that's the wishes of the Council, not as an item that's brought up; and second, in reviewing the video, there was a number of discussions as to where these numbers came from and what the purposes of the expenditure was. So, in order to spend public funds, there has to be a public purpose attached to it. We did some extensive research on what qualifies as a public purpose under the state Constitution, and nothing that was identified in that meeting qualifies as a public expenditure. Instead, what we are hearing amounted to more of a claim, which should go to the Claims Committee under the city's ordinances to determine whether or not there's a valid reason for a person to be reimbursed for expenses that they incur. So with that, the recommendation, the Law Department would also be to receive in place on file.

- Thank you, Attorney Chavez. We also have a resident here who has expressed an interest in speaking.

- [Mark] Motion to open the floor.

- [Randy] Second.

- Motion made by Alder from the tenth, seconded by Alder from the seventh to open the floor. All in favor, please signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. Sir. Please, state your name and address.

- Jeremy Kroll, 2744 Glendale Avenue. As far as the stormwater issue. Actually, I need my list. What I guess what I'm kinda wondering is how this went through the complete process, and then all of a sudden, at the end of going to get occupancy, I get this thrown on me as far as running this private storm sewer on my property, and I guess it doesn't really make sense to me that this could get pushed on the back burner or somebody would forget to disclose this until 13 years later. They're like, "oh, we have a memo "that says you have to install this storm sewer." Whatever. Okay. And what I'm trying to get at is why is the tax and lot value the same, 'cause I bought three lots in a row, but the tax value and everything is still being all taxed the same. Well, if it was known that this was supposed to be run, which it has to be run because the storm sewer wasn't put deep enough on Deborah Lane, which has nothing to do with my property on a completely different road. So, if the storm sewer wasn't run deep enough, they should've known right off the bat that this wasn't gonna work. I mean, just letting storm water run to somebody else's property and drain off on it without paying them or reimbursing them seems like an un-logical fix to the problem. If you knew it was too low when you put it in, then you should've known right away that, "hey, we need to disclose this, "we need to get this in writing, "we

need not just a little memo "that says, hey, whoever does this "has to pay for that," and what I was trying to determine with the permits that were pulled, I had to run storm water and sewer in the front, which I pulled all the proper permits, all that, nothing came up. Nothing. Zero. So, I'm wondering how, at the end of this, it all of a sudden comes up. And then, second is is the memo really considered a legal document? I need some clarification on that because with me owning the next two properties, I'm like, so if I decide to develop this property, are they gonna come across and be like, "well hey, "we have a memo here from 2009 "that says, hey, you're required "to pay 10 or \$15,000 "to put this in." it's not just hundreds of dollars that we're talking about here, we're talking about thousands of dollars, and who's liable for that? And I feel, as a citizen, if you put yourself in my shoes, I'm like, "well, hey. "I'm trying to develop this, "build this up, "this is the first project I ever done," so with this project being done, I figured approximately the city would be collecting four to \$5000 in tax revenue. Right now, as it stands, it's gonna be about \$8,500 to run this private sewer, which with me owning the next two properties, I look at it kind of as a great investment towards the city. Like, "hey, if we put this in "like we should've done from the get go, "this guy makes this and all of a sudden, "hey, we got four, eight, "\$12,000 in revenue coming in "just as a minor investment." That was one of the arguments that I had to that. If it were me, I would be like, "hey, "put this in, let's get this guy going, "let's get the revenue coming in, "boom, we're good." And I guess the memo that I had read even, it seems like all it is, it's a document that is stating something to address concerns of the neighbors around because their driveways are flooding, or the water's too high there and they can't back up, where there's some pumps are running out into their, and whatnot, but I mean, I think that for 13 years this has been going on, I would think that the problem would've been solved by now before I even purchased the property. So, I guess that's where I'm at right now.

- [Mayor] Thanks for your comments, sir. Alder from the seventh.

- So, when you purchased, the people you purchased from, they did not mention that they had an agreement.

- [Jeremy] No.

- Okay. But you don't think that your problem is then with them?

- Honestly, I don't think they knew either, to tell you the honest truth, and I was going to reach out to him, but I know, and when he disclosed everything, the water and sewer had to be run in the front. Yes, he knew that, but nothing was ever said about a private storm sewer being run in the back of the property at all.

- [Randy] That's all the questions I had.

- [Mayor] Thank you, sir. Any further questions? Entertain a motion?

- [Randy] Motion to close the floor.

- [Mayor] Motion made by Alder from the seventh, seconded by Alder from the sixth to close the floor. All in favor, please signify by saying aye.

- [All] Aye.

- [Mayor] All opposed, nay. The floor is closed. The motion before us is the amendment to the item. Additional comments?

- [Randy] Yeah.

- Alder from the seventh.

- Director Grenier, did we not have an agreement with the previous owners to put in that sewer?

- The way that these lots came into being was the right away for L.K. Lane on the southern half of the block between Irene Street, between Deborah and L.K. was requested to be vacated. That public right of way was then adjoined to the adjacent properties, which was subsequently subdivided into smaller lots to make room for duplexes. Part of the agreement back in 2002, 2004, whenever that happened was that, because the street, there was no storm sewer underneath that block of Irene, the block drained to the south and was picked up by storm water in the curb line near the radius returns of L.K. Lane. Those actually show on the drawing as two catch basins, which are part of the private storm sewer system. So, the drainage out there before the right of way was vacated was accomplished using the curb and gutter in the roadway of Irene. When that half a block was requested to be vacated, that interrupted the surface water flow pattern and took out those two catch basins. So, what was informed of the developer at the time was that he was responsible for putting that private storm sewer in. Now, it's my understanding this property may have changed hands multiple times since then, and it would become the responsibility, as I understand it, of the original developer to notify the purchaser and so on down the line. I agree that there is an issue here, but I think that issue is a civil issue. It's not something that the city is responsible for, which is why we had the city attorney at INS to explain this last Wednesday.

- And I think that even if there's Alders who think that maybe we should be doing something about this, we have procedures, we have our ordinances we've taken an oath to uphold. We should follow our ordinances. This claim should go to Claims. It should be worked out there. If there's an issue that needs to go back to INS, and we're gonna be allocating funds, it should be so noticed. We should be doing things the right way. So, even if you believe that the city should be paying \$3000, this is not the way we should be doing it, and I'm not sure that we should be. So, I believe that we should just receive and place this on file, and if someone wants to end up putting a communication in to INS, or if Mr. Kroll wants to file a claim against the city and take it to Claims, I think that's the appropriate way to go. So, I'm sticking with my motion. Thank you.

- [Mayor] Thank you, Alder. Alder from the eighth.

- Thank you, Mr. Mayor. Obviously, I was at the meeting, being in that committee. I think it's something the city's gonna have to learn from moving forward because we have departments who seemingly don't talk to each other. Mr. Kroll buys land, wants to build some duplexes, submits his plans, fully approved, stamped, sealed, here you go, move forward. What more would you want from a citizen? To come forward, here's my plans, gets the blessing, go ahead. Then later, a mysterious super secret memo is found requiring a private storm sewer be installed. Now, why wasn't that found upfront? That's mind boggling for anybody not in government to try and wrap their head around, especially when you're planning on opening up your duplexes, renting them out, and start getting revenue to pay off your investment. So, this work hasn't been done yet, so is it really a claim if it's work that hasn't been done? This is work that needs to be done. So, if it needs to be noticed correctly as a notice of expenditure to assist in installing this, that's fine, but it couldn't go to Claims, 'cause that's really for something that's been done and you're claiming. So, I'll make a motion to refer this back to INS with proper notice of expenditure to assist in installing this storm sewer.

- [Mayor] Motion made by Alder from the eight. Seconded by Alder from the tenth to send this item back to INS. Alder from the ninth?

- Thank you, Mayor. I think when we're looking at this, we have two issues that are really before us, and one, of course, is the claim and I think that merits its own discussion, but I think the other piece is the notice itself. I somewhat resent the notion that something sinister is occurring here and that a notice has just mysteriously appeared, simply because I think when you're talking about something that old and a transaction that has changed that many hands, it's really more of a policy and procedure issue that I do think needs to be addressed, and I'm gonna submit a communication for that at the end of the meeting. Essentially, what you have here is a property that was acquired by the bank, and my understanding is that Mr. Kroll purchased it from the bank. So, the bank was unaware. So, when the bank acquires it, they didn't buy it. They took it. Well,

the person they took it from isn't going to tell the bank or disclose that. That kind of process just doesn't occur, and so I think where the bigger issue here, and what I'm gonna ask in the communication is taking up whether or not we oughta be recording these requirements so that it's attached to the deed so that when these transfers to occur, it's more transparent that these things do need to occur, and then the buyers are aware of them. It seems like a very simple act, although I don't wanna oversimplify it if there are more complications involved with it, but I do also, if we wanna refer it to INS, I guess I'm gonna maybe ask attorney Chavez, if that's done, can INS take the action that is proposed in Alder Wery's motion, or in your legal opinion, does that still need to go before the Claims Committee?

- So, there are potentially two different ways to look at this. One is whether or not he thinks he's entitled for reimbursement because he's been aggrieved. Whether or not he's already incurred the cost is irrelevant. It's whether or not he's been harmed, and so at this point, there would potentially be a claim that could be presented. The second would be whether or not there's a purpose to, not reimburse him, but providing a portion of fees to cover installation of private sewers. That is something that the Council would have to determine, but a public purpose would have to be actually identified, and the one that was already given, we've looked into extensively and we could not find anything that would validate it. There has to be a direct benefit to the public as a whole, and any benefit to an individual has to be a secondary, it could still be direct, but it has to be a secondary purpose. So, if that is the direction the Council would like to go, that is definitely something you guys can consider, but a public purpose has to be identified if you are going to make an expenditure like that.

- Thank you for that opinion. My question is directed right now then at the property itself. Is the property considered incomplete, meaning that it is not on the tax roll?

- I would defer to Director Grenier on that one.

- I would have to look that up on the taxes.

- [Kevin] Okay, so.

- [Mayor] Director Vonck.

- Sure. So, it is taxable, it is on the tax rolls, but it does not have a certificate of occupancy, so it's not able to be lived inside. So, there is a value to it, but it does not have a certificate of occupancy on it right now. So right now, it's basically assessed, \$31,041 for the land, \$5,000 for improvements. So basically, you have a structure, but you're being taxed as you can't live in it, so that's how it's being taxed right now.

- Okay, thank you for that clarification Dr. Vonck. In which case, then, I guess once the occupancy permit is issued, the value would go up. Would that not be considered a public good? Because now, you have the ability to collect higher tax revenue.

- To benefit the public purpose, no. I don't think that would fly. I think it's still allowing somebody to obtain a certificate of occupancy, which is the primary purpose.

- Okay, and I think, maybe what I wanna suggest is I'm gonna support Alder Wery's motion, because I do think there's some wiggle room for interpretation and exploration to determine what we, as a government, can do to help this developer get this property occupied and to help the citizens of our community by having a property that actually collects its real value in taxes.

- [Mayor] Alder from the seventh. Oh, sorry. Attorney Chavez.

- One more comment I would like to make is that this is very similar to what was considered with the relief fund, which was people who were affected, through no fault of their own, and incurred some kind of damages as a result of the city's actions, and so I think that if we're going to be identifying a public purpose, it has to be on a holistic approach, rather than an ad hoc basis. That's where we start getting into trouble 'cause then we start applying things disparately, and then in addition to that, if a fund of sorts would be identified or created, then again, it still needs to have a funding source identified.

- [Mayor] Alder from the seventh.

- Yes, your Honor. I'm happy to send this back and have the committee hash out all the various issues here. I'm not sure where I stand on it now, but certainly, if it goes back to committee and they hash it through, we can take it from there. So, I'm very happy to send this back and see what happens. So, thank you.

- [Mayor] Alder from the 12th.

- Thank you, Mayor. I just want to note the irony of this all is that we just discussed TID district nine, and if you think about this issue on a residential scale, anyways, it's very similar to a TID. Right now, we are collecting less taxes than we could on this residential property, and any improvement that we or the property owner pursues, in this case, fixing the storm sewer, that will then allow these properties to be inhabited, if you will, which will then allow additional tax base to the city. So, it's the exact situation we deal with when we deal with TID districts. So, if you look at it from that perspective, perhaps you could make a case that the public good is being benefited, just in the same way you would say a public TID benefits the public and kinda extrapolate that out a little bit, we just lost money on a TID. So, I just wanna dig a little deeper on the public good. Maybe we can find a justification there, either legal or some sort of precedent within the state of Wisconsin because we are benefiting from this, and if you apply the same standards we do for TIDs and think outside the box, we certainly can make this happen. It was a mistake. I feel for the gentleman. I don't completely think it's the city's fault. I'm not willing to go that far, but we definitely can think a little more about this and that's why I'm in favor of sending this back to the Improvement and Service Committee as the motion stands. Thank you.

- [Mayor] Thank you. Alder from the fourth.

- Thank you, your Honor. Having sat on the committee that considered the relief fund for neighbors or residents that are affected by disasters, maybe not necessarily of their own making, I'm concerned that now we're looking at picking up the tab, where potentially the fault, maybe it's not with the current owner, but with one of the previous owners that should've disclosed that. Instead of following that path, we're starting to consider, well, we've got money, we've laid off 14 cops, didn't hire 14 cops, but we've got money to start taking care of stuff like this. I think we're looking at a slippery slope here, at this one, then we do another one, then we do another one, then we get to budget time and they're like, "where's all our money?" "Where are we gonna get this money from?" "How are we gonna continue to do it?" And I understand the, "well, yeah, "let's have him start generating some taxes," but I think in the first place we oughta be looking maybe at who he bought the property from, and where this goes back, instead of trying to say it's the city's problem to try to rectify this problem. I certainly feel for him. I would hate to build a building like he did, and then find out he can't get occupancy, but at the same time, when you get into some of these property issues, I think you need to go back to who the former owners were and look at the responsibility there. Thank you.

- [Mayor] Alder from the seventh.

- Just one quick thing. I would ask, going forward, that legal really give this a good eyeball and that we pay a lot of attention to legal's response to this because this is a slippery slope, I feel. I can see the comparison to a TID in some ways, but a TID is completely different. It's state regulated, there's a lot of laws and rules going along with it. We have to be careful what we're doing here, setting precedent and following the law. So, I have no

problem with the committee hashing it out, but I really am very anxious about this item, and I hope that legal can really give it a good thorough going over to present to the committee. Thank you.

- [Mayor] Alder from the tenth.

- Thank you, your Honor. I agree with Alder Wery as well to send this back. I was at that meeting, as well, and I guess one of the questions that came forward was that Mr. Kroll, he got all the needed permits in line and then to find out after the fact that they had put another line in. I think there was some concern and question about that as far as communication. So, with that being said, I think it's really important that we look at a timeline, as of the history of this project, going all the way back to 2003, and then maybe if nothing much happened in the first number of years, fine, but I think it's important to look at the owners of that property, including the bank, and the things that happened because I think there were some things that didn't go right, and I would really like to hash that out at the committee. See what else here. I think that's about it for now. I agree the referral, as well. Thank you.

- Mayor.

- Alder from the eighth. Attorney Chavez. Just one second.

- Just one reminder. If we are basing this at all on potential for liability of the city, that belongs in front of the Claims Committee. So, if that is a reason that it's sending back, it should be really received and placed on file and the gentleman should be encouraged to file a claim.

- [Mayor] Alder from the eighth.

- Well, that being said, I do think this should go to committee. I think there's a lot of things that we can discuss there that haven't come up here, and maybe there will be a separate claims angle because the little bit of city CYA here, inter-department bungling and horrible record keeping. If the city has to start paying for its avoidable mistakes, maybe there will be less of them, right? The little guy is always getting trampled in this thing. We're just like, "well, there's nothing we can do about it." Well, yeah there is. So, I think there's enough there that we can bring this to committee. If it comes out that there's not, that's fine, but I think we can discuss this in greater detail in depth at a committee meeting. So, let's send it there. Thanks.

- [Mayor] Any further comments? A motion's been made to send this item back to committee and seconded. All in favor, please signify by saying aye.

- [All] Aye.

- [Mayor] All opposed, nay. The ayes have it. The item's been referred back to INS.

- [Man] Mayor, can you excuse me. I actually.

- [Mayor] All right. Thanks, Alder. So, we are on item N, report of the Protection and Policy Committee. Motion's been made by Alder from the seventh, seconded by Alder from the fifth to approve report N, which is report of the Protection and Policy Committee from the meeting on September nine, 2019. Any items under this report you wish to handle separately? Any items? Hearing none, all in favor of approving that report please signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. Report has been approved. Onto the report of the Protection and Policy Committee.

- Motion to approve.
- Grant to operator licenses.
- Second.
- Motion has been made by Alder from the seventh, seconded by Alder from the first to approve report O, which is the report of the Protection and Policy Committee granting operator licenses. Any names for which you'd like to be recorded as abstaining? Any names? Any names under this report you wish to handle separately? Hearing none, all in favor of the report, please signify by saying. Say it again, Alder.
- Think I'll wait a turn. So, I abstain.
- Noted. All in favor of the report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The report has been approved. Noting abstentions. P, report of the finance committees.
- [Randy] Motion to approve.
- Motion made by Alder from the sixth, seconded by the Alder from the seventh to approve report P, which is the report of the Financing Committee, from the meeting on September 10, 2019. Any items under this report you wish to handle separately? Hearing none, all in favor of approving that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The report has been approved. Q, report of the Park Committee.
- [Randy] Motion to approve.
- Motion made by Alder from the seventh, seconded by Alder from the first to approve report Q, which is the report of the Park Committee from the meeting on September 11, 2019. Any items under this report you wish to handle separately?
- [Barb] Item three.
- Three. Any other items? Item three will be handled separately. Hearing none others, all in favor of approving the remainder of that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The report has been approved with the exception of item three.
- [Randy] Motion to approve.
- Motion made by Alder from the seventh.
- [Chris] Second.

- Seconded by Alder from the eighth to approve. Item was pulled by Alder from the first. You have the floor.

- Thank you. I had a misunderstanding that this item wasn't going to be at the last meeting, and so I was not in attendance at that meeting, and so I just wanted to explain what had happened in the hopes the Council can come to a decision tonight, rather than have it received and placed on file. Baird School, some land was swapped. I think someone even mentioned that earlier, and so now the playground, which used to be on city property is on school property. It's a very nice playground, but for security reasons, and I spoke with the school district, no one in the community can use that park during school hours, and that is something that they've been used to using, and so I had communications with the neighbors and I talked to Director Ditscheit and I looked at some other options, one of which was can we put two playgrounds on that same Baird property, and that is not a good use, I think, of land or of funds. I don't believe we should have two playgrounds next to each other, but down the road a little ways is it's called McKenzie Lane Park, right, Director Ditscheit?

- Yeah.

- Yes. And so, that is an undeveloped, but yet it's still cut. I've looked at it. It's grassy and such, and it's right behind a very large apartment complex, and so the neighbors that had talked to me, I talked to them and I was kinda surprised, but they were like, "no, that would be great "because it's still within walking distance," and the money has already been allocated. It was intended to replace that playground equipment. So, I would like to make a motion that we put that playground equipment into McKenzie Lane Park because the money's already been allocated for that.

- Second.

- Motion made by Alder from the first, seconded by Alder from the sixth. Director Ditscheit?

- Yeah, so at the time of the Park Committee, I was not aware that Alder Doff had spoken to the neighborhood, so I wasn't sure if the neighborhood was supportive of putting that playground at McKenzie Lane Park instead of Baird School. I spoke to Alder Dorff today, and she told me she did speak with the neighbors, they are supportive of it, as she mentioned, the funding is still there to replace the Baird School playground, so I would be in favor of placing a new playground at McKenzie Lane Park. That park isn't completely undeveloped. What it is is it's actually, there's a nice prairie restoration project there that is maintained by the Baird Creek Preservation Foundation, and there's also a storm water management pond that DPW manages there, and there's a lot of residential in the area with future residential, hopefully future residential expanding in that area. So, I think that would be a good fit for that park, if the neighborhood is acceptable to that.

- [Mayor] Can you give folks a sense of where that park's located, Director?

- Sure. It would be just south of Baird School. So, that road that you go into their new parking lot, if you just keep going south, it pretty much dead ends at McKenzie Lane, for the most part.

- [Mayor] Thank you. Alder from the first. Anything?

- [Barb] Oh. No, I don't think so.

- [Mayor] Alder from the 12th.

- Yes, thank you, Mayor. I don't wanna come across that I'm against this, but I do think we need to discuss a little more at the committee level. So, if I could make a motion to refer back to the Parks Committee?

- [Randy] Second.
- [Mayor] Motion made by Alder from the 12th, seconded by Alder from the seventh to refer back to the committee. Alder from the seventh?
- Yes, your Honor. I to was going to raise that point. I appreciate that Alder talking to the neighbors and I don't disparage that in any size, shape, or form by saying this, but perhaps a notice of what our intentions are might draw more people out as to their opinion on this, and I want to ask the Alder and Dan Ditscheit, is if this went back, is there really any hurry? Can we take a little time to just make sure we've noticed this properly to the community to get all the input that we possibly could get out of it?
- [Mayor] Alder?
- Would it matter for the budget hearing? Do we have to decide in October?
- [Mayor] Director Ditscheit.
- Since the money is already allocated for a playground for that general area, it's not really sensitive to the budget. I will tell you that, in any scenario, we would not be placing the playground there this fall. It would be done next spring is when that playground would be placed because by the time we design the playground and quote it out, and then with the lead time on that playground, we would not even have a playground delivered until some time in the winter.
- I would rather we refer this back. We've got the time. Let's make sure that it's been fully noticed to the community and we get all the input. I'd hate to think that we go forward tonight, and then somewhere along the line between now and when we start construction that people who didn't realize find out and for some reason have any objection or some concern that we could address. So, I support sending this back. Thank you.
- [Mayor] Alder from the 11th.
- Thank you, Mayor. My question is for Alder Dorff. Will the school be able to use that playground then if they install the new playground at that site that you're talking about?
- No, the school has their own playground.
- Oh, they have their own.
- Yes. They have a very nice. I was there today. They have a very nice playground.
- [John] It's not really affecting the school then, at all?
- [Barb] No.
- Okay, that's fine then. That was my question. I think I'd be in favor of sending it back so they can look a little deeper on it then. Thank you.
- [Mayor] Very good. Thank you.
- Can I just ask one question? Is the next meeting on the 25th? Is it for Parks? Because there's also a very large meeting that I think that Director Grenier and I need to go to about the flooding out on Beech Lane at the same time, so I can't be at a meeting on the 25th. So, maybe I could ask for it to be at a different time. I'll contact the Chair and ask him for a date. Okay.

- Great. Thank you, Alder. A motion's been made to refer back to committee and has been seconded. All in favor of the motion, please signify by saying aye.
- [All] Aye.
- All opposed, nay. The ayes have it.. The item's been referred back to committee. We are on to report of the Personnel Committee.
- [Randy] Motion to approve.
- Motion made by Alder from the seventh.
- [Craig] Seconded by Alder from the fifth to approve report R, which is the report of the Personnel Committee from the meeting on September 10, 2019. Any items under this report you wish to handle separately? Hearing none, all in favor of approving that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. That report has been approved. Report of the Public Arts Commission.
- [Randy] Motion to approve.
- [Veronica] Second.
- Motion made by Alder from the seventh, seconded by Alder from the second to approve report S, which is the report of the Public Arts Commission from the meeting on August 28th, 2019. Any items under this report you wish to handle separately? Hearing none, all in favor of that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The report's been approved. Traffic, Bike, and Pedestrian Commission.
- [Randy] Motion to approve.
- Motion made by Alder from the seventh, seconded by Alder from the fifth to approve report T, which is the report of Traffic, Bicycle, and Pedestrian Commission from the meeting on August 19, 2019. Any items under this report you wish to handle separately?
- [Mark] Number two.
- Item two. Any other items? Item two will be handled separately. Hearing none others, all in favor of approving the remainder of that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The report has been approved with the exception of item two.
- [Randy] Motion to approve.

- Motion made by Alder from the seventh. Seconded by the Alder from the eighth to approve. The item has been pulled by the Alder from the tenth. Alder, you have the floor.

- Thank you, your Honor. Chief Smith, I just wanted to ask you on this, we talked about the trail crossing and such and I was just wondering if there had been some talk of some more patrols or different things on that, and I don't know if there's anything else that's been brought forward. We had talked about signage and such, and I know that's not your per view, but I just wanted to know what the Police Department is looking at with normal patrols and that as far as traffic and such as people try to cross that military.

- [Mayor] Chief Smith.

- Yeah, to be honest with you, I have not had a chance to look at that yet, so I'll check with our guys and see. It seems to me that the community policing officers that are in that area can focus on it. We do have two traffic officers that can focus on that area, as well, but I'll have to get an update from them as to what they've done so far.

- [Mark] I'll be on this.

- You bet.

- [Mayor] Related question for you, Chief. Is the Frogger operation still ongoing or has that been exhausted for the season?

- Yeah, we do that periodically. Sometimes around holidays are times when there's a lot of pedestrians out, so probably towards Halloween, we'll do another operation like that. It gets a lot of attention and reminds people about pedestrian safety.

- [Mayor] Very good. Thanks, Chief. Any further comments? Alder from the seventh.

- Yeah, just wanted to check with the Chief that this crosswalk hasn't crossed your desk?

- [Mayor] There's no need to respond to that, Chief. All in favor of the motion, please signify by saying aye.

- [All] Aye.

- [Mayor] Those opposed, nay. The ayes have it. The item has been report. Report of the Tax Incremental District Joint Review Committee.

- Motion to approve.

- Second.

- Motion made by Alder from the seventh, seconded by Alder from the eighth to approve report U, which is the report of the Tax Incremental District's Joint Review Committee from the meeting on August 19, 2019. Any items under this report you wish to handle separately? All in favor. Hearing none, all in favor of approving that report, please signify by saying aye.

- [All] Aye.

- Those opposed, nay. The ayes have it. The report has been approved. Received and placed on file.

- [Randy] Motion to approve received and placed on file.

- Motion by Alder from the seventh.
- Second.
- Seconded by Alder from the tenth to receive and place on file the building report for August 2019. Any discussion? Hearing none, all in favor of approving that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. That report has been received and placed on file. Entertain a motion. Municipal Court report. Motion made by Alder from the first. Seconded by Alder from the tenth to receive and place on file the Municipal Court report for August 2019. Any discussion? Hearing none, all in favor of approving that report, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it. The report has been received and placed on file. We're onto resolutions. Clerk.
- [Clerk] You may under suspension of the rules adopt resolutions one through 18 with one roll callable.
- Motion to approve.
- [Barb] Second.
- Motion made by Alder from the seventh, seconded by Alder from the second to suspend the rules, take up these items with one roll call vote. All in favor of that motion, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it and the rules are suspended. Entertain a motion to adopt resolutions one through 18. Motion made by Alder from the seventh. Seconded by Alder from the fifth to adopt resolutions one through 18. Please, use the board. Those pass 11 oh. Onto referral of petitions and communications. We have a communication on the agenda. Any other communications? Alder from the tenth.
- Thank you, your Honor. I have two. One, the lot apartment. To revisit our city sign ordinance as it pertains to advertising signage on city property, specifically athletic fields and venues. This one's to INS to look at the possibility and feasibility of renaming the Walnut Street Bridge to the Bart Stern Memorial Bridge. Thank you.
- [Mayor] Alder from the 11th.
- Thank you, Mayor. This is for the Parks Department, redoing the blacktop pathway of Beaver Dam to Fireman's Park area. I know you talked about it. I looked at it today. It's in kinda rough shape, so they mentioned that they're gonna, but I just wanna get the communication in. If they don't get it this year, they're gonna get it first thing next year. So, thank you.
- Sounds good. Thanks, Alder. Alder from the sixth.
- I'd just like would make a comment that I think that at the beginning of each meeting, I think we should just state that a certain Alderman will always approve the motions. Make the motions.

- [Mayor] I think we know who that'll be.
- Thank you.
- [Mayor] Any other communications here?
- [Chris] Yeah.
- [Mayor] Alder from the eighth.
- Thank you, Mr. Mayor. Mines for Public Arts Commission, and correct me if I'm wrong, Attorney Chavez, I think you helped me guide this towards where it should go so it could come back to Council. Discussion and action on whether the city should require development agreements to include funds for public art, and if so, what level amount or percentage should be. I think the purpose was to go there and then come back to Council.
- Correct.
- Right, okay. Thank you.
- [Mayor] Alder from the ninth.
- Thank you, Mayor. First one I need maybe some direction on which committee, but to review internal policies related to recording orders made on properties to ensure documented transfer when ownership changes.
- [Chavez] Protection policy.
- Thank you. And the second one, to the Redevelopment Authority, to create a policy guaranteeing City Council oversight and disbursement of funds related to affordable housing extension resolutions for TIDs seven, eight, and 12.
- [Mayor] Alder from the 12th.
- Thank you, Mayor. To Traffic Commission discussion with possible action on improving traffic flow and enforcement on West Mason from Packer Lane to Hillcrest, and in the neighborhood surrounding this area, specifically during times of school start and dismissal. Thank you.
- [Mayor] Alder from the second.
- Thank you, Mayor. I'm reading this on behalf of Alder Nicholson. Review repairs to Armadillos with possible action.
- [Mayor] Any others? All right. I'll entertain a motion to refer all petitions and communications.
- [Randy] Motion to refer.
- Second.
- Motion by Alder from the seventh. Seconded by Alder from the eight to refer all eight, excuse me, petitions and communications to the proper authority. All in favor of the motion, please signify by saying aye.

- [All] Aye.
- Those opposed, nay. The ayes have it and those petitions and communications have been referred. Ordinances, first reading. I'll entertain a motion to advance item one to a second reading and final reading.
- Second.
- Motion made by Alder from the seventh, seconded by Alder from the second. All in favor, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it and it's been advanced to the final reading.
- [Randy] Motion to adjourn.
- [Mayor] Motion made by Alder from the seventh, seconded by Alder from the tenth to adjourn. All in favor, please signify by saying aye.
- [All] Aye.
- Those opposed, nay. We are adjourned.