



MINUTES OF THE COMMON COUNCIL

**TUESDAY, MAY 5, 2020, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

A. ZOOM MEETING INFORMATION.

I. This item contains a document which provide call in information and instructions for the Zoom Meeting.

B. ROLL CALL.

Present: Brian Johnson, Chris Wery, Jesse Brunette, John VanderLeest, Mark Steuer, Veronica Corpus-Dax, Lynn Gerlach; Barbara Dorff, Bill Galvin, Craig Stevens, Randy Scannell, Excused: Kathy Lefebvre

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

The invocation was led by Pastor Ryan Groshek, from Spring Lake Church and President of Olde Preble Neighborhood Association. Pastor Groshek was invited by Alder Craig Stevens, District 5.

I. The invocation will be lead by Pastor Ryan Groshek, from Spring Lake Church and President of Olde Preble Neighborhood Association. Pastor Groshek was invited by Alder Craig Stevens, District 5.

E. APPROVAL OF MINUTES.

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

I. Approval of the minutes of the April 21, 2020 Common Council meeting.

F. APPROVAL OF THE AGENDA.

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

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

I. Reappointments

Green Bay Plan Commission

Jacob Miller, 118 S. Washington Street., #B304, 54301

Term to expire: May 1, 2023

Sex Offender Residency Board

Renee Keehan, 515 Spring Street, 54301

Term to expire: May 1, 2025

Melissa Cheslock, 2910 Ballybunion Lane, 54311

Term to expire: May 1, 2025

Zoning and Planning Board of Appeals

Greg Babcock, 1025 S. Quincy Street, 54301

Term to expire: May 1, 2023

Brown County Plan Commission

Matt Woicek, 1968 Treeland Drive., 54304

Term to expire: May 1, 2023

New Appointment

Police and Fire Commission

Rashad Cobb, 1288 Hannah Street, 54303

Term to expire: May 1, 2025

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

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Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to confirm the new appointment. Motion carried.

2. City Officials

Assessor Russ Schwandt
City Attorney Vanessa Chavez
City Clerk Kris Teske
Comptroller Diana Ellenbecker
Treasurer Pam Manley
Director of Parks, Recreation and Forestry Dan Ditscheit
Director of Public Works Steven Grenier
Director of Community and Economic Development Kevin Vonck

The Common Council may convene in closed session pursuant to 19.85(1)(c) Wis. Stats. for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee. The Common Council may, thereafter, reconvene in open session pursuant to 19.85(2), Wis. Stats. To report any actions taken during closed session and to consider all other matters on the agenda.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to approve.

Moved by Ald. Brian Johnson, seconded by Ald. Chris Wery to enter closed session at 6:17 p.m.

Motion carried.

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

Ald. Brian Johnson read the closed session language.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to return to regular order of business at 7:19 p.m. Motion carried.

Ald. Wery requested a separate vote on the reappointment of City Clerk.

A voice vote was taken on the remainder of the reappointments of City Officials and motion carried.

A vote was taken for the reappointment of the City Clerk. Motion carried.

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

J. ORDINANCES - SECOND READING FOR ADOPTION.

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

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adopt Ordinances I through 3.

Motion carried.

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

I. Zoning Ordinance No. 04-20

An ordinance rezoning property located at 420 Maryhill Drive from Low Density Residential (R1) to Public Institutional (PI).

2. Zoning Ordinance No. 03-20

An ordinance rezoning property located in the 2900 Block of Sitka Street from Low Density Residential (R1) to Medium Density Residential (R2) District and Conservancy (CON) District.

3. Zoning Ordinance No. 05-20

An ordinance creating a planned unit development (PUD) overlay district for properties located at 544 Acme Street.

K. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (APRIL 29, 2020).

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to approve with the exception of Items 1, 3 and 6. Motion carried.

1. To refer to staff to modify existing ordinance to further define pervious area in the ordinance and report back to Committee the request by Ald. Brunette to amend and update the Stormwater Utility ordinance to include and explain the impact trees have on stormwater retention and drainage, and to provide a dollar credit to property owners who have trees planted or growing on their property in order to be consistent and fair with what the majority of the Common Council passed in November 2019. If the ordinance and Equivalent Residential Unit calculations are not adjusted appropriately, then Forestry expenses should no longer be paid for by Stormwater utility rates effective January 2021.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 1.

Moved by Ald. Jesse Brunette, seconded by Ald. Randy Scannell to amend Item 1 to read "To refer to staff to modify existing stormwater ordinance to further define pervious area in the ordinance and report back to Committee the request by Ald. Brunette to amend and update the Stormwater Utility ordinance to include and explain the impact trees have on stormwater retention and drainage, and report back to the I&S Committee by July 1, 2020." Motion Carried.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve Item 1 as amended. Motion carried.

2. To refer to staff with staff reporting back to Committee at the May 13, 2020 Improvement and Services Committee meeting the request by Ald. Galvin that the current process for funding sidewalk repairs contracted by the City for residents be studied with the possibility of making changes.

3. To approve changes to the ordinance on request by Ald. Lefebvre to request committee to look at the issuing of a sidewalk café permit to Tiletown Tobacco per Section 6.155 Green Bay Municipal Code – (1) Definitions: (a) sidewalk café is any group of tables, chairs, benches, or partitions

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maintained within the public right-of-way for use directly in front of an establishment with a valid restaurant license.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve Item 3. Motion carried.

4. To receive and place on file the request by Ald. Steuer to have the City of Green Bay look at docking facilities at Green Bay Metro Boat Launch and see about alternatives to the existing docks, including portable docking systems, such as those at Brown County facilities in Allouez and De Pere.

5. To receive and place on file the request by Ald. Vander Leest, on behalf of area residents, for the sink hole in the front yard of 1831 Van Oss Court near the newly installed mini storm sewer be investigated by the Public Works Department and to be fixed in the spring.

6. To approve the request by Ald. Wery on adjusting mini sewer hookup fees to \$500.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 6. Motion carried.
Yes- Brian Johnson, Chris Wery, Jesse Brunette, Mark Steuer, Randy Scannell, Veronica Corpus-Dax,
No- Barbara Dorff, Bill Galvin, Craig Stevens, John VanderLeest, Lynn Gerlach

7. To receive and place on file the request by Ald. Wery for an update on repairs or resurfacing of Shawano Avenue, and amended to request staff to find out from WisDOT how to get the project scheduled earlier.

8. To approve the request by Department of Public Works to approve single source purchase from Xylem for stormwater pumps and control panel for the Museum Place Storm Lift Station and approve the purchase of the pumps and control panel in the amount of \$123,750.

9. To approve the report of the Purchasing Manager:

A. Purchase of Dewatering Hoses and Pipes for new pump purchased in April 2020. RFQ #3250 was issued for this and 3 responses were received. All responses received did not meet the stated specifications as required for aluminum piping. A vendor who was able to meet specifications was sourced for a cost of \$33,361. A "No Substitute" request was submitted and approved by the Director of Public Works and the Procurement Manager (see attached).

B. Awarding Edison Park Pickleball Courts project base bid and alternate to Poblocki Paving Corporation, West Allis, WI. RFQ #3245 was issued through the Purchasing Department and one response was received. The department is recommending that the base bid and alternate are awarded for the sum of \$78,557.80.

C. To purchase annual street maintenance consumables as needed for the 2020 season and for annual budgeted expenditures from 2021-2025 from the contracted vendors as noted below.

10. To approve to award the following contracts:

A. RESURFACING 1-20

Part A to the low responsive bidder, Fischer-Ulman Construction, Inc., in the amount of \$448,537.50.

Part B to the low responsive bidder, MCC, Inc., in the amount of \$1,361,814.67.

B. SEWERS 3-20 MINI SEWERS to the low responsive bidder, DeGroot, Inc., in the amount of \$324,752.50.

11. To receive and place on file the report of actions taken by Department of Public Works

A. Granting of Licenses

1. Sidewalk Builder

- a. Brian's Quality Concrete
- b. Carter Trucking & Excavating
- c. Jim Fischer, Inc.
- d. KPC Concrete Contractor LLC
- e. Loch Construction Co., Inc.
- f. Melnarik Concrete, Inc.

2. Tree & Brush Trimmer license to Bay Valley Tree Service.

3. Underground Sprinkler System to Wolfraths Landscaping LLC.

12. INFORMATIONAL - Election of Ald. Chris Wery as Chair of the Improvement and Services Committee.

13. INFORMATIONAL - Election of Ald. Randy Scannell as Vice-Chair of the Improvement and Services Committee.

L. REPORT OF THE PROTECTION & POLICY COMMITTEE (APRIL 27, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve with the exception of Items 4, 5, 11 and 13. Motion carried.

1. To approve the change of agent for Kwik Trip, Inc. at 3525 Humboldt Rd.

2. To approve the change of agent for Kwik Trip, Inc. at 1712 E. Mason St.

3. To approve a request by Player 2, LLC at 219 N. Washington St. to extend the date of issuance of their "Class B" Combination license until the governor lifts the mandate that bars be closed. (Granted at the February 10, 2020 Protection & Policy Meeting).

4. To deny the request by Randy Stocker, 1273 Elmore Street, to Ald. Steuer, to rescind a \$624.39 charge for work completed on said property prior to the closing of the sale of the property to Mr. Stocker.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve Item 4.

Ald. Mark Steuer recused himself.

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

Moved by Ald. John VanderLeest, seconded by Ald. Randy Scannell to close the floor for discussion. Motion carried.

Moved by Randy Scannell, seconded by Ald. Barbara Dorff to open the floor for discussion. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. John VanderLeest to close the floor for discussion. Motion carried.

A board vote was taken on the motion approve Item 4. Motion carried.

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

5. To hold for 90 days a request by Ald. Brunette to refund the re-inspection fees at 2468 West Point and for the city to appeal to the federal government to allow for the property owner's shed to remain.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve Item 5. Motion carried.

6. To approve General Ordinance number 11-20, an ordinance to amend Section 1.40(4), GBMC, relating to records retention.

7. To receive and place on file a request by Ald. Steuer to do a study with concerns with 5G Network Health Risks.

8. To receive and place on file a request by Ald. Steuer to create a Green Bay City Resolution to the State of Wisconsin asking Governor Evers to designate retail workers as “first responders”, thus opening up possible health and financial benefits.

9. To hold until the next Protection & Policy committee a request by Ald. Brunette for consideration with possible action on Green Bay Common Council to begin meeting a minimum of twice a month effective June 2020. There are too many critical issues requiring attention and action to meet once a month. We answer to the public and more regular meetings are necessary and convenient for the public.

10. To refer to staff a request by Ald. Lefebvre which states: Resolution- The City of Green Bay ask the Wisconsin Election Commission to investigate myvote.gov re: requests for absentee ballot failures. Citizens have filled out their requests and not receiving their ballots after weeks of waiting, they went back to check their status only to find out their request was not there. Therefore it is imperative that the Wisconsin Election Commission makes sure that myvote.gov is ready for the August and November elections and is working properly.

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11. To approve a request by Ald. Dorff to create an ad hoc elections committee with members to include Ald. Dorff, Ald. Wery, Clerk Kris Teske and Mayor Eric Genrich with reports directed to the committee of the whole for the duration of the COVID-19 National Crisis.

Moved by Ald. Craig Stevens, seconded by Ald. Randy Scannell to approve Item 11.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to amend Item 11 to read: "To create an ad hoc elections committee with members to include Two Alders, Clerk Kris Teske, Mayor Eric Genrich or his designee with all members (including citizens) to be appointed by the Mayor for a total of no more than 9 members, with reports directed to the committee of the whole for the duration of the COVID 19 National Crisis. " Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve Item 11 as amended. Motion carried.

12. To refer to staff a request by Ald. Scannell to pass a resolution to allow municipalities to have a comprehensive mail voting process for elections.

13. No recommendation on a request by Ald. Wery to request the Wisconsin Elections Commission investigate the administration of the election and conduct of officials for April 7, 2020 and report its findings to the Green Bay Common Council.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve Item 13.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to receive and place on file Item 13.

Motion carried.

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

14. To receive and place on file the Liquor Violation Report from the Police Department for April 27, 2020.

15. INFORMATIONAL - Election of Mark Steuer as Chair of the Protection & Policy Committee.

16. INFORMATIONAL - Election of Craig Stevens as Vice-Chair of the Protection & Policy Committee.

M. REPORT OF THE FINANCE COMMITTEE (APRIL 28, 2020).

Moved by Ald. Veronica Corpus-Dax, seconded by Ald. Craig Stevens to approve. Motion carried.

1. To approve a Resolution as amended authorizing 2020 transfer of \$6,300.00 from contingency to account 101503-54069 related to Brown County invoice for prefilled sandbags for the public.

2. To receive and place on file a request by Ald. Lefebvre: As zoom has multiple security issues, the city of Green Bay should look into Cisco Webex, which Brown County is using.

3. To hold until the May 12th Finance Committee meeting the request by Ald. Johnson to consider and discuss establishing a budget forecast process to position the city to strategically respond to anticipated revenue shortfalls and additional expenses from the impact of COVID-19.

4. To receive and place on file the Report of the Claims Committee.

The Committee may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Committee 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.

5. To approve with additional scoring information to be provided for Council the award a 3 year contract to BEST Enterprise, Inc. for the Abatement & Demolition Contract for estimated \$154,685 (\$51,561 annually) with the option of one additional two-year contract upon mutual agreement by both parties.

7. INFORMATIONAL - Election of Barbara Dorff as Chair of the Finance Committee.

6. INFORMATIONAL - Election of Veronica Corpus-Dax as Vice Chair of the Finance Committee.

N. REPORT OF THE PARK COMMITTEE (APRIL 29, 2020).

Moved by Ald. Craig Stevens, seconded by Ald. Barbara Dorff to approve. Motion carried.

1. INFORMATIONAL – Election of Ald. Randy Scannell as Chair and Ald. Chris Wery as Vice-Chair of the Park Committee.

2. To direct staff to decide on the size and placement of signs to solve the problem with dogs being off leash in 5 park testing sites.

3. To refer to staff to develop a cost estimate to have garbage cans in all parks year round, specifically in winter months.

4. To approve an amendment to the Revocable Occupancy Permit with The Green Bay Riverside Unit Owners Association Inc. to install landscaping along the Fox River Trail.

5. To approve the request from Wisconsin Public Service for a 12' wide utility easement at Ted Fritsch Park to provide new underground electrical facilities to serve the park shelter.

6. To approve the request from Wisconsin Public Service for a 12' wide utility easement in the Beaver Dam Creek Greenway just south of Kennedy School.

7. To approve the purchase of HVAC equipment for the Park Shop from Temperature Systems Inc. for \$28,700.

O. REPORT OF THE PERSONNEL COMMITTEE (APRIL 28, 2020).

Moved by Ald. Vernoica Corpus-Dax, seconded by Ald. Barbara Dorff to approve. Motion carried.

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

- a. Signs Operator - Public Works
- b. Signs Worker Foreperson - Public Works
- c. Operator I (Night Sweeper) - Public Works

2. To approve the request to establish a Commercial Building Inspector classification and reclassify one Building Inspector to a Commercial Building Inspector.

3. INFORMATIONAL – Election of Bill Galvin as Chair of the Personnel Committee.

4. INFORMATIONAL – Election of Brian Johnson as Vice Chair of the Personnel Committee.

P. REPORT OF THE PUBLIC ARTS COMMISSION (APRIL 22, 2020).

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

I. To defer a decision for two weeks while staff investigates additional alley locations.

Q. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (APRIL 20, 2020).

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve. Motion carried.

I. To receive and place on file the report by the Police Department of the 2020 1st quarter serious injury and fatality crashes.

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2. To hold until the Monday, May 18, 2020 meeting the request by Ald. Galvin to add Cass Street to the heavy truck route system from Bellevue Street to East Mason Street.

R. PRESENTATIONS.

1. Update from Chief David Litton, Green Bay Metro Fire Department, regarding COVID-19 response, and other emergencies.

Chief David Litton, Green Bay Metro Fire Department, gave an update regarding COVID-19 response, and other emergencies.

2. Update from Diana Ellenbecker, Finance Director, regarding 2020 budget.

Finance Director Diana Ellenbecker provided an update regarding 2020 budget.

S. COMMITTEE OF THE WHOLE.

1. Consideration with possible action on the resolution In Support of Communities Disproportionately Affected by COVID-19.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve.

Moved by Ald. Chris Wery, seconded by Ald. Randy Scannell to open the floor for discussion.

Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to close the floor for discussion.

Motion carried.

Moved by Ald. Chris Wery, seconded by Ald. Randy Scannell to amend to change the word "stop" in the "Resolved" paragraph to "slow". Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve Item 1 as amended. Motion carried.

2. Discussion with possible action on the second "Proclamation Extending the State of Emergency for the City of Green Bay COVID-19 Response."

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve Item 2. Motion carried.

T. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to suspend the rules and adopt Resolutions 2 through 4 together with one roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Resolutions 2 through 4. Motion carried.

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

1. Resolution in Support of Communities Disproportionately Affected by COVID-19.

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

2. Resolution ordering sidewalks reconstructed and issuing 60-day notices.

3. Resolution drawing final orders to contractors for May 5, 2020.

4. Resolution as amended authorizing 2020 transfer of \$6,300.00 from contingency to account 101503-54069 related to Brown County invoice for prefilled sandbags for the public.

U. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to suspend the rules and advance Ordinances 1 and 2 to a second reading. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to advance Ordinances 1 and 2. Motion carried.

1. General Ordinance Number 11-20

An ordinance to amend Section 1.40(4), GBMC, relating to records retention.

2. General Ordinance Number 12-20

An ordinance to amend 6.155 33.08(7)(h), GBMC relating to sidewalk cafe permits.

V. REFERRAL OF PETITIONS & COMMUNICATIONS.

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

A request by Ald. Jesse Brunette to the Protection and Policy Committee for consideration with possible action on allowing the public to address the city council on non-agenda items at each full common council meeting. For example, this could be to allow up to 3 or no more than 5 minutes per speaker.

A joint communication from Ald. Barbara Dorff and Ald. Veronica Corpus-Dax to the Personnel Committee for the City to research and conduct a study for the term lengths of appointed officials in comparable municipalities. Determine whether the term lengths of a City appointed official should be amended to longer than 2 years and to review City Official appointments/reappointments so they do not coincide with the swearing in of a new council.

A request by Ald. Chris Wery to the Protection and Policy Committee to request obtaining bids/quotes from consultants for an external election review of processes and administration of the April 7, 2020 Election. Preference should be given to attorneys with election law experience, current or former municipal clerks or inspector general positions.

1. A request by Ald. John Vander Leest to the Protection & Policy Committee to request to review the policies and procedures for curbside voting for the remaining 2020 elections and how to communicate curbside voting information to all voters and poll workers in Green Bay.

2. A request by Ald. John Vander Leest to the Finance Committee which states: "Due to the financial toll the pandemic will have on the economy, City tax base, lost revenues and increased health insurance expenses it's important for the City Finance Director to review all spending decisions for the current 2020 budget and to ask all department heads to determine reductions of at least 10% for their department.

The City should instate a 90-120-day temporary hiring freeze on all city positions and outline what city spending can be eliminated or reduced in 2020 and report back at the next City Council meeting.

Furthermore, the city Finance Director and Mayor's office should look to the impact of the pandemic for the 2021 City budget and report back on plans to address this by the July City Council meeting."

W. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adjourn at 10:03 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

MINUTES

- Of the Common Council for Tuesday, May 5th, 2020. Clerk?

- I I are present, your honor, with Alder Lefebvre excused.

- Okay, please rise for the Pledge of Allegiance and remain standing for the Invocation.

- [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 for the Invocation I will go to Alder Stevens who has an introduction for us.

- All right, thank you, Mayor. Our Invocation this evening will be led by Pastor Ryan Groshek. Ryan and his wife moved to Green Bay five years ago for employment. Ryan is the current Assistant Pastor for Spring Lake Church. Ryan's role at Spring Lake is overseeing the children's and youth ministry. He works with volunteers and their parents. Ryan and his family have come to love Green Bay. Ryan plays a great role within his community. In 2018, Ryan, along with his neighbors, started a neighborhood association within District 5 called Olde Preble. Ryan became the president and oversees this association. Within a year, they became Green Bay's Neighborhood of the Year, job well done. At this time, I will turn it over to Pastor Ryan, and again, thank you, Pastor, for joining us this evening.

- Great. Thank you, all, for having me. Mayor and Alderpeople, I'm not really sure how to address you all, but, with the proper titles of respect. Thank you so much for the ways that you serve our city and our community. Like the Alder said, I am so grateful to live in Green Bay, and we've come to just adore it. So, I'd love to just pray for you all as you begin your meeting. So, if you'd bow your heads with me and pray. Father, I thank you for these men and women, and I do not believe it's an accident that you've brought them to sit in these seats at this time in this place, and right now it feels like a momentous time for our country and our city. And so I pray for your wisdom for them as they make

difficult decisions, as they move through the mundane and the ordinary, I pray that you would enable them to be patient with one another, that you'd give them a sense of unity, and that they would believe the best about each other, looking to each other's interests, and especially to the interests of our community, especially to the poor and the vulnerable in our midst. And so we pray for your will to be done and them to have a successful and effective meeting tonight. I pray this in Jesus' name, amen.

- [All] Amen.

- All right, thank you so much.

- Thank you, Pastor.

- You're welcome.

- Onto approval of the minutes.

- So moved.

- Second.

- Second.

- Motion by Alder Scannell, seconded by Alder Dorff. Any corrections? Seeing no requests, all in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it, the minutes have been approved. Approval of the agenda?

- Motion to approve.

- Second.

- Made by Alder Scannell, seconded by Alder Stevens. Any changes to be made here? Seeing no changes, all in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it, the agenda has been approved. Report by the Mayor. So I'll try to make this quick. We've got a lot on the agenda to get to, but obviously we've seen continued growth in coronavirus positives here in Green Bay, Brown County, continue to be very concerned about that, as many folks in the community obviously are. Unfortunately as you all are aware, as alders, we did see some positives here at City Hall as well. So we are taking appropriate steps to make sure that everybody is kept safe here. On this note, we do have a resolution before us. I'm hoping that will be well received by Council and adopted, that recognizes the extra burden that elements of our community are facing, given this outbreak that is disproportionately affecting employees in certain industries, essential employees, and members of the Latino community. Unfortunately, we did see some anti Asian-American graffiti that I think we need to acknowledge and repudiate, and again, just send a message of unity, as the Pastor mentioned with his invocation. I think it's really important for us to have our disagreements as we will through this political process, but at the end of the day, to remain united in defense of every member of this community in opposition to the spread of the coronavirus. We also saw, unfortunately, some flooding along the bay, some winds that I don't know that I have ever witnessed before, probably some long-time residents can recall similar days, but for me that was a first. I was out on East Shore Drive as the winds were really picking up, and residents were having to be evacuated. So I just want all the residents to know there that that, of course, we feel for them, and want to thank all the city employees who responded so effectively, DPW, Fire, and Police, while at the same time dealing with this pandemic, the spread of the coronavirus. They actually had to relocate the Emergency Operations Center because of the rising waters we're dealing with, setting up the community test site over at the Resch Center, simultaneously evacuating city residents. So, no surprise to me or any of the alders, I'm sure, but really commendable effort on the part of, like I said, all city employees that were involved, but especially DPW, Police, and Fire. Finally, I will just acknowledge that it feels like there's a dearth of good news in this city, in this state, in this country these days, and just want people to know that I'm feeling it. I think all members of the council are

feeling this challenge that we face. But we also know that this is a very resilient community. We've been through difficult times in the past, times that many of us don't recall, but obviously a number of wars, pandemic in 1918, the Great Influenza pandemic, and so we have obviously, we've struggled through those difficult challenges in the past, and I know that we will do the same today, and emerge even stronger on the other side. So, just again, want to encourage people to stay strong, to stay united, to try not to be discouraged, while at the same time, acknowledging the difficulty of these times, acknowledging that it's all right to feel anxious and a little down when we're battling through this illness. So, that is my report. Onto Announcements. Do we have any announcements? I'm not seeing any speakers. Okay, so we will move on, then, hearing no speakers. Onto Appointments.

- Motion to approve.

- Second.

- Motion made by Alder Scannell, seconded by Alder Galvin, to approve the reappointments.

- Mayor, I have a question?

- Yes, Alder Brunette?

- Thank you, Mayor. When we spoke, you were going to have somebody send out a little more biographical information for each of the appointments. I did not receive that. Do you have that, do you have any information? The reason I ask is many of these are appointed for three to five years, and I just, it would make me feel good to know a little bit about them before we make the approval.

- I do not, yeah, you're referring to the reappointments, Alder?

- Both, and I know for sure when we have new appointments we usually get a little write-up on who the person is and what the qualifications are. I don't recall that for reappointments.

- Okay.

- So if you could, short of that, if you could, specifically for the new appointment, just share a little bit about this person, just so we know their background and qualifications to be on that commission? I'm not disputing whether they should be appointed, I just would like to know a little bit about them.

- Yeah, no, that's fair. Ms. Jeffries, are you still on the Zoom here?

- [Celestine] Yes, I am.

- Do you have Mr. Cobb's biographical information or resume?

- [Celestine] So, I do have a resume, and Community Relations Assistant Vogeltanz usually--

- If you could just speak up a little bit, Ms. Jeffries?

- [Celestine] I'm sorry, yes. Shelby reminds me to speak directly into the mic. Community Relations Assistant Vogeltanz usually takes care of the biography. I do have a resume that I can share from Mr. Cobb. I see Alder Corpus-Dax has her hand raised. So, Mayor, what is your pleasure? As does Alder Scannell.

- Yeah, if you could just read, maybe the high points from the resume.

- [Celestine] Sure, that'll take me just one second since I'm not at my computer, so give me one second, okay?

- Very good.

- If I may interject?

- Yes.

- We did receive something for...

- Oh, we did? Okay, let me check.

- At two o'clock this afternoon.

- Oh, okay.

- Thanks, Alder.

- Yeah, actually, one o'clock this afternoon, sorry.

- Yesterday, sorry, yesterday.

- Yesterday.

- And if I may, Mr. Mayor? I have served with Mr. Cobb, so I could throw in a few--

- Alder Scannell, go ahead.

- He's been on the Transit, is he still on the Transit then too, Mr. Mayor?

- [Celestine] Yes, he is.

- Okay, and he's an excellent man. He's been involved in the community. I see him all the time at events and stuff. He's just been a real force on the Transit Committee, looking out for people who are the working class who really rely on that service, and he's been really a pleasure to work with.

- And I overlooked it, my apologies, Mayor. We did receive the email, I simply overlooked it. So, I'm in support of the appointment, thank you.

- Okay, so, thanks, Alder. So, everybody then, has received the information, we don't need to go over that? Just from my standpoint, obviously making the appointment, I would echo everything that Alder Scannell has said. I have known Mr. Cobb for a number of years, both in his capacity as staff at the Boys and Girls Club, and in his new, well, not so new, position with the Greater Green Bay Community Foundation. Have always had a lot of respect for him. Have also received supportive comments from the Chief and Command staff at the Police Department. Captain Laux in particular, reached out individually and commended Mr. Cobb for his work in the community and some of his interactions with the Police Department. So, obviously, feel very good, from my perspective, on making this appointment, but would answer any questions or entertain any discussion that's out there. Alder Johnson?

- Thank you, Mayor. I would echo, I guess, what's been said. I've known Mr. Cobb for a long time. Very articulate, very intelligent, very thoughtful and passionate about this community. I definitely support him as an individual and his appointment to the role. One question that I did have, though, Mayor, if you could just, it's a new appointment, so typically that would mean either a seat is open or that a seat is becoming available, either you're choosing a new appointment, which is obviously your prerogative or perhaps someone has indicated they are not going to continue on in service. Could you just give us, let us know who, maybe who's being replaced if that's the case, or what the circumstances are in that?

- Yes, yeah, fair question, Alder. So, Mr. Koepke's term of service has expired, or will be expiring, and as you might recall, I expressed my preference to have members of Police and Fire Commission living

in the City of Green Bay. So, given the fact that that term is expiring, we've chosen to appoint someone who lives within the city proper.

- Do you need a motion to approve the appointment?

- We already did that.

- I thought it was for Reappointments we did, but okay.

- No, I think we are still just on Reappointments. Alder Brunette had the question, and we've gotten a little off topic here. So, why don't we dispense with Reappointments. There's a motion--

- He made a motion and it was seconded already.

- So, all in favor will signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. That motion is successful on Reappointments. I'll now entertain a motion on the Appointment.

- Move to approve Mr. Cobb.

- Second.

- Second.

- Motion made by Alder Dorff, seconded by Alder Corpus-Dax. Any further discussion? All in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. And now we are onto City Officials.

- Move to approve.

- Second.

- Motion made by Alder Dorff, seconded by Alder Scannell.

- Move that we would go into closed session.

- A motion made by Alder Johnson.

- Second.

- Second.

- Alder, do you have the language in front of us? A second has been made--

- I do.

- By who was the second? Just to record the second here, was that Scannell?

- Well, one of us.

- Wery.

- Wery.

- Okay, Alder Wery. Alder Johnson, go ahead with the language.

- Common Council may convene in closed session pursuant to 19.85 subsection 1, subsection c, Wisconsin Statutes for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee. The Common Council may, thereafter, reconvene in open session pursuant to 19.85 subsection 2 Wisconsin Statutes to report any actions taken during closed session and to consider all other matters on the agenda.

- Thank you, Alder, we have the motion and the second. And we will use the board to go into closed session.

- [Celestine] I will, I'll do that.

- Mayor, my CivicClerk isn't working, but I vote aye.

- [Lynn] I don't have anywhere to vote.

- I've got nothing either.

- I've got nothing either.

- I've got nothing either.

- Now I do.

- There we go.

- Mine's not working, so I vote aye. Steuer.

- [John] I don't have anything on my screen, Alder Vander Leest, nothing on my screen yet.

- [Celestine] Oh, could you turn your on? Okay. I think we are experiencing some internet latency. So, is everyone in CivicClerk and did everyone have an opportunity to vote yes or no for closed session?

- [Randy] I voted in Clerk.

- [Craig] I voted in Clerk.

- [Celestine] Okay.

- [Veronica] I voted in Clerk.

- [Celestine] Thank you. Deputy--

- [Mark] Mine--

- [John] I did not get a chance to vote yet.

- [Celestine] Okay.

- [Mark] I didn't either.

- [John] I vote aye.

- [Mark] I vote aye as well, Steuer.

- [Celestine] Okay, so--

- [Mark] It doesn't come up on mine.

- [Celestine] So, Steuer and Vander Leest both vote aye. Deputy Clerk Wayte, are we all set to go? Do you want to display that vote before I put everyone in the Waiting Room?

- [Kim] Just about to, they just came through.

- [Celestine] All right, thank you.

- I think you've gotta share it.

- [Celestine] Yeah, no, she'll do it.

- Okay.

- [Celestine] She got it. See, oh, no, now it went off.

- [Kim] I apologize, I hit the wrong button. It was everyone voted yes except for there was one no.

- [Celestine] Okay, thank you very much. So, Mayor, if you would just give me a moment to put everyone else in the Waiting Room, so that you can have a closed session. The only people who will be in closed session will be the Alders, Attorney, I'm sorry, he is an Attorney, Director Faulds and Mayor Gingrich. Give me a moment.

- [Eric] Thanks.

- [Celestine] Well, when you come back in. Everyone is back from the Waiting Room back into the main Zoom Room.

- [Eric] We had a motion by Alder Dorff, seconded by Alder Scannell to return to open session. All in favor please signify by saying aye?

- [All] Aye.

- [Eric] The ayes have it, we are back in open, and we are on City Officials.

- [Brian] Motion to approve.

- Second.

- I already made that motion.

- [Eric] Yeah, motion's been made to approve and has been seconded.

- [Chris] Mr. Mayor?

- [Eric] Alder Wery?

- [Chris] Thank you, Mr. Mayor. I would just like to request a separation and a recorded vote on one. And that would be for the City Clerk.

- [Eric] All right, so, so we have a motion to separate. Is there a second?

- [Chris] I don't think it needs a second. I think this is a right each of has have on this.

- [Eric] Attorney Chavez, can you enlighten us?

- [Vanessa] Yes, any member can call for separation.

- [Chris] And I can do that with any comments.

- [Eric] Alder Wery, go ahead.

- Thank you. On April 27th, 2020, the citizens of Green Bay experiencing major election failure. I believe the Clerk's most important function is to oversee elections. Now, Wisconsin Election Commission's Director, Meagan Wolfe, even commented during one of their meetings that the state had 1,850 elections run smoothly with obvious failures being Milwaukee and Green Bay, and they talked about that at their meeting. Milwaukee's overseen by their own election commission, not an individual. At Green Bay, of course, we are overseen by an appointed clerk. Now, it's my opinion from a lot of the work I've dug into and research I've done that multiple poor decisions destroy any chance at an equitable election for the citizens of Green Bay. So, I'll be voting no on this. Thank you.

- Other comments from Alders?

- Barb.

- Attorney Chavez, do we have a vote on separation then, in front of us here?

- [Vanessa] No, you don't have to, separation is, any person can ask for separation and it can be voted on separately.

- Okay, so we have a separate vote for our city clerk. Are these roll call required, Attorney Chavez?

- [Vanessa] If everything is unanimous, no. And then you are able to note the one no, then there is no reason to take a roll call vote. Otherwise, if there is a close split, then I would recommend one.

- All in favor--

- Well, clerk will be separated?

- Yes.

- Okay. So the first one is the group? Okay.

- Sure, we can go ahead with the group first. So this is a vote on the remainder of the appointees. All in favor will signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it. We will proceed to the appointment of our city clerk. All in favor will signify by saying--

- Mr. Mayor?

- What about discussion?

- Yep, there was--

- Alder Scannell?

- And this one's recorded, too.

- Yep. I would just like to say that I think our clerk, under the circumstances, did a valiant job. I can see where people might disagree with some of the decisions made by the clerk or the mayor, but I see absolutely zero evidence of any wrongdoing or negligence or incompetence on anyone's part. Certainly, the clerk's concern for the integrity of the election is extremely important, and that in the middle of a pandemic, I don't care how many people did well. It's like someone spraying a road in winter with water, you're creating an icy condition, and two guys go by and they don't crash, but one

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does, and then you point the finger at him and say, why'd you crash? I think pointing the finger is the wrong thing to do. I think if you're gonna point a finger, it should be at the people who created this condition. The only state in the union to have a in-person vote, ballot. That just isn't right. The clerk, no clerk in this state, and no mayor in this state, should've been put in that position. So I can appreciate the difficulty they had. I can appreciate people who disagree with the decisions they made. I'm not sure they're real happy with them or not. I don't know if they were the wrong decisions or not. There are so many variables here. Certainly no one likes that the lines were ungodly long and that people didn't get to vote. There was plenty of people I know that didn't get to vote. But, I just will not point the finger at anybody who made the best decisions they could in these kind of circumstances. I just respect that and I'll be voting for the Clerk. Thank you, your honor.

- Alder Dorff?

- Thank you. I'd like to, once again, reflect on the years and years of elections that have successfully been held in Green Bay, because of the quality that Kris Teske brings to her position. Clerk Teske went above and beyond in her efforts to ensure the safety of the poll workers. And Parks Department helped by making some plastic shields. I know she was trying for weeks, before people were even thinking about getting sanitizer and gloves and masks, to try to get those for the people that would be working at the polls. Clerk Teske had to make some tough decisions, and was not given information in a timely manner. For example, that National Guard information being given late in the afternoon or early evening on Sunday, and again, one doesn't plan an election on the Monday before the election, on the day before the election. So, I am very sorry that some people had to stand in line, although, I will tell you that I was out there twice, and there were some people that were awfully proud of the fact that they stood in line, because their vote meant that much to them. So, they were kind of wearing it as a badge of honor. It was a nice day for awhile, and then it got to be kind of a miserable day, it was a little rainy and cold in the afternoon. Clerk Teske has shown year after year after year that she is an excellent clerk, that she runs excellent elections, and then came the pandemic. And I'll just echo the thoughts and words of Alder Scannell, it's like putting water on the road and it turned to ice, and I'm not sure that anyone could've made that into a perfect election, and I understand, it is far from perfect and there will be discussion later on. I'm sure that our next two elections, with Clerk Teske's help and support, have a better outcome than an election in the middle of a pandemic. So, Clerk Teske, you have nothing but my admiration and support for all the work and all the hours that you put in. Thank you.

- Thank you, Alder.

- Mayor, if I could?

- Yes, Alder Brunette?

- Yes, I'm in favor of the reappointment to Clerk Teske. I am sure everyone here knows I've been very critical of our election on April 7th. I haven't really hidden from my opinions on it, over and over again. But I think to turn down her appointment is a little bit premature because there hasn't been any investigation to conduct or decisions at this point. You are correct, Alder Dorff, we're going to be discussing it at a later point, but when I asked Clerk Teske, point blank, at our last meeting, would you be okay, what would you say to an investigation, her bring it on, and that sort of language, makes me confident that she has nothing to hide, and that what she did and her decisions, at least in her opinion, are defensible. I go also to the history of Clerk Teske. I've been a voter in this city for 20 years, and an alder for four plus, never had any issues with any election, whether one that I participated in as a candidate or one in which I voted in, and that has been numerous, numerous polling locations. So up until the April 7th election, I've had absolutely no issues with Clerk Teske. She's been very forthright, a very good city employee. Somewhere along the lines, something happened with the April 7th election. She asked me at the last meeting what I would have done differently, and I was very forthright in my opinion that I would not have turned down the help of the National Guard. She accepted that. She was not embarrassed, as far as I can tell, by that honest appraisal that I offered. And again, I go back to her saying, when I said, would you be okay with an investigation of the Wisconsin Elections Commission, she says, bring it on. So that to me shows that she isn't hiding anything, and I see no reason other than one election to limit her from continuing to serve in that role. And so I support her reappointment. Thank you.

- Any final comments? All right, do we have a motion to approve?

- Steuer and Galvin have their hands up.

- Yeah, Alder Steuer and Alder Galvin are looking to speak.

- Remember to press your buttons, guys. Alder Galvin?

- Mine doesn't work.

- It doesn't work either.

- Yeah.

- You might want to try refreshing.

- All right, I'll raise my hand.

- Okay, thank you, your honor. I've known Kris going on, well, almost five years now. She's always been honest, she's always been helpful. She's always been willing to admit when she's made mistakes and tried to do better. There was election issues back in 2016 that she took responsibility for, she addressed, she tried to make it better. I am, quite frankly, surprised at, that we're having a vote on her separately. Alder Wery was the one that, unless I'm gravely mistaken, was the one that was heaping kudos on her for the job that she was doing in the midst of this election, knocking on the window from outside to tell her how great a job she was doing. And at the last council meeting, I believe was heaping more praise on her. Quite frankly, I'm surprised. I don't know if he's learned something since that meeting, or something happened? But I support Kris. Obviously, we could do better, and I believe we're gonna see a lot better come August and November. Thank you.

- Alder Steuer?

- Alder Steuer, go ahead.

- Okay, thank you, your honor. I've known Kris many, many years. And I worked for the City for a long time, and I knew Kris then as well, so I had nothing, nothing but praise for all the work and efforts over the years. Again, I shared this before, I had 37 citizens email me with their retorts to what happened at the election. And I'll reiterate it again. 70% of these 37 people said the election should've been delayed, it wasn't. 76% said the National Guard should've been called. But as far as blame, it was scattered all over the place. It went from the mayor to the supreme court to the city clerk, some people said no blame, other people said the governor, some said the Wisconsin legislature, some said council, some said the media. So, what that, there was plenty of blame to go around all the way. I think the City is on the right track. We have an ad hoc committee that's gonna be looking at this. The information that I have I'm willing to share to make sure that this does not happen again. It was an unusual circumstance. But I'm fully prepared to support Director Teske. So, thank you.

- Thank you, Alder. Any final comments before we go to vote?

- Yeah, Mr. Mayor?

- Alder Wery for a second time.

- Thank you, Mr. Mayor. I think we probably all agree that this is what citizens hate about government, the lack of accountability, the real lack of accountability. I think some alders like to interfere with just a board decision. Some of them that we like, set them on, that has nothing to do with it. Nothing. I did put together a two page. My mind and decision's made, and I sent it to everybody. If that's not enough to sway you, well, that's on you. That's why I want this recorded, so people who didn't get to vote or who waited a really long time, they know who's on their side and who's not. So, if all the turd policy is done--

- Point of personal privilege.

- [Celestine] Yeah, no, I did not.

- Alder Scannell?

- Chris, my vote has not, that's terrible, there's no way you can construe my comments to, in support of the mayor and of my position as being against the citizens who didn't get to vote. I knew a bunch of citizens who didn't get to vote. And everybody thinks, I don't think anybody, I've never heard anyone, including myself, say that was okay or that's wonderful or great job, because of that. Everyone's concerned about that. To say that if we vote for Kris Teske, then people know that we don't have their back is absurd and terribly wrong. And I take objection to that.

- That's noted, Alder Scannell.

- All right, I guess I have the floor. I still have the floor, thanks. It wouldn't be a meeting without an outburst from Randy, Alder Scannell, so that's all good. I guess, show your rage, Alder Scannell, to the citizens who talked to you, don't show it to me.

- Could you please stick to the topic.

- Hey, I have a right to make a point of personal privilege.

- Alders?

- And I'm telling you.

- And I'm gonna make another one.

- Alders?

- That's totally uncalled for. What I did was totally appropriate. You have no right to slam me for making a point of personal privilege, that is my right.

- Yeah, and it's my right to point it out--

- Alders?

- Talk to people who come up to you.

- Alders, I will mute your mics.

- I have the floor. Alderman Scannell cannot control himself.

- Alder Wery, you need to direct your comments to the Chair.

- All right, Mr. Chair. Those alders who feel I'm speaking about them, if citizens come up, they can direct their rage that we're hearing to them, there. Thank you.

- All right, a recorded vote has been requested.

- [Celestine] Clerk, Deputy Clerk Wayte, are you ready to show your screen when the vote happens?

- [Kim] Yes.

- [Celestine] Thank you.

- Mayor, mine is not coming up.

- Okay, what is your vote, Alder?

- Yes.

- The vote is 10 to one with one absent here. So that is successful. Before moving on, I just wanted to make the point that I am incredibly honored to serve with all of our appointed officials in the City of Green Bay. Appreciate everything they do for our citizens. And I thank them for that and look

forward to another two years with them serving the city. Onto Ordinances. Clerk, can you read those.

- You may, under suspension of the rules take up items one through three with a roll call vote.

- Move to suspend the rules.

- Second.

- Second.

- Motion made by Alder Dorff, seconded by Alder Scannell to suspend the rules to take up these items with one roll call vote. All in favor of the motion please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it, the rules are suspended.

- Motion to adopt.

- Second.

- Motion made by Alder Scannell, seconded by Alder Steuer, to adopt items J1 through J3. We will use the board.

- Mine's not working yet, I'll vote aye, yes.

- And those ordinances passed 11-0. Onto Report of the Improvement and Services Committee.

- Motion to approve.

- Motion to approve.

- Motion to approve.

- Made by Alder Dorff, seconded by Alder Scannell to approve Report K, which is the Report of the Improvement and Services Committee from the meeting on April 29, 2020. Any items to be held separately?

- One.

- Six.

- Three.

- One, three, and six, any others? One, three, and six will be handled separately. Hearing no others, all in favor of approving the remainder of that report please signify by saying aye?

- [All] Aye.

- The ayes have it, the report has been approved with the exception of items one, three, and six. Item one, or what are your wishes regarding item one?

- Motion to approve.

- Second.

- Motion made by Alder Scannell, seconded by Alder Dorff. The item was pulled by, was it Alder Wery?

- Brunette. Brunette.

- Alder Brunette, go for it.

- Yes, thank you, Mayor. I talked, I talked to Alder Gerlach, Gerlach, Gerlach, I'm sorry, I'm still struggling with how to pronounce Gerlach.

- Gerlach.

- Gerlach.

- Gerlach, with Alder Gerlach after the meeting--

- Like the C-H on the end of Gingrich, which most people get wrong as well. It's same for Gerlach.

- Gotcha. I talked to the Alder after the meeting, and I think the meeting went well. I think that to get the effect of what I'm going for I'd like to break the motion up a little bit, and also I'd like to add a date in there. Part of it was the way I communicated, and I can go, if you want to hear me talk for the next 10 minutes about stormwater utility, I'd be willing to do so, but, for the sake of brevity, what I'd

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like to do is make a motion to amend the motion if I could. To refer to staff to modify existing ordinance to further, or it should say, to refer to staff to modify existing stormwater to further define pervious area in the ordinance and report back to committee the request by Alder Brunette to amend and update the stormwater utility ordinance to include and explain the impact trees have on stormwater retention and drainage and report back to the I and S Committee by July 1st, 2020.

- Second.

- Second.

- Good.

- Clerk, did we get all that?

- No, but I'll get it.

- It's basically, Clerk Teske, it's basically almost the entire first part of the motion with the added date of July 2020.

- Okay, thank you.

- Thank you.

- We do have a motion to amend made by Alder Brunette, seconded by Alder Scannell. Further discussion? Seeing none, all in favor will signify by saying aye?

- [All] Aye.

- Nay? The motion is amended.

- Motion to refer as amended.

- Made by Alder Scannell.

- Second. Second.

- Who's making that second?

- Stevens.

- Stevens.

- Stevens seconds, to refer as amended. All in favor signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. Onto item three.

- Motion to approve.

- Second.

- Made by Alder Scannell, seconded by Alder Johnson, to approve, item was pulled by Alder Johnson?

- Yes, thank you, Mayor. I do support this, however, I just had a question, and I know at the committee we discussed, I guess, the, maybe, inefficiencies that might come from this having to go before multiple committees, and for the sake of the balance of the council, I just wanted to clarify, Assistant Attorney Bungert had clarified for me that in fact that would not need to be the case because the sidewalk cafe permit could be approved at a staff level, so really it would just be the Protection and Policy would have to take this up in terms of determining the premise with the liquor license. But one question that I did have for Attorney Chavez, if she could please clarify. I believe that we do have ordinances right now, and I'm not exactly sure what the specific language on them is, but I've seen this discussion time and time again at Protection and Policy, about the need for certain type of fencing around the perimeter of premises. How does, does this create a conflict for that existing ordinance, and does that need to be remedied with this particular change?

- Attorney Chavez?

- [Vanessa] I am actually gonna defer this to Attorney Bungert who is on the line.

- Oh, I didn't know that, perfect.

- [Joanne] Yes, hi, good evening, Alders. Deputy City Attorney Bungert. With respect to the fencing that Alder Johnson was referencing for our outdoor premises, that applies to premises that are outdoors on private property. And so that does have requirements as far as having fencing that's six feet in height and impervious to the passing of drinks. As we've indicated in discussions in committee, staff is looking to overhaul that section so it's more in line with current building codes and inspection requirements, so it's easier for constituents to kind of navigate the requirements for fencing in general. And this particular outside, outdoor premise is different in that it's not on private property, but it's on, in public right-of-way. So they're receiving the permit to be able to place tables and chairs in the right-of-way, i.e., a sidewalk, and then getting the additional approval from P and P to include that area as part of their licensed premise. So they're two different types of outdoor premises, so they're not really conflicting with one another.

- Perfect, thank you. I appreciate that clarification. So, I strongly support, I encourage, and I hope the rest of the Council does too. These are the exact types of policy changes that make livable communities. So, thank you, Mayor.

- Thanks, Alder. Alder Steuer?

- Thank you, your honor. I generally support this as well, but I guess maybe this is a question that's been answered before. We're doing this generally, a lot of it's gonna be happening in the downtown area, Broadway District, and things like that, and I understand that concept. The rest of the city of Green Bay, though? It sounds like if somebody has a pizza oven that they can basically do this wherever in the entire city. So, I would ask the other alders, or if anybody else can add to this, what their thoughts are for something like this for the entire city as opposed just to the downtown area? If anybody has something?

- I think it is though.

- Right, I know, but I'm just saying what your thoughts are on that if this is something that you think is fine no matter what, if you do it here in the Broadway District, you're gonna do it throughout the city, and there may be some areas that there might pose some difficulties with that, it's all or nothing. So I'm just asking the opinions of other alders on this, if they feel this is a good thing?

- Thanks, Alder. Alder Scannell?

- Yes, I think it's a good thing and a necessary thing. I think since the state, we're making this change because the state has said anybody with a pizza oven can be a restaurant, so that it really, you are opening it up to anybody and everybody. So it really is impractical for us to do anything else. And if we do get into a situation, but it is by case by case basis, so if we do get into a situation where we don't think it's right for a particular spot or a particular area, we still have the control over that. So, I think as a blanket ordinance, it doesn't make sense to not cover the whole city. Certainly there are many parts, this started as a focus for our downtown, but it has spread throughout the city and there are many other establishments and it's good for their establishments, so I think that's something to be encouraged and I think it makes sense to do it for everybody.

- I still have the floor, I just have one question. With this being in place, what Alder Scannell said, is that true to the point that if there is an issue with another place somewhere outside of the central city per se, that we have the option to deny that? To not to, to deny them, if need be? Are you there?

- [Joanne] Yes.

- Okay, could you hear me?

- [Joanne] Yes, yes, can you hear me?

- Yes.

- [Joanne] Yes, okay, so, with any liquor licenses the power is really with the municipality as to whether to approve or deny a particular request for premise expansion, et cetera, so long as that decision isn't arbitrary or discriminatory. If the municipality feels that for that location, if there are going to be impacts to public safety or to the neighbors or surrounding other businesses, that there would be a detrimental impact of some sort, that's very much in the purview of the common council to be able to deny a request like that. So, just because there is a mechanism by which businesses can apply for this type of area for service does not necessarily mean that it has to be granted. It can be reviewed on a case by case basis, and each applicant on its merit.

- Okay, thank you for that. I'm finished right now.

- Thanks, Alder. Any other comments? All right.

- Alder Galvin.

- Alder Galvin.

- Alder Galvin, go ahead.

- Thank you, your honor. I guess I would caution, well I would ask, first, a question for Attorney Bungert?

- [Joanne] Yes.

- As far as the Police Department's security plan that they fill out with anyone that's opening up a liquor establishment, like a bar or something like that, if they were to request to have an outdoor patio area on the sidewalk or something like that, would that be part or should that be considered part of that plan?

- [Joanne] If it isn't in the original plan, yes.

- Okay, what if they apply for it later on, should they be required to update their security plan? That way it would, have the Police Department then do a check with the neighbors and that kind of stuff and look at the environment to see if they have any concerns about it?

- [Joanne] Right, we currently don't have a mechanism by which the security plans get updated, but that is something that at a staff level we could look into to see if that's a possibility. For this particular type of permit, they are being, it's being vetted through the Department of Public Works. So that department is reviewing as to whether it is feasible for a business to be able to have, to place tables and chairs for service to food or alcohol within that right-of-way.

- Okay, but DPW's concern is more about the ability for people to move freely about on the sidewalks--

- Correct.

- Is it not?

- [Joanne] So, PD's input would come in at the Protection and Policy review, because it's a bifurcated process. The first step is the applicant goes to DPW to receive the revocable occupancy permit. Once that is approved, then with that, they go to, in front of P and P and submit an application to extend their licensed premise to include that public right-of-way, and at that point Law Department and Police Department are weighing in as to whether that would be an appropriate amendment to their license.

- Okay. 'Cause I guess my main concern is, I've seen an attitude within council that, since one person has it, everyone's entitled to have it, and we kind of do this carte blanche, rubber stamp thing, and we've seen where this has kind of bit us, where after the fact we decide that wasn't such a good idea, and once they have that property right it's more difficult to take it away from them, isn't it?

- [Joanne] That is true. Under Chapter 125, with respect to liquor licenses, licenses can only be revoked for certain offenses.

- All right, thank you very much.

- [Joanne] You're welcome.

- Thanks, Alder. Further comments or questions? We do have a motion and a second. All in favor of the motion will signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it, and that item has been adopted. Onto item six.

- Motion to approve.

- Second.

- Motion to approve made by Alder Scannell, seconded by Alder Dorff. The item was pulled by Alder Wery.

- No.

- No.

- Alder Gerlach.

- It was pulled by Alder Gerlach.

- Oh, apologies, Alder Gerlach.

- Thank you, and please bear with me. I have a lot of questions. I want you to know I've done my homework. I've read that seven or eight page report that Director Grenier gave us on the mini storm sewer thing twice, and I spent a lot of hours just trying to understand the whole storm sewer system, and I think I do now. And then I tried to understand this proposal. And I could be very wrong about these things, but I just want to ask these questions, and if please, and then if someone wants to respond, that's fine. First of all I have a question about the timing. I do understand that the fee, the hook up fee has risen over the years. It was \$220, I think, in 1978, I understand that. The cost of installing these things must have risen also. And so I don't know why right now there is a move to cut the hook up fee in half for people tying into the mini storm sewer system particularly, not for people who are doing the expensive option, which is to tie into the main pipe under the street, and excuse me for my lay terminology here, and then having to pay to repair the road and the sidewalk and everything. Those costs wouldn't be part of the mini storm sewer hook up. And so it seemed a little bit inequitable that the people who go for the mini option are asked. In half. Believe me, I am 100% behind these hook ups. I would love nothing more than to have all of those hoses done away with. I've heard people say that it helps with flood mitigation, that this is a good reason to try to encourage people to do this, and I think that's a little misleading. When you hook up your sump pump to the mini storm sewer system, the only flood you're mitigating is the one you are creating in your own yard by yourself. So it's misleading to make people think that this somehow has something to do with Mother Nature, because it doesn't. And I wonder if this is meant to be an indefinite reduction in the

fee, or if there's a time limit, and if there's a time limit, how long, and what is the goal, and how will it be measured, how will success? And I guess what I really want to know is does anyone have any evidence that reducing the fee from \$970 to \$500 is going to make people say, yes, I'll do it, I wouldn't do it for \$970, but I'll do it for \$500, because if they can't afford the 970, they do it over a five year period, I'm quite sure, and so let's say that's \$200 a year for five years, is that person now going to say, well, no, I won't do it for \$200 a year but I'll do it for \$100 a year, is there evidence to support that, I don't know. What really concerns me, of course, is the fiscal implications, and I told you when we were in closed session, and I'll say it to the whole world now, that I spent an hour with Director Ellenbecker this morning, just learning about funding sources and bonding and all of those things. And so, it alarms me, but maybe I don't know, when I see that this program is funded 95% through bonding. That seems to me that this program has always been driven by debt, that it's never paid for itself. And so if we have this little tiny bit of revenue to help pay for it, and then we say, well, no, let's cut that in half to encourage people to do it, is there evidence that they will do it? And is that kind of a problem when, in 2001, 82% of the cost was bonded. In 2019, 95% of the cost was bonded. I don't know, I'm asking the question. It seems to me that it might be fiscally irresponsible to cut that little bit of revenue that does feed into this program, and I still don't know that there's any evidence it will make a difference. I would love for it to make a difference. And again, how does the public know? You are being given this wonderful option to do it for half price, so let's do it. I don't know. I guess those are my questions. And so, if I've asked those questions before and I haven't had answers. So if I don't get answers, I don't feel comfortable. Thank you.

- Alder. We will go to Director Grenier just for a little bit of a summation on the issue of mini storm sewers, and as a partial response to some of the questions that Alder Gerlach had.

- Well, unfortunately, I don't have answers to any of the questions that Alder Gerlach has put forward. By way of discussing, in brief, what the mini storm program is, we like to have people's sump pumps, potentially their downspouts, hooked up to a point of connection. Now that point of connection can either be the storm sewer system itself, or what we refer to as our mini storm. It's interesting to note that the storm sewer system does not exist for the purpose of hooking up somebody's sump pump. The reason that the storm sewer exists is to drain the street. We do allow people to hook their sump pumps and downspouts into that, but that's not the function of storm sewer, that's not why we put it in, that's not why it's bonded. If you're required to hook into the storm sewer and a point of connection is not already provided, there's not a lateral runoff to the property line, the property owner is then responsible for the cost of the pipe from the property line out to the main and the cost of the pavement restoration in order to get out there. If storm sewer doesn't exist, or we don't want to dig up the street, the city for a number of years has provided what's referred to as mini storm. And the mini storm puts a pipe in the terrace area and connects into an inlet. The point of connection is that inlet. I think what gets lost in translation is folks think that that piece of pipe that's placed in the terrace is a main. It is not. It is a long, shared, lateral. The connection fee that we're talking about represents the cost of the pipe installation for that lateral piece that gets from the main, or the point of connection, back to the property line at the individual property. Again, with the mini storm program, the entire installation is essentially a long shared lateral. Rather than taking the total cost of that long, shared lateral, and splitting that up amongst the people who are hooking into it, back in the '70s, when this program was developed, the council

decided to take the cost of a regular storm lateral and make it equivalent to the connection fee for a mini storm. So, the city does put the mini storm in as costs have continued to escalate, primarily due to the fact that we're putting mini storm in where terrace trees exist, and the fact that we have short segments and the contractors mobilizing across the city, the unit cost per lineal foot of pipe has gone up significantly, especially. Especially as compared to storm sewer. The percentage of city cost, if you will, or storm sewer utility cost, versus the property owner cost, has continued to escalate. What I can tell you is that if you are, I search for a way to make this explanation, but if you can imagine yourself inside the pipe on the property owner's side of the property line, you're a drop of water in that storm sewer discharge, or in the sump pump discharge. You don't know the difference between a mini storm and connection out to the storm main. So with that in mind, why the difference between the connection fees? I guess that's the question I would ask. Does that answer what you were hoping for, Mayor?

- Yeah, that's very helpful, thanks, Director.

- Okay.

- Alder Dorff?

- So, this is for Director Grenier, Director Grenier, does it cost more than \$970 for the city to do this, or does it cost the city \$970, or does it cost the city \$500? What is the person paying for?

- Right now, the cost, if we're installing a lateral at the same time that we're putting storm sewer in, \$970 for a lateral cost is pretty reflective of what a lateral would represent.

- Okay.

- By way of comparison, we provided some information regarding the mini storm program at the last I and S Committee, and we showed how much money we are not recovering, if you will, during the mini storm program. In 2019, we installed a total of 11 laterals, if you will, at a cost of \$281,000 plus. So, no, the \$970 doesn't come anywhere close to recovering what the cost of that lateral is.

- So then \$500 certainly doesn't come close to, I would vote to support to lower that. I think it should not be lowered with this new information. Thank you.

- Thanks, Alder. Alder Galvin?

- Muted.

- Muted.

- Steve, I'm sorry, this is for you, a question for you, following up on some of that. We spent \$281,000, a little bit over that, for 11 laterals last year?

- According to the numbers that were provided at committee last year, yes.

- Okay, and when you say 11 laterals, that doesn't mean 11 homes, does it?

- Yes.

- 11 homes? Okay. And, because I just received a letter, actually today listing, I'm gonna say close to a dozen homes in my district that are pursuing the mini storm sewer lateral connection. And so this bill that we're talking about for this year, based on that would be even more so? Is that your understanding?

- I guess it's hard for me to comment on that until we actually receive the bids.

- Okay.

- This program has always subsidized those who are making the connections. Again, going back to when the program was initially put forward by common council, adopted by common council in 1976, the council did pass a resolution, and the resolution did state, discharge shall be the charge adopted by the city council for storm sewer connections in new areas during that year, that's why we have continued to set the rates equal, that was what the council directed us to do back in 1976.

- Okay, so if my neighbor has a connection to a mini storm sewer, and I choose not to do it this year, if I do it next year, would I be tapping into the, would they have to extend the mini storm sewer from his home to my home so I could hook in?

- It depends on whether or not the original point of connection for the mini storm, where your house lies relative to that. If it goes past your house to get to its terminal end, then the mini storm is already extended. If you are beyond that point, then we would have to extend it.

- Okay, so--

- Does that make sense?

- Yeah, so for example, actually last year, three of my neighbors, starting down at the end of the block, three homes from the end of the block coming towards me, all hooked up to the mini storm. So now there's another two houses in between me and the last one that was hooked up. So if I were to try and hook up next year, they would have to extend it from where that one ended, past two more homes up to mine, is that correct?

- Assuming that there's sufficient grade for us to do that, yes.

- Right. Okay, and so, when we're reducing this, and I would assume that it's just like with the sidewalk program, if someone can't, someone says they can't afford the \$970, we would do the same five year payment plan with interest for these individuals?

- That is correct.

- And these individuals know when they sign up for the mini storm sewer, they do know what the price is going to be?

- Yes.

- Okay. All right, thank you very much.

- Thanks, Alder. Alder Steuer?

- Thank you, your honor. This is for Director Grenier as well, and I've talked to your a little bit about some of my questions on this as well. I think one of the things that would be good, and you said that it would be difficult to decipher, would be the number of mini sewers that have been installed already in the city. If there was some way to kind of see that and see where areas are that need to be hooked up now as well. And in the past, when neighbors would come to me, they'd say, hey, look, the city wants to work on this project. If they get to chime in with this, that it would be cheaper per unit for them to do that. But even with that being said, Alder Gerlach brought up some good points, and looking at the sheet about the monies that we're not recouping right now, it's kind of a concern. I think it's an important program, but if we're losing money on it, that's an issue as well. If I could see 20 different, in my neighborhood, if 20 different homes hooked up on it and could get a good discount, and still, the city could still make out all right, I would be all in favor of that, but I still have quite a few questions as far as cost. And I don't know if you can comment on that, Director Grenier?

- Since the inception of the program, Alder, we have never been able to recover our costs. This has always been a money-losing proposition, it's something that is out there as a means to alleviate nuisance conditions, primarily. Again, and I don't know if all of the alders are aware, but generally there are three conditions, one being a request by an alder, one being a request by a citizen or group of citizens, and the third being a nuisance condition which creates a problem for the general public, use and enjoyment of property, or potentially health and human endangerment. And that's when we talk about, I've talked to several of the alders, where in the winter, discharge from a sump pump causes icing conditions, either on a sidewalk or in a street, okay, that's the three ways that properties become eligible for inclusion in the mini storm program. There are opportunities where mini storm wouldn't be necessary. There might be a storm main in the roadway itself, but rather than forcing the property owners to incur those additional costs to dig up the road, we've offered to put the mini storm in. The utility, the stormwater utility, kind of takes some of that additional cost to try to minimize the cost to the property owner. So again, I don't know if I'm answering your question, Alder Steuer, but this has always been a, we've never recovered our costs.

- Well, and I appreciate those comments. It's just that, I realize this was done by ordinance, I believe, some years ago, so if we decided that this program just wasn't worth it to the city in terms of this loss of revenue, we'd have to look at it a little differently. But if citizens are willing to pay, that's another thing too. And I think if you reduce it down to \$500 that could cause a real issue. Alder Dorff mentioned that 970 seemed to be working pretty well, and 500 would be about half that, and that would cause even more financial hardship. So those are my comments, thank you.

- Alder. Any other alder, Alder Galvin?

- Alder Galvin?

- Yes, Alder Galvin, go ahead.

- Okay, this is for Director Grenier also, again. Steve, so most of the people signing up for this are individuals, residents or homeowners, property owners, that are having problems with water in and around their house, either leaking in their basement or it's a sump pump, it's leading out onto their lawn to the point where it's coming back into the home or it's going across the sidewalk, which is against ordinance, or into their neighbor's yard, which is against ordinance. So these individuals, when they sign up and they hook up their sump pump and potentially their downspouts into this, that's actually alleviating problems that they're having in their homes, such as wet basements, and those types of things, correct?

- That is correct.

- And I guess, to me that seems like it's adding value to their property. They don't have to have their basement repaired, things like this, they don't have to worry about inspection coming over and telling them that they've got to spend money to reroute their sump pumps or their downspouts. I just, before the Wheel Tax, residents were responsible for the road in front of their house at which they paid 1/3, approximately, of the cost of those road improvements. They're responsible for 100% of the sidewalks. I just can't see when we're doing them a service that benefits them as a property owner, why we would put the burden of them hooking up the mini storm sewer on their neighbors instead of more on them. And as you're saying, they're paying a minuscule amount of what the cost really is to hook up to the mini storm sewer, is that correct? Steve?

- The fraction that they are paying is small compared to the cost of the contract, yes.

- All right. I'm not in favor of reducing this to that point. If they can take out, like Alder Dorff said, a five year loan at \$200 a year, I'm having a hard time seeing the hardship with some of those options that are available to them. Thank you.

- Alder, who is?

- Mayor, Alder Vander Leest, would like to speak.

- Yes, go ahead, Alder.

- I don't support reducing the fee to \$500. I feel that the city can't just keep losing money, they're losing money anyway, but I can't see a bigger loss. And I also want to ask a question to Director Grenier, if it's mandatory that, let's say, as the mini sewers are going down the street or is in the street, is it mandatory that the homeowner has to hook up to it? I don't know if it's mandatory or not mandatory? Thank you. That would be for Director Grenier.

- Alder.

- It is required at some point. There used to be a requirement that was tied to sale of the property, but the state has taken that all away. So, it now, the time at which it becomes mandatory is kind of ill-defined, but yes, they would eventually, similar to water or sanitary sewer service, if the point of connection is available, at some point in time, the property owner is obligated to hook up.

- Okay, thank you. That answers my question.

- Alder. Alder Scannell?

- Yeah, do you see my light on there, or, Mr. Mayor?

- No.

- Oh well, it's on. Okay, good to know. Just a question for Steve, and then I think I can answer a little bit for Alder Gerlach. If I remember right, we calculated that this would probably be like a \$60,000 hit this year if we proceeded this way, correct?

- Well, I don't know that we've got the numbers for this year to find out how many people are intending to hook up to mini storm.

- Mm hm.

- But...

- Based on last year?

- Based on last year, we're looking at \$470, and I I connections, that'd be about a \$5,000 hit.

- Yeah, okay, thank you. So, to Alder Gerlach's questions a little bit. When you brought up at committee, the city taking the hit here, and that's a concern, and it is a concern, I still supported reducing the fee because I believe in these pandemic times our constituents are under much greater stress than the city is, and that the city should be doing all we can to relieve the concerns of our citizens in any way we can. And yes, this is a hit for the city, but it's not a really big hit. We're a losing concern here, as it is, and this makes it worse, but I don't see it as being that significantly worse. I think under normal times I wouldn't see a need for this. But these aren't normal times. And so, when it comes to the city balancing its budget and helping people balance their budgets in these times, I'm kind of leaning more to helping out citizens a little bit, but I can understand anybody, I mean, we're not talking much money either way, either for the city or for people, so it's not like I'm passionately

defending this. I understand anybody who wants to take the other stand. But for me, I'm just leaning a little for constituents. Thank you.

- Thanks, Alder. Any additional comments? Alder Johnson?

- Thank you, Mayor. Director Grenier, could you please clarify. If a property does not have any storm sewer installed in front of it, and somebody wants that hook up, is the natural course of action to install the mini storm or could they install to the main line?

- Historically the city has put the mini storm in as a means to keep the cost contained for that property owner.

- Okay, so it's actually more cost effective, then, to put in the mini storm sewer?

- It's more cost effective for the property owner to hook up to the mini storm because there's less of the cost that the property owner's responsible for.

- Okay. Okay, I think Alder Gerlach brought up some very, very good questions that have kind of prompted me to maybe rethink this a little bit, but not necessarily change my position. And what I mean by that is, I do support the reduction in fee, but the reason I'm rethinking it is I think the first question we have to ask is what is the problem we're trying to solve? And we haven't really kind of discussed that at all yet. And I don't want to speak for everybody else's districts, but certainly in mine where I have some older housing stock, it's a little bit more dense and compacted, and one of the frequent concerns that I do receive from the residents in my district is my neighbor's pump is basically blowing water into my yard and it's flooding my yard. And the reason that's happening, of course, is because they have no other place to put it, right? These houses are so close together that really, unless they hook up, there's really no other water, and so, for me, at least, when I go back to what's the problem we're trying to solve, that's it. I have a lot of neighbor disputes about where water gets discharged. And this would be a huge help in that regard, and I think it's not uncommon for government to create incentives to try to encourage a certain type of behavior, and I view this as no different than that. We're trying to create an incentive by lowering the fee to encourage our neighbors to actually take advantage of this program to hook up, and then of course, ultimately eliminate the problem of these neighborhood disputes. To Alder Gerlach's point, again, how do we know it's working? I don't know, and I think that, I think it's very difficult to measure the metrics of any program without first doing it, and I think promotion of it would be an important piece of it, and that was another question that was raised, is how do. And so, I do support the reduction in the fee as

a way to create incentives for people to take this action, but I do think it ought to come with maybe a way to measure the effectiveness of the program, and then maybe revisit it in a year to determine if in fact it's having the desired outcome that we're seeking, and if not, all right, let's terminate it. But, if so, let's reevaluate, reassess, and determine at that point if it's something that could be continued. So, I think there's already a motion on the floor, obviously to approve, but I'd even recommend, if it helps alleviate some of the other concerns, that we sunset it in a year or that we revisit it in a year, but I think it would be a good idea for us to experiment with this on low quantities right now, being the 11 last year. We don't know what it'll be this year, but I think the fiscal impact would be pretty minimal to help some residents that really need it and to give us a track record if in fact it's an effective program. Thank you.

- Thanks, Alder. Any further comments or additional motions?

- Yeah, I do have one, Mr. Mayor.

- Alder Wery, go ahead.

- Thank you, Mr. Mayor. Yeah, Alder Johnson and Scannell both summarized pretty well the intent behind it. The fee would actually, what two years ago, was 500. The council did reduce it, and shame on us, we didn't notice that it went back up. So I put this in as a way to address it, again, it really is an incentive to encourage hook ups and help resolve those neighborhood standing water issues because as Alder Johnson said, as you move towards the center of the city, boy, those houses are more and more on top of each other and wherever you put the hose it affects someone. It either affects the sidewalk and causes it to be slippery or it shoots into a neighbor's yard and then the complaints come. And a lot of these people are more financially strapped. And so if we're going to encourage something, this is one thing that we could do. And maybe we promote it and revisit it in a year and see what happens at that point. That's all I have on that.

- Thanks, Alder. Any final thoughts? All right, we have a motion and a second. All in favor will signify by saying aye?

- Aye.

- Opposed, nay?

- [All] Nay.

- I think we're gonna have to use the board. That motion succeeds, six to five. We're onto the report of the Protection and Policy Committee.

- Motion to approve.

- Second.

- Motion made by Alder Scannell, seconded by Alder Corpus-Dax, to approve Report L, which is the Report of the Protection and Policy Committee from the meeting on April 27th, 2020. Any items under this report to handle separately?

- Item 11.

- 13.

- 13, any others?

- Number four.

- All right, we have four, 11, and 13, any others?

- Five.

- Again? Five, Alder Brunette?

- That's correct.

- Okay. Hearing none others, all in favor of approving the remainder of that report please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it, the report has been approved with the exception of items four, five, 11, and 13. Your wishes regarding item four?

- Motion to approve.

- Motion to, second.

- Motion made by Alder Scannell, seconded by Alder Stevens, to approve. Item was pulled by Alder Steuer, I believe.

- Thank you, your honor. Mr. Stocker, Mr. Stocker is here to speak, and I would like to open the floor for him to speak on this matter.

- Second.

- I am going to recuse myself as well, because I did it at committee and I feel that's, that I can't, I need to recuse myself from this vote. So I'd like the motion to open the floor for--

- Motion made by Alder Steuer to open the floor, seconded by Alder Scannell, please signify by saying aye?

- [All] Aye.

- Opposed, nay? The floor is open.

- Are we looking, excuse me, did I jump the gun here? Are we looking at Improvement and Services?

- No.

- No.

- Okay, I'm sorry, I'm just looking here on my list here. Okay, it would be number four.

- Yeah, we got it.

- Okay, good.

- Mr. Stocker?

- [Randy] Yes, can you hear me?

- Yes, if you could just state your name and address for us?

- [Randy] Randy Stocker, my address that I'm talking about is 1273 Elmore Street.

- Very good, go ahead, sir.

- [Randy] All right, so the property next door to me was foreclosed on and the house was torn down in March of 2019. I submitted an offer and it was accepted on September 17th. On the 24th of September I received a certified letter from the city sent to the title company stating that no special assessment work or charges of any kind were approved by the city, other than those listed as disclosed. Those fees were for the demolition of a house and they were added to the tax bill due to the bank, that owned it, not paying them. I called the clerk's office multiple times and asked about the letter and to make sure that there were not additional charges, since the letter did state that there might be a charge that could come up. I was assured multiple times in those phone calls by Clerk Teske that there was nothing else pending. I finally closed on the property on November 12th after multiple issues with the closing due to those charges not being able to be paid until the tax bill came out. I closed with a paid-in-full agreement with the title company, meaning that I would be responsible for paying the fees when the tax bill came out. The day after I paid the taxes and those fees on the property, I received the bill in question in the mail, a copy of the bill from the subcontractor that did the work. Invoice from the subcontractor was dated four days prior to my closing date, excuse me, meaning the work was completed and billed prior to my closing. On the 27th of April I was heard at the Protection and Policy meeting. During this meeting I stated that I am not arguing that the work needed to be performed, but that the city failed to disclose this charge to me on their certified letter. They failed to bill the correct party, and I would like the bill to be rescinded. The certified letter, again, stated that there were no charges or special assessments approved as of September 24th. The city should've known that this curb was going to be replaced and included that in the disclosure. The fact that they failed to disclose that is where my issue lies. The fact that the letter states that there are no other charges pending or approved means to me that there is no other work that has not been billed for. The fact that there is another charge tells me that that certified letter from the city is not worth the paper that it's. Not only is it unhelpful and confusing, it's also very misleading. Also during this meeting, City Attorney Chavez stated that normally the person who sold the property would've been responsible for that fee. But the city has no ability to get the money from them now. She then stated that the proper course of action would have been to bill the proper party who was the previous owner who necessitated the work in the first place. This would be like purchasing a house that had a new roof put on it just prior to you purchasing it. Then a couple of months after you close on the property, having the contractor bill you for the new roof. After you purchasing it, even though you are the new owner, you are not responsible for that bill. What I'm saying tonight is that the charges are valid, the work needed to be done, and it was completed. However, I should not have to pay for this and try to get the bank to pay me back. The city should have, like the Attorney said, billed the correct party in the first place. If this happened after my closing, I wouldn't be here tonight, I would've paid this bill, as it would've been my responsibility. The city needs to set a precedent to do the right thing. Establish a policy of integrity, starting today, and just because it hasn't been done that way in the past doesn't mean you can't make the right decision for our citizens who buy and sell in the city of Green Bay. I am asking that today, and moving forward, the city bills the correct entity for the work done on a property. The correct entity is the owner of the property at the time the work was performed. In this case, the owner of that property at the time the work

performed was the bank. And if the city can't get the bank to pay for it, then it's not the responsibility of the new owner. Thank you.

- Thanks for your comments, sir. Any questions for Mr. Stocker.

- I have a question for the City Attorney, Mayor? John Vander Leest, for the City Attorney.

- Yeah, go ahead, sir.

- The floor first?

- We can, sure. As well.

- Second.

- Motion made by Alder Vander Leest to close the floor, seconded by Alder Scannell, all in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay? The floor is closed, Alder Vander Leest?

- Thank you, Mayor. I think the City Attorney, at that meeting, stated that there may be other charges, in other words, that they knew of, in other words, that there may be charges. The City Attorney, I'd like to ask her that question. Was that stated on that letter, that there may be other charges involved with this property that, in other words, I want to know if that's on that letter that was given out? It says that the property owner may incur other charges, I want to know about that. I would like the City Attorney to weigh in on that.

- [Vanessa] Yes, sir, the letters that we send out always state that this is a reflection of what's on the rolls at the time, what's on our records at the time, and that additional charges may be coming forward which are not currently reflected. And what we had discussed at committee is that the purpose of these letters is a courtesy to assist the homeowners as they are going through the closing process. They specifically state that they are not binding on the city and that the letter is basically a reflection of what the records look like at the time. So when we issue these letters, they are provided not as a means for the potential purchaser to get around having to make any payments which may be coming due on a property, but instead to assist them in getting to closing, and so that is exactly what happened here. Now this was an issue of timing, so the unfortunate thing is that there were projects in the queue that had not made it onto the clerk's record. So what the clerk provided was a factual statement of what the record looked like at the time the document was issued. But, in that couple of weeks period of time, just showed up after the letter had been already issued. So, nothing was done wrong by anybody internally, and that is specifically why we include that language on that letter, so that it's clear to the property owners that what we're providing is not a, basically, get out of jail free, like a clearance of all liens, but providing a statement as to what the city records look like at that point in time.

- Okay, that kind of answers my question. I just want to say that in order to bring this property up to code, that curb and gutter would've had to been put in there regardless, if it was done, in other words, it had to be done, to bring it up to code for the sale of the property. And any other charges that could come about. So I feel that the city can't just keep bailing everybody out, they have to pass the charges on. The city's not making any money on installing that curb and gutter. And I feel that it's a valid charge, and I think it should be paid by the owner right now that owns that property. And that's how I feel about it, and thank you.

- Thanks, Alder. Other comments? Alder Scannell?

- Thank you, your honor. This is again to Attorney Chavez. I was at the meeting and I don't remember a statement that the city should've billed the bank, is that accurate, should the city have billed the?

- [Vanessa] No.

- Yeah, I didn't think it--

- So that--

- Go ahead, sorry.

- [Vanessa] That's a little bit of a mischaracterization of what we discussed. So, what we had talked about was who gets billed at the, when the bill gets generated, and the answer is, whoever the property owner is. So at the time the transaction happened, yes, the owner was somebody other than the buyer. But once that actually, once the property transferred, the liability for that payment transferred as well because the benefit gets bestowed, it transfers with the property, because the property is ultimately the one that benefited. So while it's true we would have billed the bank had the document actually come in at the time, that isn't an accurate statement to say that we would only ever have to go after the bank, in fact we would not be able to go after the bank at this time, they no longer own the property, and the lien was not extinguished with the transaction. So the amount that is owed is a valid and legal amount that is accrued against the property itself. And the current owner is irrelevant as to whether or not this amount is due because, again, the benefit was to be bestowed upon the property itself.

- And also, if I remember correctly, didn't we state that actually the proper party for Mr. Stocker to go after would be the bank, and not the city, that would be his proper recourse, that we're not liable here, that the bank is, is that, am I remembering that correctly?

- [Vanessa] You are. So, the other thing that we discussed was that in instances like this when somebody feels like this should've been covered and should have been extinguished, but wasn't, their recourse is to go after the prior owner themselves, not the, that would not be the role of the city, we would never go after a prior owner because the, again, the lien is valid, it exists today, and the amount is properly placed against the property itself.

- Okay, thank you. So I don't see how the city's liable at all. If we were, I think definitely reimburse Mr. Stocker, but I don't think that's the case. And these cases have come up in the past, and this is kind of a messy situation, because there are so many players involved sometimes, that things fall through the cracks. But the city just is not responsible for that. And I don't think it's appropriate for the city to take on responsibilities that aren't ours. If it was our responsibility it's different, we should pay it up, but I don't think that's the case, and so I don't support, I support the denial. Thank you.

- Alder Gerlach?

- Let's see if I'm unmuted, I think I am. I just, and I agree too, I will support the denial, but I would just like, I don't want this to end without saying to Mr. Stocker that I really appreciate how well prepared he was and how well-spoken he was, and I know this is a very difficult decision for him to embrace, but I just want him to know that he was heard and he spoke well. I really appreciate someone coming before us who has prepared and really does a good job to represent his position.

- Thanks, Alder. Any additional comments?

- I just want to make one comment, Mayor? Alder Vander Leest?

- Sure. Alder Vander Leest and then Alder Johnson, go ahead, sir.

- I just want to mention that whenever there's inquiry as far as to the clerk's office, that the intent as far as more charges that may happen, I think that that should be emphasized in bold, red letters, as far as, so that the person that's coming forward, that there may be other charges. I think that that should be brought aware to the person that is gonna look to do the transaction of buying a property, that they're aware that there could be more charges, and I think that has to be emphasized as well that they're making it sound like the clerk's telling you everything that's there, but they don't really know for sure what's there. So I think that it should be emphasized in bold, red letters that there may be other charges involved when you purchase a property, that buyer beware. And that's how I feel, that they should be addressed, as far as there could be more charges. And going forward, I think that should be done. As far as inquiries.

- Good point, Alder.

- Thank you.

- Okay, thanks, Alder. Alder Johnson?

- Thank you, Mayor. Attorney Chavez, if you could, if you know the answer to this, when was the work performed and when was the lien placed?

- [Vanessa] I do not know that.

- Do you have any idea, I guess, maybe what kind of time elapsed between, not necessarily the dates, but the actual time that elapsed?

- [Vanessa] I'm not sure, I know that it was only a matter of weeks.

- Okay. And this, maybe to draw a little bit of a parallel, if I own a property and I hire a roofing contractor to put a new roof on my home, and then I sell my home, but I don't pay the roofing contractor. Can that roofing contractor place a lien on the property and that the new home owner would then be responsible, are they able to do that after a sale?

- [Vanessa] I wouldn't be able to tell you that. That would be a private issue, and I don't handle issues between private persons.

- I guess, it seems to me that that wouldn't be allowed, which is why I was hoping you'd know, and I appreciate that that's not under your purview. I'm struggling with this one because here you have a property owner that did all the right things. He made the calls, he made the inquiries, he did not personally order this work. And then this bill shows up on his doorstep. And it seems to me that there's just a breakdown of time gaps, and I don't know if it's even a breakdown of process, I don't know how often this occurs in any given year. Do you know that, Attorney Chavez?

- [Vanessa] I would say not often. This is the first time I've heard of something happening since I've been with the city, and I imagine this is something that people would be challenging up pretty frequently.

- Okay, thank you for that. And that's kind of why I bring that up, because if this was a frequent occurrence, that would be one thing. But here we're talking about a very unique circumstance, something that happens rarely, and I think if, as a city, there's never any consequence for us to not fix

a process, it'll be status quo as usual, and I think, clearly, there's a process here that doesn't function as well as it should for the citizens of our community. So, I'm gonna back Mr. Stocker on this, and I'm gonna support that we rescind the fee, because again, I feel like he did all the things he was supposed to do. He did not order this work personally, and I think that this should be maybe the incentive that we need as a city to close the gap on that process to ensure that we can, that this doesn't happen to a future property owner. Thank you.

- [Vanessa] So, one clarification. This was something, this was work that was conducted by an outside. So, we can't just rescind the fee because it's not our fee. We have to figure out how we're gonna pay for it.

- Okay. So if the council were to, hypothetically, if the council takes a motion to say, yes, we're going to rescind the fee, not necessarily rescind it, it's semantics, but we're not gonna enforce the fee to the property owner, then we would just have to find a funding source to actually pay for that invoice to the private contractor? Is that what I'm hearing?

- Correct.

- Okay.

- Yeah.

- Is there a motion on the floor right now, Mayor?

- I was just going to clarify that, there is a motion, I'm not sure, is that Alder Scannell who made the motion?

- Yep.

- Was that to deny or?

- To, motion to deny, yes.

- Okay.

- The motion was to deny.

- So we do have a motion and a second on that. Further discussion? Alder Scannell?

- Well, do you want to go to, just out of fairness, would you want to go to Alder Steuer first, he's been waving a long time here?

- Oh yeah, I didn't see that, Alder Steuer, go ahead.

- Okay, thank you, your honor. Thank you, Alder Scannell, for your courtesy there. I would like--

- [Vanessa] As Alder Steuer has recused himself on the discussion--

- Well I just wanted to ask, no, here's the question, I wanted Mr. Stocker to be able to speak one more time, that's all I was asking.

- Oh.

- That's all I wanted to ask. Is that all right?

- Mr. Stocker wishes to speak again?

- Yes.

- Okay, well if I could just add this before, I'll make it--

- Well, first off, if he's gonna speak again, we've gotta open the floor.

- Right, and I'll just make this statement and then I'll make a motion to open the floor.

- Go ahead, Alder.

- This has come up a couple of times, in my, or at least one other time, perhaps twice, I don't know. It gets blurry after a while. But, I appreciate Alder Johnson's position, but I strongly disagree that the city should be taking on this responsibility. It's not our responsibility, it can't be our responsibility. We are not in the position to take on this responsibility and fulfill it. This is, there may be a hole in this process, but it's not the city's fault. And I don't know what the city could do to make sure this doesn't happen again. And I think it's wrong to put position to take on a responsibility that it just cannot, is responsible for. And I think if the normal course of events had happened, and if say the bank had been given the bill, and they paid it, Mr. Stocker probably still woulda gotten stuck with it in that the bank would've charged him more for the property. So in some ways I feel this is kind of just shuffling shells around, but either way, I really feel that this is not the city's responsibility. We're a part of the process and we help out, it's a courtesy, we're kind of a focal point, but we aren't in charge of getting all these pieces put together. They come together as they come together, and I don't know if there's any way that we could take more ownership of that. I would rather that were worked out, if possible, then perhaps take on that debate, whether we should do it or not. But as far as I know, there's no way to fill this hole. This is just something that happens. It's regrettable, but we are not responsible, and I just don't see why we are taking on responsibilities that are not ours. One last pitch. And so I'd make a motion to open the floor.

- Motion made by Alder Scannell.

- Second.

- Seconded by Alder Dorff, to open the floor. All in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay?

- Nay.

- The ayes have it and the floor is open. Mr. Stocker?

- [Randy] Yes, thank you. So, Alder Scannell, you said that there are multiple times where there's a hole in the process and that we should, you guys shouldn't be putting the city into that position. What about putting the citizen or the property owner in that position? So there's an obvious hole in the process. I, like Alder Johnson said, I literally did everything I possibly could. There's no way that I could've found this charge without the city telling me that this charge was happening. The title company couldn't have found that, the bank didn't apparently know about that, so I literally did everything I possibly could. So I was put into a position where I thought, okay, all of the charges are done on this, I can proceed in this purchase. Now, the comment that this would've been a charge that I would've incurred later, that, the price was already settled on. They were going to be covering the fees of demolition and all that kind of stuff, that was all part of it. And if the city would've put in there that, hey, this is happening, that's something that I could've looked at and said, oh, wow, this charge is coming up, it would've given me the option to say either yes, I will cover this, or no, I'm gonna hold off and I'm not gonna purchase this property until all of these charges are complete. And then I guess I would throw back the question of, at what point does it stop? Like for me, I have no idea that this charge was coming. How many other charges are gonna come? Like when the citizens are looking at buying properties, vacant properties that aren't being mowed properly, that are having issues, citizens like me that are buying them to make our community better, to make it look nice, to make it safe, how are we to know that there isn't gonna be some secret charge that's gonna show up on our doorstep?

- Thank you, sir. Any questions for Mr. Stocker? I'd entertain a motion to close the floor.

- Motion to close the floor.

- Second.

- Motion made by Alder Scannell, seconded by Alder Vander Leest. All in favor of closing the floor say--

- [All] Aye.

- Nay? The ayes have it, the floor is closed. The motion before us is to deny. We have that motion and a second. All in favor will signify by saying aye?

- [All] Aye.

- Nay?

- No.

- No.

- Mayor, could we roll call that, please?

- Absolutely.

- Mayor, I'm gonna recuse myself, so I won't vote at all.
- Very good, thanks, Alder.
- Mayor, just a clarification, if we vote yes, it's to deny the request, is that correct?
- Yes, that's correct, yes is to deny.
- Do I need to show my vote as abstain, or just don't vote?
- [Vanessa] Abstention.
- Either one's fine, Alder.
- Abstain.
- Should I abstain?
- Yeah.
- Yes?
- Yeah.

- [Vanessa] Yes, that is correct.

- Motion to deny is seven to three with one abstention. Onto item five.

- Motion to approve.

- Second.

- Motion made by Alder Scannell, seconded by Alder Stevens. This item was pulled by Alder Brunette. You have the floor.

- Yes, thank you, Mayor. I just think that the wording action of the committee is just a little off, and I want to clarify with either Director Vonck or Assistant Director Renier-Wigg. The meaning, I believe, was to hold off on charging this property owner reinspection fees. And as long as they can confirm that that's the case, that this gentleman will not have reinspection fees until he can appeal to the federal government. This is the issue. He showed a lot of good faith in trying to right a wrong, in his opinion. So I just want the motion, it's to hold off on charging reinspection fees so that he will not have to pay reinspection fees for a period of 90 days?

- Is that an amendment?

- Is that an amendment, or do you have a question for?

- Yeah, it was meant to be a question. So what I would do is just ask Director Vonck if that's the case, he will not receive reinspection fees for a period of 90 days?

- Director Vonck?

- It's muted.

- Assistant Director Renier-Wigg?

- It was my understanding, Alder, that that was the case, that I think the reinspection fees are gonna be withheld while he was going through that process of appeal.

- Okay.

- I was not at the meeting, though, I need to qualify, I don't know if any of the other Alders can verify that. But I think that's the way that it was.

- Yes, that's correct.

- Right, that's correct.

- Yeah, yeah.

- Okay, I'm fine with the motion as presented then. A lot of it's staff level anyways, so that's fine.

- Okay, very good. Thanks, Alder. So we do have a motion to approve and a second. All in favor will signify by saying aye?

- [All] Aye.

- Nay? The ayes have it. That is approved. Onto item 11.

- Motion to approve.

- Motion to approve.

- Motion made by Alder Stevens, seconded by Alder Scannell. Discussion here, Alder Dorff?

- Thank you. I just, I want to amend the motion. And this is how I'd like to amend it, and this is as a result of my realizing that the mayor, our mayor is the person that appoints committees, so I'd like to amend the motion by saying, to create an ad hoc elections committee with members to include two alders, Clerk Kris Teske, Mayor Eric Gingrich or his designee, with all members, including citizens, to be appointed by the mayor, for a total of no more than nine members, with reports directed to the Committee of the Whole for the duration of the COVID-19 national crisis.

- Second.

- And I can send that to the clerk if it gets approved.

- Very good. So, Alder Dorff has made the motion to amend, that's been seconded by Alder Scannell. Discussion of the amendment? All in favor will signify by saying aye?

- [All] Aye.

- Opposed, nay? And that motion has been amended. Discussion on the amended motion?

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Corpus-Dax. Discussion here? Seeing none, all in favor will signify by saying aye?

- [All] Aye.

- Nay? The ayes have it, the motion has been approved as amended.

- Thank you.

- Item 13.

- Motion to approve.

- Second.

- So, there is no recommendation.

- So, I make a motion to receive and place on file.

- A motion's been made to receive and place on file by Alder Scannell.

- Second.

- Second.

- Second by Alder Galvin. Discussion? Alders seeking recognition? Alder Wery?

- Thank you, Mr. Mayor. I'd be curious to hear what other members of the Council are thinking now. I think we've learned a lot, those who've been in contact with the commission and through our Attorney Chavez about what they do and don't do, and they have a pretty narrow scope of what to investigate or not. Now, in the end, what this really will come down to is whether our council is interested in investigation and a report at all. So whether or not this moves forward, would it even be helpful to put in something to explore another avenue? So I'd be curious to just listen to what the rest of the council thinks of this. Thanks.

- Alder Scannell?

- Well, as Alder Wery stated, the Elections Commission is very particular and certainly anyone who has any evidence of wrongdoing should file a complaint. As far as anybody, I don't know who else would do an investigation. What other authority out there would do it, who would we appeal to, I can't imagine. I don't know, and I think that, for myself, the inquiry we've made as a council here, I'm satisfied with the information we have and the explanations that were given that there's no wrongdoing. And if there's no wrongdoing, then it's just a matter of this ad hoc commission, hopefully, taking what we've learned from this and moving forward. So, I'm not sure how to proceed with this item other than receive and place on file. I think there's been talk about openness and fairness and accountability, and I'm not opposed to those things, but I'm just don't see how it can be done. As the Clerk has said, bring on. I don't think any of us do in this matter. And if the public wants it, I can understand that, but I just don't know, other than what we've already done, what more we can do as a council. Thank you.

- Are there further comments? Alder Brunette?

- Thank you, Mayor. I think my opinions on this matter have been very clear through the various council meetings and committee meetings. I don't think the voters are over this, quite frankly. The folks that I've talked to, the anger out there is palpable, and I understand and I appreciate the fact that

we think that we're gonna correct this from the inside out, in other words, has convened a commission or whatever that committee is, that's a good step. But the only way that I think the public will get the answers they're really deserving is for an outside look on what happened. Again, not looking to nail anyone to the stake, excuse that language, but that's oftentimes when we expect answers of government we're accused of witch hunts and all that nonsense, that's not what I'm after. I'm after getting answers to the public. And the only way that I think we can provide that unbiased would be from an outside perspective. Now, City Attorney Chavez did send out some emails. A lot of that is client-attorney confidential, so I don't know what she'd be willing to share publicly, but she did offer one other alternative and gave a cost estimate of what that would be. Attorney Chavez, would you be willing to offer that in public record of what that option would be and the cost that you shared via email? Or is that something that you're not at liberty to discuss?

- Attorney Chavez?

- [Vanessa] It's up to the Council whether you guys want to raise the privilege that is provided by the communications I give to you guys. So it really, if you guys want to raise the privilege. As for the specific recommendations I gave, or the options I provided, I don't see any reason why that couldn't be disclosed. So, the alternative that was proposed was for an outside investigation to be conducted by an attorney who specializes in elections law. But with that fee, estimated cost, based on my experience with investigations and the breadth of this one because there will be so much, it will be document intensive, and there'll be a lot to go through and review, and a number of interviews that would need to be conducted and whatnot, I would anticipate it will be at least \$40,000.

- Between each other, Mr. Mayor, that was, I'm glad you offer that, that was what I was mentioning, \$40,000 seems like an awful lot. How do you reach that? Do attorneys work billable hours, is that, and if so, what would the average billable hour per your experience be on this matter?

- [Vanessa] I can tell you that the attorneys that we currently have, who do investigations for us, usually in personnel matters, their numbers are anywhere from like 250 to 275. We try to not engage counsel that is above that number. But when you're taking somebody who's in a very, very specialized area of law, you won't be able to really negotiate down their number. Their fee is what their fee is, because they do specialize in a very specific area. That's one factor. The second is that \$250 an hour goes very, very quickly. In addition, as we've seen, just from the number of records and requests that have been pulled, we're looking at thousands of records over a very short period of time, that we'd be asking them to review. From my experience with document review is, if you want somebody to actually review it properly, you should anticipate two to four every page or so, depending on how much text is actually involved in it. And so the numbers when you're doing the document review can go up pretty quick. On top of that we'd be expecting them to conduct investigations, I'm sorry, conducting interviews of the people involved. We would be talking about interviewing through people who are in the clerk's office, and then interviewing people who are of the calls on a regular basis,

which we've stated have been the Mayor, the Chief of Staff, myself, and the Clerk, as well as talking to people who have been pulled in from other departments to determine whether or not their support was actually what it needed to be, and also talking to department heads, because so many people were involved in trying to determine whether or not there were additional resources that could be leveraged at that time. So with all that, and then they'd have to generate an actual report as well. So with all that, I think that \$40,000 is actually a conservative number. As I said, \$250 an hour goes by very, very quickly. At four hours you've already hit a thousand dollars.

- So, when you say thousands of documents would have to be reviewed, what, that seems like a very high number. How do you determine that?

- [Vanessa] So, all of the emails that have been requested, just emails pertaining to the election. We've had thousands of them that staff is having to go through right now.

- There have been thousands of emails between council members, staff members, county clerk, whatever, regarding the election? There's been thousands of emails?

- [Vanessa] So the way we are able to search for emails is we give it a term, and that gets pulled by IT. They pull every document that's related to it from specific people. So we'll do just like a quick term search, and then they drop those into a folder and then somebody goes through them to determine whether they're duplicates or whatever, but either way, we'd be having somebody reviewing all those. And that's in addition to the manuals that are provided, that would be in addition to all the guidances that were issued by the WEC and by the Governor. So yes, we are looking at thousands of documents, pages of documents.

- Right, so the possibility of hiring an attorney to do this, is it possible to, okay, so when you hire an attorney, they're looking for wrongdoing or they're trying to prove wrongdoing, or prove no wrongdoing.

- [Vanessa] Not necessarily.

- Okay, so, Attorney Chavez, is that, what I want is an outside look at the election, so someone can provide an outside opinion of what happened, the decisions made, what were bad decisions. I'm not saying that we need to go into in-depth analysis of every single email and discussion, but I think a

qualified person, perhaps not an attorney, but a person trained, experienced in operations, in management, or elections, can just simply look at the processes, the decision points, and come up with their interpretation of what happened. And so, for the sake of the council here, the city of Milwaukee, I don't know if it's the city or the county, but they have a position called, I think it's the inspector general or investigative general, I forget what it is, but that person has an MBA, a masters of business administration, so that person will be doing the review of the Milwaukee election, albeit it's more focused on the absentee ballot issue. But I think that there is a possibility to look at someone who isn't an attorney that would charge us \$275 an hour, but can provide a service for what we need. Attorney Chavez, would that be a more affordable middle ground? Or are there pitfalls in having a person like that look at our election?

- [Vanessa] Well, it depends on what we're trying to accomplish. So if you're looking at it from a perspective of were there any failures of personnel, that's definitely where somebody who has a degree in business would fit in. But if you're looking at it from a perspective of do we make any errors, that's really where you want somebody who has worked in law.

- I understand. Thank you, I have no other questions.

- So are there any other thoughts? Alder Galvin?

- Thank you, your honor. After listening to the Mayor's comments and Clerk Teske's comments and what I observed through the media and in person, I think a conclusion of what went right and what went wrong, and I think I have some pretty good ideas on what can be done in the future. I would bet most of us are able to do that without having to hire a professional to tell us what went wrong, especially if that's all we're looking for is what went wrong. I don't think we need to be studying documents, or who made what decisions, or anything else like that. We already have someone that has accepted full responsibility. We've had explanations from those that were involved in making those decisions, and the reasons for it, whether they were good reasons, bad reasons, or the right decisions. I just think we need to, and I understand people are angry. People are angry about a lot of stuff a lot of times. And we're gonna just have to put that behind us and move forward and show those angry people that in August and November, we can run a good and proper election. I think we've got a committee that's being put together with people that are gonna be able to vet these ideas and these suggestions and put them into a usable format for August and November. And I think we ought to just put all our effort and zeal behind that and just move forward. Thank you.

- Alder Steuer, I believe?

- Yes, thank you, your honor. Both sides of this issue, and granted, it was tough, it was a tough election all the way around. A number of us alders listened to the WEC on that Saturday, I would think five or six of us listened to it. And my hope was, I was looking at this more in terms of logistics, like what actually went wrong, not so much with blame, but some folks thought, well, then you'd be, that would be blame-giving, so to speak. I was hoping that the WEC would've stepped up and done their due diligence on this. They barely even talked about Green Bay. So, we were, that was three hours, that was three and a half hours of listening to that. And then the state, the fact is the state told us we need to have the election. Well, that didn't work out. And then we asked the state to help us, at least decide what went wrong, they didn't help us either. And like I said before, with the citizens I talked to, there was blame spread all the way around, there's public opinion that's out there, people are gonna deal with it accordingly. So, I think what's said has been said. I don't know how much more we can get into this. I don't feel like paying \$40,000, minimal, to pursue this much further. I think public opinion will be what it is, and people will have to adjust to that accordingly. But I'm comfortable with just moving forward, as Alder Galvin said, I agree with his comments. Thank you.

- Thanks, Alder. Seeing no other, Alder Dorff?

- I just briefly say that I agree with everything that Alder Galvin said, and we have a committee that's going to look forward, and look at making positive changes, and helping in any way that this committee can, and I would certainly be against paying any money to do an investigation. Thank you.

- Okay, thanks, Alder. So we do have a motion to receive and place on file--

- I did have my light lit.

- Alder Wery?

- Thank you, Mr. Mayor. While it may be difficult to send this to the State Elections Commission, I don't think it's impossible. So if we voted down the motion, which is just to receive and place it on file, to add a few things they could look at, such as the closure of the early voting and then reopening them with much shorter time limitations, the refusal to recruit replacement poll workers, refusal to utilize the Wisconsin National Guard, and the reduction of polling locations from 31 to two. So I think we could provide them some things to look at. In speaking with the Wisconsin Election Commission, they gave suggestions that we could either hire an attorney who specializes in election law, or hire a current or former clerk. So that's an option as well, somebody who's retired and still keeps up on the law. And they also mentioned the inspector general, which is for the city of

Milwaukee, it's pretty interesting, the city council wanted an inspector general to look into matters they thought important, and they voted to approve it, and the mayor vetoed it, and the council overrode it. They just hired that position last year. Her name's Ronda Kohlheim, and I was able to talk to her a little bit, and she said that, yes, she was tasked with looking at the processes and decisions made during the election. So waiting to hear back from her, but she might be a good way for us to kind of subcontract to look at ours as well. So even if this doesn't go forward, we do have some options. I too question the dollar amount, especially if it's a former clerk or inspector general. But I'm gonna vote no on this. Thanks.

- Thanks, Alder. Seeing no further questions we--

- Alder Johnson.

- Mayor?

- Alder Johnson?

- Thank you, Mayor. Yeah, and I think Alder Wery's points that he brought up about some other sources, or perhaps some additional information, I think, to me it just makes sense that we could bring those up as a future agenda item. But with the content that we have in front of us, I too am gonna vote, I'm actually gonna vote yes to receive and place on file and suggest that if Alder Wery pulls together what, to me, would be a substantive agenda item, that I think that that could be evaluated then on its own merits. So I don't think that there's anything wrong with taking a look at reevaluating what went wrong. I think the term investigation is, ultimately like implies this concept that somebody needs to be accountable, and I'm not there yet. I'm not there thinking that somebody needs to be accountable. But where I am at is a place where we need to understand the decisions that were made that got us into the situation, and what are the processes that can be improved on? Now, I really do like the item that we supported previously that was proposed. A really great suggestion by Alder Dorff to do that. What I want to make sure of, whether a new motion comes forward in the future or whether that particular group can take it up, but I do think we need to first gather information and make a determination, again, about what did go wrong, what are the processes that didn't work that kind of got us into that position. And I still think that either option could be possible, meaning that the committee. Independent. The independent piece to me is something that the public is seeking and I don't think we ought to dismiss that out of hand, but I do think that \$40,000 seems to be a bit irresponsible at this time. And so I'm more than, well, I entertained looking at some other options moving forward, but as we move forward on this, I guess, I think there's nothing wrong with thinking about it through the eyes of like, we're hiring a consultant, with outside expertise, to help us improve our internal processes, that happens every single day

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within organizations, and I think we ought to welcome that as an opportunity to bring a fresh perspective, to help us become better at what we do, and that's kind of the way that I would encourage council to look at this. And then, but to do that, again, we need to understand what went wrong. And I just, I haven't fully reconciled all those pieces yet. So again, I'm gonna support receiving this and placing on file, recognizing that there could be a future item would come forward to further that discussion. Thank you, Mayor.

- Thanks, Alder. Alder Corpus-Dax?

- I am also gonna support receiving and placing on file for right now. Spending \$40,000, upwards of \$40,000, if not more, I can't justify at this point because of the situation that we're in financially and the lost revenue that we're gonna have, all of that, I can't support that right now. That's not to say that I'm not open to listening to other potential. I'm fine with that. I'll listen to those items when they come. But I go back to something that Alder Brunette said earlier, I found reassurance in Clerk Teske's, her performance, when she was asked about bringing the WEC into this to investigate or to look through everything that happened, and she said, bring it on. And that's, I think that's fantastic that she is, that she is confident in her and the job that she did and stands behind it. So as of right now, I am, I support receiving and placing on file, but again, I'm open to listening to other potential ideas that may come forward from this.

- Alder. Alder Scannell?

- Just one quick thing. Just for those who are angry with us still, out there, they should know that it doesn't need to come from this council for the WEC to take a look at us. Any citizen can file a complaint. So anybody who feels that we've dropped the ball and we're not doing our jobs and they have the right, and should, file a complaint with the WEC, that is certainly their prerogative and their right, and they don't need us to do that. So I just want to make that clear that this doesn't have to come from us. Thank you.

- Thanks, Alder. So we have the motion to receive and place on file. It's been seconded, all in favor will signify by saying aye?

- Can we record this, please, Mr. Mayor?

- Yes, we can.

- Thank you.

- We'll use the board. Motion is successful, nine to two. And so we are on to the Report of the Finance Committee.

- Motion to approve.

- Second.

- Second.

- Motion made by Alder Corpus-Dax, seconded by Alder Stevens, to approve Report M, which is the Report of the Finance Committee from the meeting on April 28th, 2020. Any items to handle separately here? Hearing none, all in favor of approving the report please signify by saying aye?

- [All] Aye.

- The ayes have it, the report has been approved. Onto the Report of the Park Committee.

- Motion to approve.

- Second.

- Second.

- Made by Alder Stevens, seconded by Alder Dorff, to approve Report N which is the Report of the Park Committee from the meeting of on April 29th, 2020. Any items here to be held separately? Hearing none, all in favor of approving that report please signify by saying aye?

- [All] Aye.

- The ayes have it, the report has been approved. Report of the Personnel Committee.

- Motion to approve.

- Second.

- Second.

- Made by Alder Corpus-Dax, seconded by Alder Dorff, to approve Report O which is the Report of the Personnel Committee from the meeting on April 28th, 2020. Any items here to be handled separately? Hearing none, all in favor of approving that report please signify by saying aye?

- [All] Aye.

- The ayes have it, the report has been approved. Public Arts.

- Move to approve.

- Motion to approve, second.

- Motion made by Alder Dorff, seconded by Alder Scannell to approve Report P which is the Report of the Public Arts Commission from the meeting on April 22nd, 2020. All in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay? Have it, the report has been approved. Report of the Traffic, Bicycle, and Pedestrian Commission.

- Motion to approve.

- Motion to approve. Steuer.

- Steuer, seconded by Alder Stevens, to approve Report Q which is the Report of the Traffic, Bicycle, and Pedestrian Commission from April 20, 2020. Any items here to be handled separately? Hearing none, all in favor of approving that report please signify by saying aye?

- [All] Aye.

- Report's been approved. Want to mute yourselves there, Alders? Now we're onto presentations, the first of which will be an update by Chief Dave Litton regarding COVID-19 response and other emergencies.

- Good afternoon, good evening, Alders. Good to see you tonight. Just have a couple of quick updates. The testing has moved forward, from what we'll call targeted testing, at several of the facilities in Brown County and in the city where we know that we had large breakouts and hot spots. So all of those facilities that we could test and that were willing to be tested have been done. Starting last Friday and working through the weekend, the county and the National Guard, Health Department with the National Guard, and the assistance of our Police and Fire Departments set up the Resch Center for community-wide testing. Basically that started off as just testing for families of

the workers at some of the larger facilities and then moved onto open community testing for those folks that were symptomatic, or had symptoms of the COVID. And that's been going very well, that started last week, Friday. It's been working through this week. Starting tomorrow, tomorrow morning at eight o'clock we'll be opening up a second site in the city, in between YWCA and the Casa ALBA. That was through the recommendation of some of our community partners, in conjunction with the Police Department, and the community informational setting that we had a week ago on Sunday. So we're expecting to be able to get a whole lot more of community testing done. There was 3,161 tests given since last Wednesday, which was a dramatic increase in the testing, again, based on having the tests available, coming down from the state, they were in short supply prior to this, but when the National Guard was brought in, they were able to bring a lot of testing capabilities with them. They are able to process somewhere around 480 tests per team per day. So if everything is running smoothly, if the interpreters are working well then both of the facilities would be able to test somewhere around 960 folks a day. And that might be a little over-optimistic, but things are definitely going well there. So there are 1,552 total cases in Brown County as of today. We've had 11 deaths in the county, none of which were, it's just, it's just not a good thing. But the positive tests are increasing and that's because we're doing more testing. But we've also had quite a few people that have come out of isolation and that are recovering and moving forward. So we think that that's a really good thing. There's three objectives that are currently going on with the Health Department, and the first one is the testing, again, with the two sites. The second objective is to provide quarantine and housing options for positive COVID tests. So there are two isolation and quarantine sites set up within the city, we'll call them sites five and seven. We don't disclose where those are at for privacy concerns. And then the last objective that they have right now is to minimize the spread by contact tracing and an indexing, so, every one of those positive cases that come back require the Health Department and their partners to trace contact and, with family members and friends, just so that they can get an idea of how wide and how far the virus has spread, and to start to try to get an indication of when it might start to diminish or lessen in our area. Right now the plan is to continue this community testing through Saturday, May 16th, that's the current plan. Things change, there's a lot of factors going on here, a lot of things that go on that are outside of our control. But right now the plan is on May 16th, hopefully, to transition from the community testing over to testing with the health partners, meaning the hospital systems and their clinics. That might get extended a little longer than that, we're not quite sure at this point, it's two weeks out, so we're kind of playing that by ear. So that's what's really going on with the COVID. I will tell you that between the Fire Department, we have 10 people assigned right now to help in the Health Department on a full-time basis, and the Police Department have two to three that are inside the EOC itself, and they have others that are helping with traffic control and things out at the testing site for tomorrow and they have had others involved as well. So we've had a major commitment from the city to help in this regard in getting through the pandemic. And we're gonna continue to support those efforts. Last week in the middle of all this, all of you will remember or know, that we had flooding along East Shore. We had the 40 mile an hour winds coming straight out of the north, which pushed the tide over the break wall there, so to speak, on East Shore, and flooded about 2/3 of East Shore and many of the houses had water around them. So in the middle of standing up these facilities and doing the testing and helping out with all that, we had roughly 120 houses that we had the check. We had to take a few people out by boat, many sheltered in place. Fortunately there were no major problems or injuries or things of that nature, but we did have some pretty severe flooding. St. Clair, along the East River as well, had some flooding that was involved. We did actually help evacuate some folks out of that area. Then the last thing that happened, right in the middle of that, we had the, there was an area-wide command center set up at the museum. The Fox River was raising to the point that we didn't know when it was gonna recede and so the area-wide command was in that building in the

basement, and so we had to move the area-wide command out of there over to the Emergency Operations Center at the jail, all in the same time frame, so that all happened within a five or six hour period. And so a lot of help, again, from the Police Department, from Public Works, everybody just jumped on it, got together, we opened the EOC. We tried to keep you guys informed as to what was going on through the Ready-Op program. And so that's what our last couple of weeks have looked like, and we're hoping that with more testing and hopefully we're gonna see the end of what we are seeing as being a spike. But again, we don't know, we can't forecast what exactly that's gonna look or when that's gonna occur. So, I'm happy to answer any questions that you might have.

- Thanks so much for that update, Chief. And thanks again to you and your team for everything you've been doing in response to, of course, COVID-19, but also the recent flood. Alder Steuer? You're muted, Alder.

- Sorry about that, I had that issue there. Thank you, again, Chief Litton for that update. I guess I had asked you recently about a map that I saw, it was actually on Spectrum News, and I think it was a census tract map of Green Bay, and it showed the hot spots, or it was a choroplethic map, if you will, and I was a cartographer, and so it showed the density of issues for, in Green Bay, and it showed an area basically east of Main Street, south, north of Mason, and such. And I asked you if you knew where that map came from, and you didn't, and I would really like to see something. I don't know if I have to talk to our IT Department or the Brown County Health Department, but there was a map that showed the intensity of the COVID in Green Bay, and I was wondering if you could talk to that and is there any solution to maybe getting ahold of something like that?

- Well, that map I do think was published and or being tracked by a combination of Brown County Health Department with their IT Department. So, basically what you're seeing there with the census tracts were the areas around the hot spots of the meat packing plants, the several plants that we had, and the general areas around there where many of the employees actually live. So, I'm not quite sure what the, I'm sure you can get ahold of that map on a daily basis from the Health Department, and I think it might even be published, I just don't have the link. I just don't know what that is off the top of my head. But we know that it's community-spread, it's not just in one spot. There's plenty on the west side as well, it's all over the county, it's all over the state.

- Well, and granted, I agree with you. But it would be nice just graphically to see something that would kind of give us a little bit of a handle on it. So, if that means we have to contact the Health Department, I'll do that on my own, but I just thought maybe somebody else would be interested in that as well. Thank you.

- Sure.

- Alder. Other questions? Alder Brunette?

- Yes, thank you, Mayor. Chief Litton, currently we have over 1,500 cases in Brown County from what I've last read. I don't always get information on how, through the media, on how many of those cases are no longer active, meaning they've, they're released to go back home or not social isolate as much as they had been. How many active cases are there in the county?

- Well, I think that, gosh, I don't know if I have that number right in front of me, if you give me a second I'll see if I can find it, but I think that, somewhere, yeah, like you said, there's 1,552 total cases in the county, and I think that there's somewhere, don't quote me on this, somewhere around 80 that are considered out of isolation and released, somewhere in that area. Don't quote me on that. I can shoot you an email in the morning when I find the number, or even later tonight. I know I have it in my paperwork, I'm just not, I don't have it readily available to me, but, I guess the other point to say is that the hospitals are not being overwhelmed at this point, so that's a good thing, that just means that there a lot of people out there that have tested positive. They may or may not even have symptoms. In general, most of them, 80% or more are not requiring the hospitalization. So these are all good things. None of this is good, but if there's anything to point to that's a good thing, that would be one of them.

- Of the say, up to this point, 1,550 cases in the county, you're stating that around 20% of them require hospitalization? So like 80% give or take are treated at home or self-isolated quarantine?

- Yes.

- Okay, thank you, that's it. No questions, thanks.

- Other questions for the Chief? All right, thanks again, Chief. Appreciate that information, and again, everything you and the team have been doing.

- Thank you, and just while we're still on the line, Mike Hronek, our IT Director just sent me that link, so I will, he can either forward it to the Alders, for the map, Alder Steuer.

- Yes.

- Or I will forward it to you as soon as I get off the program here.

- Thank you very much. Appreciate it.

- Thank, Mike Hronek got that for us.

- Yes, thank Mike for us too.

- Now onto the update from Director Diana Ellenbecker regarding the 2020 Budget, understanding that this will be sort of a high-level brief on where things stand from Director Ellenbecker's perspective.

- Okay, hello, Alders. There have been several communications about asking about the 2020 Budget, projection, and there also have been some inquiries about loss of revenues and estimates on those. I want to give you a very high level update of where we are as of today. I worked with the department heads to pull some of this information together. What I'm gonna go through, I'm gonna talk to you about some of the larger revenues that should not be affected by the 2020. These are general funds. And one of them, our taxes, I know there was questions about taxes. Our real estate taxes are made whole by the county, so there should be very little, almost no impact to the 2020 budget based on real estate taxes. At this point we don't expect any reduction in any of the state aids that were set aside in our 2020 budget. I talked to Director Vonck, and permits, we asked about permits. He said there's been no noticeable slowdown in requests. He believes that they're close to budget when this year is over, unless something drastically changes. Some of . one is a police-liaison program from the school, that's still right on track. Rescue Squad fees or EMS, we at this point expect it to be on budget, slowing down a little bit right now, but expect it's gonna tick back up. There was questions about insurance. The city is self-insured. And so we confirmed with our third party administrator that at this point we are actually seeing a reduction in the spring, in the summer, they do believe that it'll probably tick back up at the end of the year. But based on some modeling they did, the assumption that we're gonna have eight weeks of stay put at home, we will probably have a savings in 2020 due to avoidance and deferred appointments. So at this point we are not concerned about our insurance costs for health and dental, or even for workers comp for general liability at this point for 2020, so we don't expect increased expenses or loss of revenues in this case. And then at this point we don't

expect any reductions in DPW revenues. So those are some of the bigger ones that people have asked about. We are not expecting, we expect we expect to be close to budget on those items. Some of the other items that we do think there might be a slight reduction is special events, just due to everything that's going on. It's a small budget, only \$10,000 budget, but we do expect a reduction in revenues. Interest on our investments. As anyone has seen, the rate has dropped. It's plummeted. But we do expect that we are gonna be short on interest on investments, that could be to a tune of \$100,000 to 200,000 this year if the rate remains as low as it is now, but that could also bounce back up. There was questions or concerns about the hotel motel room tax. At this time we are actually ahead of budget for four months into the year. The city only takes, we only get 4% of the 8% room tax, so there's a small portion that's linked to our general fund, so if it does drop off, especially if there is no Packer season this year, we may experience a small decline in revenues toward the end of this year. But the larger issue, of course, is debt service for the KI Convention Center, and due to a large stabilization reserve fund, we are not concerned about that debt service not being paid in '20. If something drastically happens, we could be concerned at the end of 2021. But at this point we have no concerns in 2020 budget for paying that debt service. We know that the tavern licenses, that the council approved, reduction to statutory limits, so we know there will be a reduction of about \$60,000 in that line item. Questions have come up about elections. At the two elections, we are on budget. We had some additional costs. However we also had some salary savings for poll workers. So at this point we're really unable to give you a projection on the August and November costs, based on, at this point, we don't know what decisions will be made. And actually some of the decisions are out of our control. So at this point we are on budget, or actually slightly under budget for after two elections. Muni court violations, checked into that. The first two months we were actually ahead of budget, and ahead of prior year. Currently there are less citations being written. At this point, not too concerned about the reduction in the citations being written because we were ahead of budget. Other things, like if the Packers don't have a season this year, we will have a reduction in the expenses for those expenses, well, the reduction in expenses and revenue, but those will be offset, they'll wash. And then the other department is Parks. Obviously Parks has had, will definitely have reduction in some revenues. This is per our Director in Parks, he said at this point we're unsure whether or not the programs or facilities will open this season. He said assumption is that if we don't rent any of the pools or playgrounds or shelter programs at all this summer, there will be a loss of over \$830,000 in revenue. However, we're gonna reduce expenses by over a million dollars as these are actually, these programs, actually, we lose money on, they don't actually bring in enough revenue to cover them. So if we don't run any summer programs, we will actually be awash or slightly ahead and we'd have some savings. But of course that could change at any point if they do open during the summer. So, just a very quick overview at the general fund level. We are projected that we could be behind, somewhere between \$200,000 to \$400,000 based on today's, as of today. Some of the other questions that had come up, and this was already put into place, probably a month, month and a half ago, there is a team that is reviewing all open positions to make sure, prior to them being filled. We are also currently working with FEMA and the DOJ grant application to try to recoup some of the additional expenses that we have incurred during this pandemic. So, I did want to touch on a couple other things that, well actually, are in the communication from Alder Vander Leest. One of the questions or suggestions was to make a 10% reduction. Currently the general fund budget is at 84 million, so a 10% reduction would be about 8.0, over \$8 million, so if we did a \$10 million reduction, a 10% reduction by all departments, with salaries being 86%, to get over \$8 million, that would all have to be mostly done by reduction in employees. Let's see. To date, in expenses that we have been able to track due to the COVID-19, we have had some additional overtime, some straight salary, and we've had PPE and supplies, other additional expenses for teleworking. We're off to about \$150,000 in additional expenses. Again, at this point, the goal is to try to recoup these through grants. So the

expenses at this point, we think are going to be recovered, and the reduction in revenue could be somewhere between \$200,00 and \$400,000. Let me see. I just wanted to touch on a couple other budgets. Also we also have a sanitary budget. This is per Director Grenier. He said we did have a reduction in well-water pumping, which is down about 11%, so billings will be down. Expenses will be reduced, but not as much as the billings, so we will probably run below budget. Storms should be fine as those rates are set at the beginning of the year. And then if we're looking at the Parking Utility, obviously, that's a whole different story. The estimates, probably because of the stay at home, revenues are falling anywhere between 80 and 90% short of budget. Per director, this could be over \$3 million reduction in revenues by the end of 2020. And then the last item, budget, that I want to talk about is Bay Beach. If that does not open for the season they could lose profits of over \$575,000, and they'll also continue to incur expenses of nearly \$1.1 million in full-time staff, utilities, and annual bond payments. Similar questions and communications have come in prior to this communication, and so there is already an item that's gonna be discussed at the May 12th Finance Committee meeting. So that is a very high level general fund. We are looking at a shortfall of a couple \$100,000. Whether or not, I don't know if we have the expenses to offset them. We certainly, any increased expenses, we plan to recoup from grants. A 10% reduction would be over 8.6 million, and that would have to come from reduction of salaries. And that's the overview or the presentation that I have at this point. If you have any questions, again, we'll address it and tackle it again at the next Finance Committee meeting.

- Thanks so much for that, Director. Any questions?

- Here.

- Alder Brunette?

- Yes, thank you, Mayor. Director Ellenbecker, thank you very much. I know you've been tasked with a lot right now, and these are, I just want you to know that what you're doing is much appreciated. Tough conversations ahead, I know. I guess my question to you, though, is, you mentioned grants as a possible funding source to offset any budget shortage. Obviously I don't know, when you say grants, there are a lot of types of grants, but I would imagine that every other municipality is probably going to be seeking the same sort of grant, and the grants might not be, are we spending a lot of time, like staff, to try and get those grants, and if so, what's the, what sort of grants are we pursuing, and are we spending too much time pursuing those when we should be working on other things?

- I can start with, we have already been allocated a grant from the Department of Justice, it's really, we already know the amount, we have a grant amount that's already been allocated. There is zero match, so at this point we are working with the Police Department to collate all of our expenses. It could be a tune of \$151,000 that has been allocated to the city of Green Bay, and that's because we

DOJ grants, and so that has really been really allocated already. So many of the expenses that are for the teleworking, for supplies, materials, those types of things, will be able to be recouped through that grant. There is also a FEMA grant, and the FEMA grant is a 75% match, and that is really for life and safety. So in an emergency operation, many of the things that the emergency operation, Chief Litton's group, some of the things that the police and fire have been doing, those would be considered, be able to get, potentially, we're gonna apply for that grant, and there's a good change that some of that will be recouped at 75%. Got off a call today with the League of Municipalities. They had a gentleman on there who was an expert. We are having another meeting next week to actually work with just the specific regions in the state to go through how to make sure that you are applying appropriately. At this point, the gentlemen who was on the phone today, we, I don't have his name in front of me right now, at this point, there's no need to rush in. At this point they don't believe that there will be a shortage of, there's not a cap at this point of how many millions of dollars that they will be putting out for this FEMA grant. So at that point, that is our second grant. And then there are some other departments within the city of Green Bay that have already received some allocations for CARES Grants. And I don't know much about that because they've been really handling those in their own departments.

- Okay, thank you. Thank you, Mayor.

- Thanks, Alder. Others?

- I've got one question for Director Ellenbecker?

- Yes, go ahead, Alder.

- I just want to know, do you think we'll be having like a \$5 million reduction or sources when this is all said and done. Do you think a \$5 million will?

- I, at this point, I'm looking at about a 400,000 reduction in our general fund. There will be reductions in some of our other funding sources. I guess I did not add them all up, but I didn't know if you were more concerned about the general levy. Again, sanitary and storm will have some additional reductions, well, sanitary could have a larger reduction. Parking is going to experience, it could be up to \$3 million, and Bay Beach could also be up to a million to really a million and a half, a half a million to a million and a half, based on if and when they, if they do or don't open for the year. If you're specifically talking about general levy, our general fund, we're looking at maybe a couple 100,000 at this point.

- Okay, all right, thank you for your information. Good job, I appreciate that.

- Anything else? All right, with that, thank you so much, Director Ellenbecker for that overview. Really appreciate it.

- Thank you.

- Now we are onto Committee of the Whole. A couple of items here. The first one, consideration with possible action on the resolution In Support of Communities Disproportionately Affected by COVID-19. Something that I touched on earlier at the front of our meeting, this is a resolution that was brought to our attention or suggested by a resident of our community, Christina Thor, who does some great diversity and inclusion work with the Boys and Girls Club. Based on some language that was approved in one of the Twin Cities, and so we took a look at that and modified it and fit it to our situation in Green Bay, unfortunately recognizing that we did have an incident of graffiti directed towards one of our downtown businesses here, Main Oriental Market, so acknowledged that in the writing of this resolution, of course, noting how inappropriate and uncalled for that is, and so wanting to send the message, of course, that we're all united against that kind of behavior. While this conversation was going on, unfortunately we saw the dramatic spike in cases associated with our meat packing plants and food processing plants here in the city of Green Bay, and that increase in cases is really disproportionately affecting those essential workers who have continued to go to work in those environments. A good proportion of them are within the Latino community here in Green Bay. So again, just wanted to send that united message that we are all in this together, while at the same time recognizing that some folks in this community are bearing a heavier burden at this time. Any thoughts or questions on that resolution from Alders?

- Motion to approve.

- Mayor?

- Second.

- Motion made by Alder Scannell, seconded by Alder Dorff.

- [Celestine] Mayor?

- Alder Wery? You're muted, Alder.

- [Celestine] Mayor, there's someone who would like to speak from the community.

- Oh, very good.

- Well, I'll make a motion to open the floor.

- Second.

- Second.

- Made by Alder Wery, seconded by Alder Scannell, to open the floor, all in favor signify by saying aye?

- [All] Aye.

- Opposed, nay? The floor is open. Just state your name and address before you speak. If we have a member of the public who wishes to speak, just state your name and address, please?

- [Celestine] Yes, Kou Vang, you can go ahead and talk.

- [Kou] And then I was kind of waiting. My name is Kou Vang, I serve as constituents in Green Bay. Know a lot of Hmong and Asian, so I am here today to speak on their behalf, Green Bay community that cannot make the meeting due to technical challenges, such as Zoom, with the current situation that the state, the state of Wisconsin that we're in. Asian Americans have been a part of the Green Bay community for over 40 years. They are taxpayers, business owners, homeowners, part of the schools, the workforce, and more. Most importantly, diehard Packer fans. This resolution is important to the Asian community. It shows that the greater community is inclusive against racism in the Green Bay community. It gives us the peace of mind that the community is part of Green Bay, and that despite a small minority of people who may not understand where COVID is from, the greater population overall are very good citizens, that poor, young or old, pink or brown, yellow, white, it just attacks you where it counts. Where COVID-19 originates from has nothing to do with the Asian community in Green Bay. Thank you.

- Thank you so much for your comments, sir.

- [Celestine] Please also give your address, Mr. Vang, before you go.

- [Kou] My address is 1625 West Kaylee Lane, Appleton, Wisconsin, 54913.

- [Celestine] Thank you very much.

- [Eric] Do we have any other members of the public? All right, I'll entertain a motion to close the floor.

- [Randy] Motion to close the floor.

- Second.

- Second.

- [Eric] Made by Alder Scannell, seconded by Alder Steuer to close the floor to public comment. All in favor signify by saying aye?

- [All] Aye.

- [Eric] Alder Wery?

- [Chris] Thank you, Mr. Mayor. One item, and I don't know if it was meant, at the very end, be it resolved, that all these different people take persistent action to stop the spread of COVID-19. I don't think everybody realizes, that's not the goal, right, it's been to slow, it's always been, the flattening of the curve is to slow it, we're not gonna stop it. Would you mind if that just said to slow it? We all want to stop it, but. Not really a big deal, but. I think that we should be asking to slow it, not stop it, 'cause it's unrealistic to stop it. And I just want us to be thoughtful with our use of resolutions, 'cause I think we could, we could have, and I'm not opposed to this, who would be, but we probably could have 10 of these per meeting on a number of different things. So, intention, and I'm voting for it, so that's fine.

- [Eric] Very good, any other comments? All right.

- [Randy] Was that a motion to amend?

- [Chris] Yeah, I will do that.

- [Randy] Second.

- [Eric] Okay, motion has been made to amend by Alder Wery, seconded by Alder Scannell. All in favor signify by saying aye?

- [All] Aye.

- [Eric] Nay? The ayes have it, the motion has been amended. All in favor, or, I'll entertain--
- [Randy] Motion to adopt as amended.
- [Mark] Second.
- [Eric] Motion made by Alder Scannell. Seconded by Alder Steuer, to adopt as amended. All in favor please signify by saying aye?
- [All] Aye.
- [Eric] Opposed, nay? The ayes have it. And now we're onto discussion with possible action on the second Proclamation Extending the State of Emergency for the City of Green Bay COVID-19 Response. Attorney Chavez, correct me if I'm wrong here, I believe the only change to this resolution in comparison to the resolution adopted at our previous council meeting is the date to which the emergency is extended in the city of Green Bay? So we are extending, is it to May 20th?
- [Vanessa] That is correct. We are extending it to the day after the next council.
- Comments or questions?
- I do have a question.
- Alder Wery?

- Thank you, Mr. Mayor. Is this, this is basically in response, in partnering with Governor Evers' Declaration of Emergency, right?

- No.

- This is separate, okay. Because I know his is being, obviously, challenged.

- Yeah, and the date on the stay at home order is May 26th.

- Pending, I don't know if the court ruled today or not, I know they were hearing arguments. I didn't hear if it was resolved?

- No, they haven't ruled yet.

- Okay, that's all I have for right now, thanks.

- Okay.

- Thank you, Mayor.

- Yes, thank you, Mayor. If, correct me if I'm wrong, but this is sort of a continuation of the original one that we passed, was that in March? Situation, and I believe in that order, that gives a lot of authority to the executive of the city, which would be the mayor, is that correct? So this is just sort of the continuation of that?

- Yes, there's been amendments made along the way, but it is a continuation of that original.

- One thing that I would just suggest, Mayor, and I understand that you have to take action, no question, I understand that. But when we first passed that in March, I think we were, so much was unknown. We didn't know if we'd be able to meet again, even like this for a while. And what I found through this whole coronavirus outbreak is that as a council we, we're able to meet rather quickly. Now, we have meetings like this that happen, that are noticed the day before. So what I would encourage you to do, Mayor, if there's any major thing, any major decision that you're wrestling with, even though per the order you have the authority to make these decisions, just out of respect for the council that you would convene a meeting through May, of this body, so that we can have input on major decisions, decisions like if it's necessary to close a pool for the summer or anything like that, an emergency order of staffing related issues, I think as a council, we would have to weigh in on some of those decisions.

- Yeah, absolutely, and as you'll remember, Alder, we've already had two emergency meetings as to the outbreak.

- Yeah, that's my point exactly. So we can meet quickly, so thank you.

- Okay. Other thoughts? Okay, seeing none--

- Motion to adopt.

- Second.

- Made by Alder Scannell, seconded by Alder Steuer. All in favor will signify by saying aye?

- [All] Aye.

- Nay? The ayes have it, onto Resolutions.

- Motion to suspend the rules.

- Do you want to take one separate because it was amended, or?
- Is that necessary to do that, since it's been amended? Or does that sort of carry over?
- It's been done different ways, so I just want to confirm.
- Attorney Chavez, do we need to take them separately?
- [Vanessa] It's just cleaner if you do it separately since you guys did amend the language. But, the intent was, to take it separately, just to make it clear.
- Okay. So we will take the first resolution independently.
- Motion to adopt.
- Second.
- Second.
- By Alder Scannell, seconded by Alder Dorff, to adopt item T I, all in favor will signify by saying aye?
- [All] Aye.
- Opposed, nay? The ayes have it.

- Motion to suspend the rules for the remainder.

- For items two through four.

- Mm hm.

- Second.

- Motion made by Alder Scannell, seconded by Alder Dorff to suspend the rules to take up the remainder of these items with one roll call vote. That motion, please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it, the rules are suspended. I'll entertain a motion to adopt resolutions--

- Motion to adopt.

- Second.

- Made by Alder Scannell, seconded by Alder Dorff. Please use the board. Passed unanimously. Onto Ordinances First Reading.

- Motion to suspend the rules.

- Second.

- Second.

- Motion made by Alder Scannell, seconded by Alder Stevens to suspend the rules to take up these items with one roll call vote. All in favor of that motion please signify by saying aye?

- [All] Aye.

- Nay? The ayes have it, the rules are suspended.

- Motion to advance.

- Second.

- Second.

- By Alder Scannell, seconded by Alder Dorff to advance items one and two to a second and final reading. All in favor please signify by saying aye?

- [All] Aye.

- Opposed, nay? The ayes have it, and they've been advanced to a final reading. Petitions and Communications. Alder Brunette?

- Yes, thank you, Mayor. This is for Protection and Policy. For consideration with possible action on allowing the public to address the city council on non-agenda items at each full common council meeting. For example, this could be to allow up to three or no more than five minutes per speaker. And I have already emailed that to the Clerk. Thank you.

- Alder Corpus-Dax?

- Thank you, Mayor. This is gonna go to Personnel, I believe. Consideration with possible action to review city official appointments or reappointments so that it doesn't coincide with council being sworn in.

- Alder Dorff?

- Thank you.

- Very similar communication to Personnel. For the city to research and conduct a study ranks of appointed officials in comparable municipalities to determine whether the term length of a city-appointed official should be amended to be longer than two years.

- Just a friendly suggestion, would you be willing, Alder, to incorporate Alder Corpus-Dax's question on the timing as well?

- Yes, I would be.

- Okay.

- Alder Dax, would you accept that?

- I accept that, mm hm.

- And I'll email this to the Clerk.

- Any others?

- I do.

- Alder Wery?

- Thank you, Mr. Mayor. Protection and Policy. To obtain bids or quotes from consultants for an external election review of processes used and administration of the April 7th, 2020 election. Preference given to attorneys with election law experience, current or former municipal clerks, or positions such as Milwaukee's inspector general.

- Alder. Any others? I'll entertain a motion.

- Motion to submit.

- Second.

- Second.

- Made by Alder Scannell, seconded by Alder Dorff, to refer all petitions and communications to the proper authority. All in favor of the motion please signify by saying aye?

- [All] Aye.
- Nay? The ayes have it, those petitions and communications have been referred. Adjournment.
- Motion to adjourn.
- Second.
- Second.
- Second.
- Made by Alder Scannell, seconded by Alder Steuer. All in favor please signify by saying aye?
- [All] Aye.
- Okay, we are adjourned.