



AGENDA OF THE IMPROVEMENT AND SERVICES COMMITTEE

WEDNESDAY, JULY 15, 2020, 6:00 PM

Virtual Meeting
Public may also view meeting at
www.youtube.com/cityofgreenbay

A. Zoom Meeting Information.

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

B. Roll Call.

C. Approval of the Agenda.

D. Approval of Minutes.

E. Regular Business.

- I. Consideration with possible action on request by Michael Krouth, 311 N. Henry Street, to refund \$470 in connection fees for mini-storm sewer connection.
2. Consideration with possible action on request 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 (referred to staff at the April 29, 2020 Improvement and Services Committee meeting to modify existing ordinance to further define pervious area in the ordinance and report back to Committee). (Ald. Brunette)

3. Consideration with possible action on request that Department of Public Works looks into the storm water sewer backups starting from East Shore Circle to California/East Shore Drive (referred to staff at the June 10, 2020 Improvement and Services Committee meeting). (Ald. Lefebvre)
4. Consideration with possible action on request for status update on plans to address chronic flooding in the vicinity of Main and East Mason Streets and Department of Public Works staff to report back to the Committee on feedback from designer on phasing the project (held at the December 10, 2019 Improvement and Services Committee meeting). (Ald. Nicholson)
5. Consideration with possible action on request for (1) review of the Department of Public Works completion date expectations with possible action, and (2) notification to the Brown County Home Builders Association about the meeting as Department of Public Works staff will be meeting with Brown County Home Builders Association on December 12, 2019 (held at the April 8, 2020 Improvement and Services Committee meeting). (Ald. Nicholson)
6. Consideration with possible action on request to amend Chapter 9, Subsection IV, Green Bay Municipal Code to address pavement assessments against residential properties located in mixed use zoning areas. (Ald. Stevens)
7. Consideration with possible action on request by Wisconsin Department of Transportation to enter into a Routine Maintenance and Operation Agreement for the Ray Nitschke Memorial (Main Street) Bridge for State Fiscal Year 2021 (July 1, 2020 – June 30, 2021).
8. Consideration with possible action on request by Department of Public Works to award construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee for SEWERS 5-20 S. GRANDVIEW ROAD SANITARY SEWER.
9. Report the award of the contract SOUTH BAY SHORE DIKE REINFORCEMENT.
10. Report of actions taken by Department of Public Works

A. Granting of Licenses

1. Sidewalk Builder to Poblocki Paving Corp.
2. Underground Sprinkler System to ADC Maintenance LLC.

F. Informational.

1. Director's Report on recent activities of the Public Works Department.
2. The next Improvement and Services Committee meeting is scheduled for August 12, 2020.

G. Public Hearings.

H. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Improvement and Services Committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.

Virtual Meeting Instructions



Improvement & Services Committee 7-15-20

Zoom Meeting Information

Join Zoom Meeting

<https://us02web.zoom.us/j/81981589501?pwd=Yi9mZi9hYTVGS2g5bllrK29rQkpBdz09>

Meeting ID: 819 8158 9501

Password: 291179

One tap mobile

+19292056099,,81981589501#,,,,0#,,291179# US (New York)

+13017158592,,81981589501#,,,,0#,,291179# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 819 8158 9501

Password: 291179

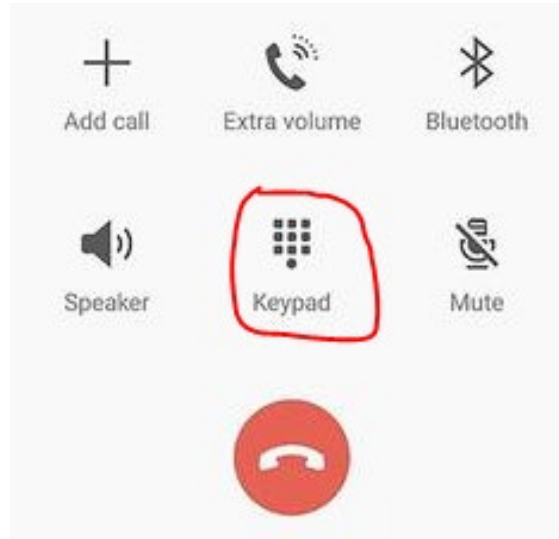
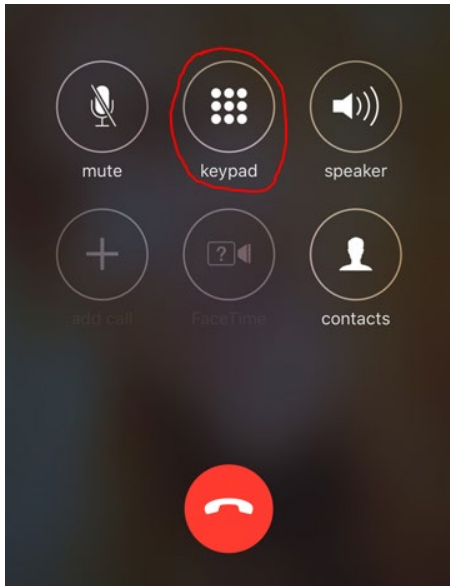
Find your local number: <https://us02web.zoom.us/j/kBe82MJT6>

Additional Information

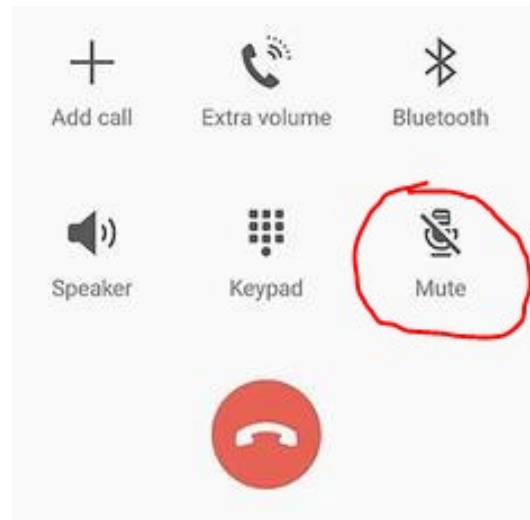
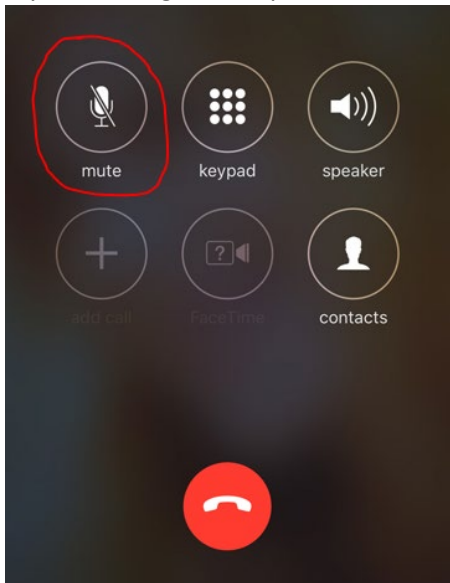
1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
3. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
4. Once you are in the meeting please mute yourselves.
 - a. You may unmute yourself when you are called upon to speak.
5. Waiting room
 - a. When you call in, all callers/participants will be placed in a “waiting room.”
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
6. Using Zoom with a tablet or computer
 - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
 - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
7. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
 - b. If you’re using a phone, your registration will still be tied to an email.
8. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
9. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you will be asked to verify your email.
10. Zoom etiquette
 - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
 - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
11. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching live on YouTube will see a gray screen with the City logo during closed session.
12. Persons interested in listening to the meeting can go to www.youtube.com/CityofGreenBay

Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
 - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application





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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.1

Consideration with possible action on request by Michael Krouth, 311 N. Henry Street, to refund \$470 in connection fees for mini-storm sewer connection.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 311 S. Henry St.- Requesting Refund Mini-Sewer Fee.

From: Michael Krouth [mailto:mkrouth@sbcglobal.net]

Sent: Monday, July 06, 2020 3:34 PM

To: Kyle Vander Loop

Subject: 311 S. Henry st.- mini-sewer.

Hi Kyle,

Per our conversation about mini-sewer fee reductions this afternoon.. here is my situation. I ordered the mini-sewer for my house at 311 S. Henry St. late last year. I paid the \$970. fee. Since the fee for a mini-sewer has been lowered.. and mine is not yet installed.. I certainly wouldn't mind the refund.

Thanks.

Michael Krouth

311 N. Henry St.

Green Bay, WI 54302

920-713-1007



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.2

Consideration with possible action on request 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 (referred to staff at the April 29, 2020 Improvement and Services Committee meeting to modify existing ordinance to further define pervious area in the ordinance and report back to Committee). (Ald. Brunette)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 26-20 - Amend 30.20 Storm Water Utility

GENERAL ORDINANCE NO. 26-20

**AN ORDINANCE
AMENDING SECTION 30.20,
GREEN BAY MUNICIPAL CODE,
RELATING TO STORM WATER UTILITY**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 30.20(1), Green Bay Municipal Code, is hereby amended as follows:

(1) *Findings.*

- (a) The city finds that the management of storm water and other surface water discharges within and beyond its borders is a matter that affects the public health, safety and welfare of the city, its citizens and businesses and others in the surrounding area. The development of land increases impervious surfaces and results in increased storm water runoff. Failure to effectively manage this increased storm water runoff affects the sanitary sewer utility operations of the Green Bay Sanitary District by, among other things, increasing the likelihood of infiltration and inflow in the sanitary sewer. In addition, surface water runoff may create erosion of lands, threaten businesses and residences with water damage and create sedimentation and other environmental damage in the city.
- (b) The cost of operating and maintaining the city storm water system, ensuring regulatory compliance and financing necessary plans, studies, repairs, replacements, improvements and extension thereof should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom.
- (c) **The city further finds that pervious surfaces are preferable to impervious surfaces for managing storm water. Accordingly, the calculation of Equivalent Runoff Units (ERU), which are used to calculate storm water utility charges, as detailed in this chapter, shall be limited to impervious surface area. Pervious surfaces, such as forested areas, yard and terrace trees, lawns, gardens, planned natural landscaping, and undeveloped property shall be exempt from the calculation of ERU and storm water utility charges.**

SECTION 2. Section 30.20(4)(p), Green Bay Municipal Code, is hereby created to read:

- (p) **Pervious Area or Pervious Surface.** A horizontal surface that is covered by vegetation or other naturally-occurring material that promote the

infiltration or transpiration of precipitation, thereby reducing the amount of storm water runoff. Pervious areas include, but are not limited to, forested areas, yard and terrace trees, lawns, native vegetation, planned natural landscaping, and undeveloped properties.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. Effective Date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ of _____, 2020.

APPROVED:

Mayor

ATTEST:

Clerk

SMG

7/21/2020



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.3

Consideration with possible action on request that Department of Public Works looks into the storm water sewer backups starting from East Shore Circle to California/East Shore Drive (referred to staff at the June 10, 2020 Improvement and Services Committee meeting). (Ald. Lefebvre)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.4

Consideration with possible action on request for status update on plans to address chronic flooding in the vicinity of Main and East Mason Streets and Department of Public Works staff to report back to the Committee on feedback from designer on phasing the project (held at the December 10, 2019 Improvement and Services Committee meeting). (Ald. Nicholson)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Main Street - Ellis Creek Analysis Memo 4282020



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

100 N. Jefferson Street, Room 300
Green Bay, WI 54301
Tel (920) 448-3100
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INTER-OFFICE
MEMO

TO: Steven Grenier – Director of Public Works

FROM: Matthew R Heckenlaible – Utility Manager

SUBJECT: Main Street – Ellis Creek High Water Analysis
Summary of Brown & Caldwell's Conclusions

DATE: For presentation to I&S Committee – July 15, 2020

C: James Brunette – Assistant Director of Public Works

Brown and Caldwell has looked at numerous alternatives to try to relieve the significant ponding of water in the low spots near 1940 Main Street and 1988 East Mason Street. This concern has been modeled and analyzed at a minimum of three times over the past fifteen plus years by various engineering consultants. There has been deemed no singular cause or solution towards this resolving these problems.

Brown and Caldwell's initial task was to investigate the feasibility of an underground detention facility that would eliminate all the storm runoff from the East Towne Mall area. The analysis resulted in reducing the water elevation by a few inches at an estimated cost of over \$20,000,000. The cost was too significant for the achieved benefit so this alternative was discarded.

Brown and Caldwell then went back and reviewed a few of the previous studies to see if something was missed or overlooked in those studies. Those older studies looked at implementing one or two of the alternatives but again none of them had any significant impact on the problem areas. While looking at the older alternatives the question was asked about possibly adding a storm pumping station in the vicinity of Schoen Street and Hillside Drive to try and push more water through the existing storm sewer system. It was determined that a second storm sewer system or relief storm sewer system would be required on top of the rather large and expensive storm lift station. Constructing a parallel relief storm sewer alongside of the existing storm sewer would prove to be difficult if not impossible because of property development and other existing utilities in the vicinity.

Brown and Caldwell was then to consider running a gravity relief storm sewer down the center of Main Street from East Mason Street north to Baird Creek. This would involve more than 6,000 feet of 6 foot by 12 foot box culvert at depths in some areas around 20 feet could in theory convey and relieve storm water for a one in twenty-five chance storm event at an anticipated cost of \$30,000,000. The City had some very general discussions relative to the alternative with the Wisconsin Department of Natural Resources to see if they had any concerns. Due to the extremely large volume of water that could possibly be conveyed by this extremely large relief storm sewer, they had acknowledged downstream concerns relative to Baird Creek and the washing out of the shoreline starting at the Riverside Ballroom, the adjacent residential and commercial properties from Main Street all the way to the East River. They also had similar



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INTER-OFFICE MEMO

concerns relative towards the East River all the way to the Fox River. They stated that a significant number of studies on Baird Creek and East River would need to be completed along with other environmental studies that could take years to perform, review, revise and there was no guarantee that those studies would play favorable into getting this project permitted. In addition to the environmental impacts, constructability concerns, and significant cost, the more intense rain storms would still result in significant ponding in these areas. Therefore, this alternative was also dropped.

More recent efforts of Brown and Caldwell was to look at the entire drainage basin and see if there was something that could be completed elsewhere or in combination that could aid in reducing these high water scenarios. Brown and Caldwell came up with seven possible locations in the immediate vicinity of the more significant ponding that could be considered for the inclusion of dry detention basins. These potential sites are shown below.





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INTER-OFFICE MEMO

Due to various factors such as existing utilities, size and existing development, sites 1, 2 and 3 were initially considered by the Consultant but would not be considered as viable alternatives by DPW Engineering Staff. Sites 4A, 4B, 5 and 6 would all require the City to acquire these properties. In addition to these four sites, a large storm sewer would also need to be constructed from near Lime Kiln Road south to East Mason Street to aid in reducing the high water concerns within East Mason Street. The approximate additional storm sewer can be seen below.



The last combined alternative would be around Van Beek Road and Manitowoc Road where the open channel of Ellis Creek is routed into the existing large underground storm sewer. This area has a history of backing up which sometimes impacts the private residents in the area. This alternative would consider expanding the already low area to try and build some additional up-stream storage. This would require the City to acquire six (6) properties and relocate a portion of

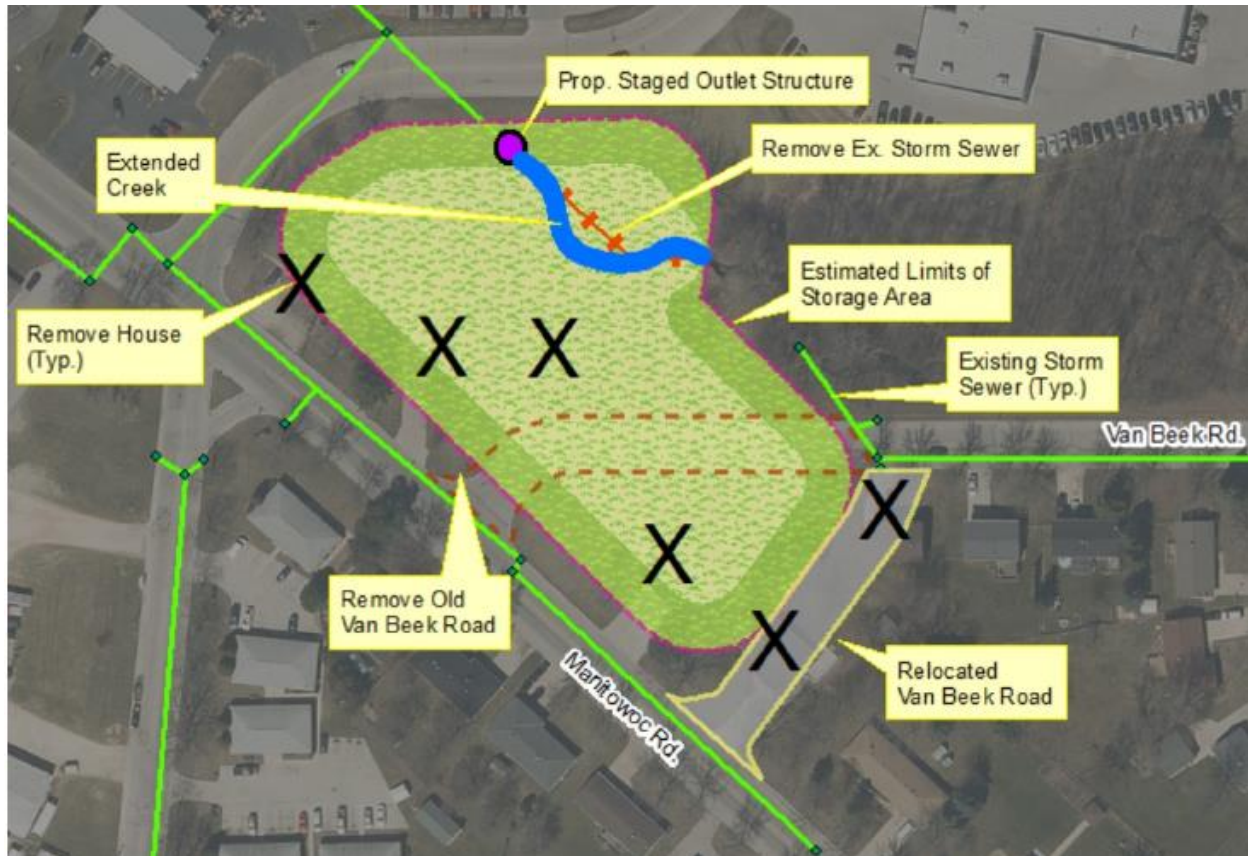


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INTER-OFFICE
MEMO

Van Beek Road including public and private utilities. A concept of this alternative can be seen below.



Brown and Caldwell analyzed ten combinations of the above alternatives, with some including Sites 1, 2, and 3, to see how they impacted the low spots at East Mason Street low spot and Main Street. Some of the alternatives had positive results for East Mason Street but continued to impact Main Street and vice versa. Most had positive results relative to the City's 10-year design storm (one in ten chance storm) along with the one in twenty-five chance storm. However, none of the alternative combinations completely eliminated elevated ponding water in these areas for the one in one-hundred chance storms.

The alternative with the greatest results in resolving the ponding in these locations would be the combination of Sites 4A, 4B, 5, 6, the large relief storm sewer within Main Street and the enlargement of the Van Beek – Manitowoc Road detention area.

The modeling results shows standing water of approximately 2.5-inches in the low spot within East Mason Street for the one in one-hundred chance storm. However, it did not have as significant of an impact at the low spot on Main Street resulting in about 8-inches of ponding water for the one in twenty-five chance storms and around 24-inches of ponding water for the one in one-hundred chance storms. That is a reduction of around 16-inches for the one in one-hundred chance storms and reduces the duration that the water ponds in this area. Obviously this



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INTER-OFFICE
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combination of alternatives still does not eliminate all the ponding water but it needed to be presented for discussion.

A benefit towards this alternative is that it could be implemented in phases over the course of several years which would spread the capital cost out over a longer period of time. Current anticipated costs associated with these alternatives are as follows.

Alternative	Land Acquisition / Relocation Cost Estimate	Estimated Construction Cost	Alternative Total
4A + 4B combined	\$1,250,000	\$1,150,000	\$2,400,000
5	\$375,000	\$375,000	\$750,000
6	\$375,000	\$300,000	\$675,000
Relief Storm Sewer	-----	\$2,300,000	\$2,300,000
Van Beek Storage	\$1,600,000	\$1,000,000	\$2,600,000
Total	\$3,600,000	\$5,125,000	\$8,725,000



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.5

Consideration with possible action on request for (1) review of the Department of Public Works completion date expectations with possible action, and (2) notification to the Brown County Home Builders Association about the meeting as Department of Public Works staff will be meeting with Brown County Home Builders Association on December 12, 2019 (held at the April 8, 2020 Improvement and Services Committee meeting). (Ald. Nicholson)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. EC Final Site Inspection 2019 Memo



DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

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

DPW – FINAL SITE INSPECTION MEMO 2019

SITE INFORMATION: ADDRESS: _____ **Project #** _____
Contractor Name: _____
Owner Name: _____

INSPECTION DATE: (Month/Day/Yr) _____

BMP – Issue	Required Y/N	Complete Y/N	To Be Installed Y/N	N/A	Quantity Req'd	Units	Estimated Cost to Complete	Comments
Inlet Protection						Each		
Tracking Pad						Each		
Silt Fence						LF		
Silt Log						LF		
Vegetated Buffer						SY		
Straw/Mulch						SY		
Erosion Mat						SY		
Vegetated Cover Seeded / Established						SY		
Sidewalk						SF		
Driveway						Each		
Driveway Apron (25' Wide Opening)						Each		
Storm Water BMP Installation / Functioning								
Total Cost							\$	

Remaining items noted above that require corrective action or work to be completed will require a Cash Bond in the amount identified above to be deposited with the City of Green Bay Treasurer's office per Municipal Code Section 15.16(4) prior to the issuance of the Certificate of Occupancy. If corrective actions noted above are not completed by the dates agreed upon below, the City can utilize the cash bond to make the corrections.

If all corrective actions noted above are completed prior to the completion listed dates below, contract the DPW Representative identified below to request the release of the cash bond.

Party Responsible for Installation/Repair of Erosion Control BMP's:		Work Must be Completed By:	
Party Responsible for Final Site Stabilization:		Work Must be Completed By:	
Party Responsible for Sidewalk/Driveway/Apron Installation:		Work Must be Completed By:	

Contractor Signature: _____

Date: _____

Homeowner Signature: _____

Date: _____

DPW Representative Signature: _____

Date: _____

☐ Copy to Contractor ☐ Copy to Owner ☐ Copy to Owner ☐ Copy to File (ECLIPS)



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ENGINEERING DIVISION

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DPW – FINAL SITE
INSPECTION MEMO
2019

COSTS	2019	2019 + 20% Admin Fee
Inlet Protection	\$75.00 /EA	\$90.00 /EA
Tracking Pad	\$2,000 / EA	\$2,400 / EA
Silt Fence	\$2.00 /LF	\$2.40 /LF
Silt Log	\$2.00 /LF	\$2.40 /LF
Vegetated Buffer	\$1.50 / SY	\$1.80 / SY
Straw/Mulch	\$1.00 / SY	\$1.20 / SY
Erosion Mat	\$2.00 /SY	\$2.40 /SY
Vegetated Cover (Rye)	\$1.50 / SY	\$1.80 / SY
Sidewalk	\$6.50 / SF	\$7.80 / SF
Driveway (25' wide x 25' deep =	\$6.50 / SF \$4,100 / EA	\$7.80 / SF \$4,875 / EA
Driveway Apron (Based upon 25' opening @ R/W, 35' @ curb 12' deep)	\$6.50 / SF \$2,350 / EA	\$7.80 / SF \$2,820 / EA

DPW COMPLETION DATE EXPECTATIONS

CO's to be issued on sites prior to October 15 WILL BE SEEDED for final/temporary vegetated cover and ALL concrete work WILL be completed.

CO's to be issued on sites after October 15 and prior to November 1, final seeding will require a Cash Bond and ALL concrete work WILL be completed.

CO's issued AFTER November 1 will require Cash Bond for E/C, Vegetated Cover and ALL Concrete Work.

70% Vegetated Cover to be established prior June 1, E/C requirements perimeter controls enforced until vegetative cover is established

ALL outstanding concrete work to be completed prior to May 1



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.6

Consideration with possible action on request to amend Chapter 9, Subsection IV, Green Bay Municipal Code to address pavement assessments against residential properties located in mixed use zoning areas. (Ald. Stevens)

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 27-20 - Amend Chapter 9 Special Assessments

GENERAL ORDINANCE NO. 27-20

AN ORDINANCE
AMENDING CHAPTER 9, SUBCHAPTER IV,
GREEN BAY MUNICIPAL CODE,
RELATING TO SPECIAL ASSESSMENTS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 9.43, Green Bay Municipal Code, shall be amended to read:

9.43. ASSESSMENTS FOR PAVEMENT CONSTRUCTION.

(1) *Definitions.*

- ~~(a) *F.A.U. system.* Those streets designated by action of the Council, approved by the Wisconsin Department of Transportation and the Federal Highway Administration, which are eligible for up to 75 percent federal funding.~~
- ~~(b) *F.A.P. system.* State highways and connecting highways in the city which are eligible for up to 100 percent federal and state funding.~~
- (a) *Principal arterial.* A major street assigned the functional classification of principal arterial by either the adopted Green Bay, Wisconsin, Comprehensive Plan or the adopted Brown County Comprehensive Plan.
- (b) *Minor arterial.* A major street assigned the functional classification of minor arterial by either the adopted Green Bay, Wisconsin, Comprehensive Plan or the adopted Brown County Comprehensive Plan.
- (c) *Collector.* A major street assigned the functional classification of collector by either the adopted Green Bay, Wisconsin, Comprehensive Plan or the adopted Brown County Comprehensive Plan.
- (d) *Local street.* A city street which generally serves residential areas or small commercial and industrial areas which is not defined above as an ~~F.A.P. street, F.A.U. street,~~ principal arterial, minor arterial, or collector.
- (e) *Residential zones.* ~~Includes first residence, second residence, third residence, fourth residence, residential park, and planned unit residential districts as defined by sections 13.03, 13.035, 13.04, 13.05, 13.07, and 13.47, Green Bay Municipal Code.~~ Properties located within residential districts, defined under Subchapter 13.600, Green Bay Municipal Code, or mixed use districts, defined under Subchapter 13.700, Green Bay Municipal Code, for which the primary use of the property is single-family or two-family dwellings.
- (f) *High-type pavement.* Any pavement structurally equivalent or greater than a six-inch (6") concrete pavement; or a pavement with a minimum ~~1½-inch~~ one and

one-half inch (1½") bituminous surface on an eight-inch **(8")** gravel base, six-inch **(6")** concrete base, or six-inch **(6")** cement stabilized base.

- (g) *Type "A" street.* A street not previously opened to traffic.
- (h) *Type "B" street.* A street previously opened to traffic but lacking curb and gutter or integral curb.
- (i) *Type "C" street.* A street with a high-type pavement and curb and gutter or integral curb.
- (j) *Bituminous resurfacing.* The resurfacing of a type "C" street with a ~~1½-inch~~ **one and one-half inch (1½")** to two-inch **(2")** bituminous overlay from curb to curb.
- (k) *Bituminous patching.* Resurfacing of deteriorated areas on streets with approximately a one-inch bituminous mat.
- (l) *Concrete pavement.* A Portland cement concrete pavement with integral curb or curb and gutter meeting the standards and specification of the city's department of public works which shall be used on ~~F.A.U. streets, F.A.P. streets,~~ principal arterials, minor arterials, collectors, and local streets in commercial and industrial areas.
- (m) *Bituminous pavement.* A pavement with a bituminous surface, adequate base, and concrete curb and gutter, generally for streets of residential use, meeting the standards and specifications of the city's department of public works.
- (n) *Assessment factor ~~(A.F.)~~.* A basement price per front foot of street improvement, hereinafter referred to as "A.F.", which is computed for construction of bituminous pavement, concrete pavement, and bituminous resurfacing as follows:
 - 1. *Bituminous pavement.* The A.F. shall be computed to the nearest **next ten cents (\$0.10)** by dividing the total cost from the previous year's record of bituminous pavement with a 37-foot width back to back of curb by the total length of the assessable frontage of such pavement and adding any anticipated increase in cost per assessable foot of such pavement.
 - 2. *Concrete pavement.* The A.F. shall be computed to the nearest **next ten cents (\$0.10)** by dividing the total cost from the previous year's record of concrete pavements with a 45-foot width back to back of curb by the total length of the assessable frontage of such pavement and adding any anticipated increase in cost per assessable foot of such pavement.
 - 3. *Bituminous resurfacing.* The A.F. shall be computed to the nearest **next ten cents (\$0.10)** by dividing the total cost from the previous year's record of bituminous resurfacing by the total length of the assessable frontage of the resurfaced streets and adding any anticipated increase in cost per assessable foot of bituminous resurfacing.
- (2) *Assessments.* Assessments shall be based as follows on an A.F. computed according to subsection (1) above:

(a)	Street construction	Bituminous Pavements	Concrete Pavements
1.	Type "A" street residential zones and institutional zone	100% A.F.	Same rate as bituminous pavement
	All other zone classifications (single-family and two-family use apply residential zones rate)	100% A.F.	100% A.F.
2.	Type "B" street residential zones and institutional zone	60% A.F.	Same rate as bituminous pavement
	All other zone classifications (single-family and two-family use apply residential zones rate)	90% A.F.	90% A.F.
3.	Type "C" Street		
	a. Local street residential zones and institutional zone	30% A.F.	Same rate as bituminous pavement
	All other zone classifications (single-family and two-family use apply residential zones rate)	65% A.F.	65% A.F.
	b. F.A.U. and F.A.P. streets		
	— Residential zones and institutional zone	20% A.F.	Same rate as bituminous pavement
	— All other zone classifications (single-family and two-family use apply residential zones rate)	65% A.F.	65% A.F.
	c. If a street is a bus route and/or heavy traffic route at the time of the special assessment, a <u>ten percent (10%)</u> reduction in the assessment rate shall be given for residential zones and for single- and two-family use in all other zone classifications.		
(b)	Bituminous Resurfacing		All Pavement Types
1.	All street types		
	Residential zones and institutional zone		60% A.F.
	All other zone classifications (single-family and two-family use apply residential zones rate)		90% A.F.
	a. If a street is a bus route and/or heavy traffic route at the time of the special assessment, a <u>ten percent (10%)</u> reduction in the assessment rate shall be given for residential zones and for single- and two-family use in all other zone classifications.		
(c)	Bituminous Patching		All Pavement Types
1.	All Street Types		0% A.F.

(3) *Maximum assessments.* If the total preliminary assessments for a particular project exceed the city's total cost of the project, the final assessment rate for all parcels in the project will be reduced proportionately. The city's total cost of the project shall include the city's share of the construction cost plus all engineering and administration costs, **which shall be equal twenty percent (20%)** ~~(20 percent of the construction cost,~~ in accordance with ~~§ 66.60(5)~~ **66.0703(2)**, Wis. Stats.).

(4) *Assessment Protection and Credit.*

(a) Any current owner who has previously been assessed under this section for pavement construction or reconstruction or for bituminous resurfacing prior to December 7, 1999, shall not again be assessed for the reconstruction or maintenance of such pavement for the following number of years after Council's acceptance of the street:

1. Bituminous Resurfacing - 20 years
2. Bituminous Pavement - 25 years
3. Concrete Pavement - 35 years

(b) After December 7, 1999, when reconstructing or resurfacing streets, credit will be given to the property owner at the time the street is reconstructed or resurfaced for the remaining useful life of existing pavement calculated on current Special Assessment Rates adopted by the Common Council. The useful life of pavement shall be established as follows:

1. Bituminous Resurfacing - 20 years
2. Bituminous Pavement - 25 years
3. Concrete Pavement - 35 years

(5) *Alley Assessments.* There shall be no special assessments levied against parcels abutting any alley for improvements constructed in the alley unless the only frontage for the parcel is on the alley. If the only frontage for the parcel is on the alley, the special assessments for the improvements constructed in the alley shall be levied as if the alley were a street.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. Effective Date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ of _____, 2020.

APPROVED:

Mayor

ATTEST:

Clerk

SMG

7/21/2020



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.7

Consideration with possible action on request by Wisconsin Department of Transportation to enter into a Routine Maintenance and Operation Agreement for the Ray Nitschke Memorial (Main Street) Bridge for State Fiscal Year 2021 (July 1, 2020 – June 30, 2021).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Lift Bridge Maintenance Agreement - FY2021 COGB-FINAL-06.25.20

Routine Bridge Maintenance and Operation Agreement

Wisconsin Department of Transportation

Fiscal Year 2021

City of Green Bay

This Agreement is made by and between the State of Wisconsin Department of Transportation, a Wisconsin state agency, (the “Department”) and City of Green Bay, a Wisconsin municipal body corporate, (the “City”), collectively referred to as the Parties in accordance with Wis. Stat. §§ 84.07(1), (2) and 83.015.

WHEREAS, the City owns a movable bridge identified as City Structure B-05-0311, also known as Ray Nitschke Memorial (Main Street) Bridge; and

WHEREAS, the Department owns movable bridges B-05-0134 Mason St. Bridge and B-05-0269 Walnut St. Bridge; and

WHEREAS, pursuant to a prior agreement, the City has operated the above described movable bridges on behalf of itself and the Department; and

WHEREAS, the Parties desire to transfer certain operational duties of City Structure B-05-0311, B-05-0134 Mason St. Bridge and B-05-0269 Walnut St. Bridge from the City to the Department.

NOW THEREFORE, upon the mutual promises contained herein, and upon such other consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Department requires the City to perform the Services described in Section 2 and allow the B-05-0311 Bridge Access as described in Section 4, and the City agrees to perform the Services and allow the B-05-0311 Bridge Access. It is understood that the Services and B-05-0311 Bridge Access authorized under this Agreement shall be accomplished in compliance with state and federal law, and under the general direction of the Department.

2. The City agrees to provide labor, equipment, and authorized materials needed to perform traffic control operations for routine maintenance activities of the following movable bridges located on the State Trunk System in the City:

B-05-0134 Mason St. Bridge

B-05-0269 Walnut St. Bridge

(the “Services”). The total estimated City costs of the Services is: \$40,000. Charge ID: 0005-05-25.

3. Payment for Services will be made to the City based on actual labor, including fringe benefit costs, and equipment. Itemized invoices for the Services shall be submitted monthly, within one-month of the period which the work was performed, as required by Wis. Stat. § 84.07(2). Invoices shall be emailed to Jason Lahm at jason.lahm@dot.wi.gov. The Department will make payments after the Department verifies the invoices are in accordance with this Agreement. All payments are subject to audit by the Department.

4. The City agrees to allow Department staff and Department contracted staff to access and enter the City Structure B-05-0311 and to operate the lift bridge structure, and perform required activities needed to operate the lift bridge structure. No costs shall be incurred by the City for Department directed operations or activities on the City Structure B-05-0311. The Department will notify the City in writing or by phone prior to

any required B-05-0311 Bridge Access. The Department and Department contracted staff will describe to the City the purpose of the required B-05-0311 Bridge Access.

5. The Parties agree that any and all other prior agreements with respect to operations of City Structure B-05-0311, B-05-0134 Mason St. Bridge and B-05-0269 Walnut St. Bridge are hereby rescinded and terminated.

6. Insurance Coverage. The State of Wisconsin Department of Transportation will not issue individualized evidence of insurance. The State, its agencies, and departments are self insured. The State's Self-Funded Liability and Property Programs are self-maintained comprehensive programs of commercial insurance that meets the laws of the State of Wisconsin. Insurance requirements are met by self- insurance rather than purchasing insurance in a commercial insurance market.

The Department is granted sovereign immunity and is therefore immunized against liability and suit by all parties. Sovereign immunity cannot be waived and no provision or term in this agreement shall be construed to limit, affect, or waive sovereign immunity. The Department cannot waive subrogation or liability or provide indemnification in any manner. Wis. Stat. sec. 895. 46 provides for the payment of certain negligence claims against WisDOT employees and agents.

7. Each Party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, officers, officials, agents, boards, committees, commissions, agencies, and representatives and shall be responsible for any losses, claims, and liabilities which are attributable to such acts, errors, or omissions, including providing its own defense, except as provided herein. In situations including joint liability, each Party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, officers, officials, agents, boards, commissions, committees, agencies, and representatives. It is not the intent of the Parties to waive any statutory protections or impose liability beyond that imposed by state statutes. The obligations of the Parties under this paragraph shall survive the expiration or termination of this Agreement. Either Party may enforce the terms of this Agreement by any legal means.

8. Either party may, with 90-day written notice, unilaterally terminate this Agreement, effective if given/served prior to July 1st, 2021. Should the Department be given due and sufficient notice of the termination of this Agreement by the City, the Department agrees to fulfill all the contractual duties and responsibilities of the City prior to termination of this Agreement.

Any written notice of termination shall be served upon the following representatives by certified mail, return receipt requested:

On Behalf of City of Green Bay:
Steve Grenier
City of Green Bay – Director of Public Works
100 N. Jefferson St. Room 300
Green Bay, WI 54303

On Behalf of the Department:
Chris Blazek
Wisconsin Department of Transportation - Northeast Region
944 Vanderperren Way
Green Bay, WI 54304

9. In connection with the Services provided under this Agreement, the Parties agree not to discriminate against any employee or applicant for employment because of sex, age, race, religion, color, handicap, physical condition, developmental disability as defined in Wis. Stat. § 51.01(5), sexual orientation, or national origin. This Section shall include, but not be limited to the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms

of compensation; and selection for training, including apprenticeship. The Parties shall post in a conspicuous place, available for employees and applicants for employment, notices setting forth this Section.

10. This Agreement will be construed and interpreted in accordance with the laws of the State of Wisconsin, notwithstanding any conflicts of laws provisions.

11. Neither Party may assign its rights or delegate its obligations under this Agreement without the prior written consent of the other Party.

12. If any provision of this Agreement or the application thereof to any persons or circumstances shall, to any extent, be invalid or unenforceable, then the remainder of this Agreement or the application of such provision, or portion thereof, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. This Agreement constitutes the Parties' complete agreement and may only be modified, amended, or added after the date of this Agreement by a written instrument executed by both Parties, except as otherwise provided herein.

14. This Agreement may be executed in several counterparts, and the signatures on this Contract may be transmitted electronically. Electronic signatures will be deemed to constitute original signatures and counterparts to this Agreement containing the signatures (whether original or electronic) of all the parties will be deemed to constitute a single, enforceable Contract.

IN WITNESS WHEREOF, the Parties, by their authorized officer or representatives, have caused this Agreement to be executed as of the date both Parties have signed below.

WISCONSIN DEPARTMENT OF TRANSPORTATION

By: _____

Title: _____

Date: _____

CITY OF GREEN BAY

By: _____
Erich Genrich - Mayor

Date: _____

By: _____
Kris A. Teske - Clerk

Date: _____



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.8

Consideration with possible action on request by Department of Public Works to award construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee for SEWERS 5-20 S. GRANDVIEW ROAD SANITARY SEWER.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.9

Report the award of the contract SOUTH BAY SHORE DIKE REINFORCEMENT.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Bid Summary - Public SOUTH BAY SHORE DIKE REINFORCEMENT

CITY OF GREEN BAY, WISCONSIN
SUMMARY OF BIDS FOR CONTRACT

SOUTH BAY SHORE DIKE REINFORCEMENT

Tuesday, June 30, 2020

Contractor	Bid	Bid Bond
VINTON CONSTRUCTION CO.	\$1,013,527.10	5%
PAYNE & DOLAN, INC.	\$1,140,412.60	5%
PETERS CONCRETE CO.	\$1,453,177.00	5%
HIGHWAY LANDSCAPERS, INC.	\$1,605,669.00	5%
MICHELS CORP.	\$1,625,311.00	5%
ADVANCE CONSTRUCTION, INC.	\$1,868,146.70	5%
DE GROOT, INC.	\$2,311,674.50	5%
Any questions, call 920-448-3100		



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # E.10

Report of actions taken by Department of Public Works

A. Granting of Licenses

1. Sidewalk Builder to Poblocki Paving Corp.
2. Underground Sprinkler System to ADC Maintenance LLC.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # F.I

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

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



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

MEETING DATE

July 15, 2020

PREPARED BY

AGENDA ITEM # F.2

The next Improvement and Services Committee meeting is scheduled for August 12, 2020.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None