



MINUTES OF THE IMPROVEMENT AND SERVICES COMMITTEE

WEDNESDAY, SEPTEMBER 30, 2020, 6:00 PM

Virtual meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

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

B. ROLL CALL.

Present: Ald. Lynn Gerlach, Ald. Randy Scannell, Ald. Jesse Brunette, Ald. Chris Wery

C. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to approve the agenda of the Wednesday, September 30, 2020 Improvement and Services Committee meeting as amended. Item No. 3 will be addressed after Item No. 1. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

D. APPROVAL OF MINUTES.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to approve the minutes of the Wednesday, September 9, 2020 Improvement and Services Committee meeting. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

E. REGULAR BUSINESS.

I. Consideration with possible action on request by Bryan Hoff to appeal the nuisance, litter and solid waste materials invoice of \$411.89 at 1019 Velp Avenue (referred back to the Improvement &

Services Committee at the September 15, 2020, Common Council meeting).

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to hold this item until end of the meeting to give Mr. Hoff a chance to join the meeting. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to reconsider the item. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to deny the request by Bryan Hoff to appeal the nuisance, litter and solid waste materials invoice of \$411.89 at 1019 Velp Avenue. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

2. Consideration with possible action on a presentation by the Lower Green Bay & Fox River AOC Biota Committee on several potential wildlife restoration projects located within the City of Green Bay.

Moved by Ald. Lynn Gerlach, seconded by Ald. Jesse Brunette to authorize staff to apply for grants to support the Lower Green Bay & Fox River AOC Biota Committee on several potential wildlife restoration projects located within the City of Green Bay and to approve the City becoming partners on the projects presented. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

3. Consideration with possible action on request to rescind or reduce the long grass/weed compliance cutting charge of \$178.30 on Invoice 133126 for Rexford Buxton at 311 N. Oakland Avenue (held at the September 9, 2020, Improvement & Services Committee meeting). (Ald. Johnson)

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to open the floor for discussion. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to close the floor for discussion. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to approve the request to rescind or reduce the long grass/weed compliance cutting charge of \$178.30 on Invoice 133126 for Rexford Buxton at 311 N. Oakland Avenue and to issue a new invoice in the amount of \$89.15. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Randy Scannell, No- Lynn Gerlach, Abstain- None

4. Consideration with possible action on request by Paul's Pantry, Inc. to rescind the special assessments for pavement construction levied against Parcel 20-271 associated with the North

Webster Avenue reconstruction project.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to open the floor for discussion. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to close the floor. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to open the floor for discussion. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to close the floor for discussion. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Lynn Gerlach, seconded by Ald. Randy Scannell to refer to staff the request by Paul's Pantry, Inc. to rescind the special assessments for pavement construction levied against Parcel 20-271 associated with the North Webster Avenue reconstruction project to determine if the assessment can be rescinded and hold the invoice in abeyance. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

5. Consideration with possible action on request to review pavement reconstruction and resurfacing programs and begin planning for future Capital Improvement Programs. (Alds. Wery and Johnson)

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to receive and place on file the request to review pavement reconstruction and resurfacing programs and begin planning for future Capital Improvement Programs. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

6. Consideration with possible action on request by Department of Public Works to grant an easement to Wisconsin Central LTD for the northerly 30 feet of the westerly 55 feet of Parcel 2-275 for construction of maintenance equipment for the railroad.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to approve the request by Department of Public Works to grant an easement to Wisconsin Central LTD for the northerly 30 feet of the westerly 55 feet of Parcel 2-275 for construction of maintenance equipment for the railroad. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

7. Consideration with possible action on request by Department of Public Works to enter into a Professional Service Agreement with Ayres Associates for the design of Country Club Road in the amount of \$232,651.90.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to approve the request by

Department of Public Works to enter into a Professional Service Agreement with Ayres Associates for the design of Country Club Road in the amount of \$232,651.90. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

8. Consideration with possible action on presentation by Department of Public Works staff to the Improvement and Services Committee regarding a few options for more effective downtown snow bank management. It's requested that examples be provided from the 10 largest municipalities in the state (referred back to Department of Public Works staff at the September 9, 2020, Improvement and Services Committee meeting). (Alds. Johnson and Scannell)

Moved by Ald. Jesse Brunette, seconded by Ald. Randy Scannell to refer to staff the presentation by Department of Public Works staff to the Improvement and Services Committee regarding a few options for more effective downtown snow bank management. It's requested that examples be provided from the 10 largest municipalities in the state and to meet with interested parties to develop potential solutions. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

9. Consideration with possible action on the report of the Purchasing Manager:

A. Request approval to award contract for Fiber Optic Cabling at Bay Beach Wildlife Sanctuary for the sum of \$42,800.00 to Holtger Bros., Inc., the lowest responsible bidder to RFB #3274.

Moved by Ald. Jesse Brunette, seconded by Ald. Lynn Gerlach to approve the report of the Purchasing Manager:

A. To award contract for Fiber Optic Cabling at Bay Beach Wildlife Sanctuary for the sum of \$42,800.00 to Holtger Bros., Inc., the lowest responsible bidder to RFB #3274.

Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

10. Report of actions taken by Department of Public Works

A. Granting of Licenses

I. Sidewalk Builder

a. Sommers Construction Co.

Moved by Ald. Jesse Brunette, seconded by Ald. Randy Scannell to receive and place on file the report of actions taken by Department of Public Works

A. Granting of Licenses

I. Sidewalk Builder

a. Sommers Construction Co.

Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

F. INFORMATIONAL.

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

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to receive and place on file the Director's Report on recent activities of the Public Works Department. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

2. The next Improvement and Services Committee meeting is scheduled for October 14, 2020.

G. PUBLIC HEARINGS.

H. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve to adjourn the Improvement and Services Committee meeting. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

VERBATIM MINUTES

- Thank you director. Looks like everybody's here. Alder Gerlach, are you here too?
- She's not moving. She's incredibly, still.
- I know. .
- I was gonna I can say she's picture perfect.
- Well, it is 7:25. She has signed into civic clerk. I'm going to start. We'll note that Alder Gerlach, Alder Brunette, Alder Scannell, Alder Wery are present, and we'll get an approval of the agenda.

- Motion to .
- Second.
- Motion by Alder Scannell.
- .
- Chairman.
- Go ahead, Alder Brian Johnson.
- Alder Brian Johnson. If I can make a request to amend the agenda, if a member of the committee is willing to make that amendment to move item number three to item number two.
- .
- Yeah, somebody would be glad to-
- I'll make a motion to move item two to number three.
- All right.
- I see what you did there.
- Three to number two. Is that okay to committee?
- Yeah.
- All right, then we'll just move that to number... We'll go one, three... All right. Those in favor of that.
- Aye.
- Aye.
- Opposed?
- Motion carried, and item D approval of the minutes.
- Second motion approved.
- Second.
- Motion by Alder Scannell. Second by Alder Brunette to approve the minutes. Any discussion on that? Those in favor.
- Aye.

- Aye.

- Opposed? Motion carried. Number one consideration of possible action on requests by Brian Hoff to appeal the nuisance litter and solid waste materials invoice, of 41189 at 1019 Avenue referred back from INS, September 15th and council. Let's see here, director.

- Actually, I'm going to turn this over to Bill Paape with the Inspection Department.

- Okay, perfect. Hey Bill.

- Alder Scannell, I guess. I don't know whichever you wanna take this. We're bringing this back, wanted to-

- Well, I was asked to bring this back because I was told he could come to this meeting, and I don't see him here. I mean, that was the only reason to bring it back was to give him a chance to speak. He didn't come up last time, and we were informed that he was going to show up this time, but I don't see him. You wanna hold it till the end of the meeting, or do you just wanna take care of it now in case the other meeting ran a little long? You know.

- I suppose we can hold it till the end of the meeting to see if he shows up, but I guess, sure. Let's hold this till the end of the meeting.

- All right. Motion by Alder Scannell, is there a second to hold this item till the end of the agenda?

- Second.

- Second by Alder Brunette. Any discussion? Those in favor?

- Aye.

- Opposed? Motion carried. Item number three, consideration of possible action on request to rescind or reduce the long grass weed compliance, cutting charge of 178.30 on invoiced 133136 for reps, for bucks, then at 11 North Oakland Avenue number ninth, Alder Johnson.

- Thank you chair. This was a complaint, or excuse me, this was a complaint within my district. City crews were dispatched to do the work. I had the constituent reach out to me because the amount of work that was done relative to the amount of the charge seemed to be disproportionate. I know the resident is here to speak to this. I don't know if you wanna have staff speak to it first. Then of course we can open the floor for the resident to speak as well.

- Sure. Staff could you just give us the brief overlay on this and then we'll open the floor.

- Yes, staff can definitely speak to it. As we informed you at the last meeting, when we discussed this, the... It does indicate 0.75 hours for labor and equipment. What that represents is about 22 and a half minutes each for each of two individuals. When these grass cutting crews go out, they go out in pairs, and that includes travel time to, and from the site at 15 minutes, plus the time spent onsite to actually complete the grass cutting.

- All right, any questions from the committee for staff? a motion to open the floor.
- Motion to open the floor.
- Second.
- Alder Scannell second by Alder Brunette. Those in favor.
- Aye.
- Aye.
- Opposed? Motion carried. The floor is open. Is there anyone here for this item? Just give me your name and address, please.
- Hello, my name is Richard Buxton, 311 North Oakland Avenue, Green Bay, Of course.
- Thank you.
- Thank you, council for hearing me on this matter tonight. The amount in question, the amount of time that they have stated is what I'm having the issue with, because I could do the work that they said they did in 45 minutes, two men, I understand, but I can do by myself in 10 minutes. All right. There was no trimming done and I don't see any proof of that. Also, they were called to a neighboring property, and there's a document that does state to this effect and that my address was written down as well, but I'm being charged with travel time and half hour worth of travel time. That's quite a bit of money. I really don't feel that I should have to pay that. I think that's all I got. I relinquished the floor.
- Thank you, Mr. Buxton. Any questions from the committee for Mr. Buxton?
- . All right, I'll entertain a motion to close the floor.
- Motion to close the floor.
- Second.
- Motion by Alder Scannell, second by Alder Brunette to close the floor. Those in favor.
- Aye.
- Aye.
- Opposed? Motion carried. What are your wishes committee or Alder Johnson, if you wanted to speak to it?
- Sure. Having visited the property and taken a look at the area that is under consideration here, I can appreciate the need. There's mobilization costs for this stuff, I understand that. We've gotta recover

that. I don't know if staff would perhaps speak to this. What I see, let me see, 20 minutes spent on site, but the quantity of time being charged for 0.75, which I would presume is 45 minutes, is that meant to include both staff people or just one?

- Both.

- Basically what I'm looking at this then we have an administrative charge of \$52. It costs \$72 an hour for our two staff people. We're also charging \$84 an hour for the equipment to be onsite. Is that correct?

- That is correct.

- Okay, again, recognizing Mr. Buxton had explained to me that what she didn't share with you today though, that when the property was first noticed, it was the entire yard. He was able to get the backyard cut before the crews came, and then the crews when they did come, obviously took care of the front yard, which he was unable to get to. I presume because they were onsite probably still did the backyard. But by that time, the backyard would have been at least spending compliance the way that I understand it. If there's a way that the committee would consider it on this, I think it could put us each in a position where we could maybe walk away feeling satisfied.

- Alder Brunette.

- Director Grenier, has there been a history on this property with these issue?

- That, I don't have any information on at this time.

- Okay.

- I mean, if there's a history of it, then I could see that the city has to put our foot down at some point. \$178 seems like an awful lot. It's a habitual problem, neighbors complaining. Alder Brian Johnson, do you know if there's a history of issues with this property?

- I'm not aware.

- Okay, well, this is a recommendation, this community is a recommendation. Perhaps we can get that answer at the full comfortable... The city still provided the service, so the taxpayers had to foot the bill for providing this service. I'm comfortable with rescinding half of the cost, half of the charge. Of course, I'm hoping to changing my mind if more information is available at the time of the council meeting on Tuesday. I like to make a motion to rescind half of the charge.

- All right, there's a motion Alder Brunette to rescind half of the 17830. Is there a second to that?

- I'll second.

- Second for Alder Scannell under discussion, Alder Gerlach.

- I would just like to point out that I believe it's a city policy that the grass has to be nine inches longer or more before it is tagged to be cut by the city, which I think is quite excessive. And I believe

there were five days that intervene between the time that this gentleman was given notice that the grass needed to be cut and the city actually showed up and cut it. I think that it should have been done. It was certainly way beyond standards. He was given plenty of time. I think I would be inclined to say that the taxpayer should not pick up any of this cost.

- Thank you. Any other questions, comments from committee? All right, let's take a vote. Those in favor of having that invoice say aye.

- Aye.

- Aye.

- Opposed?

- Nay.

- All right, then motion carried three to one. Mr. Buxton anything that we do tonight is gonna go to council next week. It'll be Tuesday night. We meet at six o'clock. Possible this item could be pulled and discussed. If you wanna see it through to the end, perhaps attend that meeting or about it. Well, okay we'll continue on with item number three. Consideration and a presentation by the Lower Green Bay & Fox River AOC Biota Committee and several potential wildlife restoration projects located within the City of Green Bay. We have the full presentation at parks committee. I think we're all up to speed, at least on that, director.

- Yes, again, you did have the full presentation at the parks committee. If there are interested parties who would like to see the presentation, the slides for it are included in the packet today. The parks committee meeting can be viewed through normal channels. We would be available to answer questions should any interested parties have them as well. We would be looking for a motion to authorize staff to apply for grants, to support the Lower Green Bay & Fox River AOC Biota Committee on several potential wildlife restoration projects located within the City of Green Bay and to approve the city becoming project partners on the projects presented at parks.

- Repeat that.

- The director took the words right out of my mouth .

- That's a Randy line. All right, committee, any questions or a motion?

- Move to approve.

- Second.

- Motion by Alder Gerlach, second by Alder Brunette. Any discussion on that? Those in favor.

- Aye.

- Aye.

- Opposed? Motion carried, thank you. On to number four. Consideration of possible action on request the policy pantry incorporated to rescind the special assessments for pavement construction levy 371 associated with the North Webster Avenue project. why don't we start with you on this one? Sure. I'm gonna quickly share the screen so you can see the parcel that is in question. There we see parcel 20-271. That parcel fronts on Vanderbraak Street also has front to John Klaus, and then fronts on North Webster. According to the city's assessment ordinance, there is an exemption for a double fronted parcel. A parcel that has frontage on two streets, parallel to each other, unless the parcel is significantly large that it could be subdivided. If you look very carefully, you can see that there's a dash line here showing where a prior developed or prior subdivision of that parcel had existed. The hooks indicate that at some point in time, the lots were joined through a legal mechanism, such as a plat or a CSM. The parcel is large enough under its zoning characteristics to be further subdivided. Therefore the double frontage on Vanderbraak and Klaus does not apply. There is frontage on North Webster and the ordinance further provides relief in the way of a corner lot exemption up to 100 feet, which is distributed amongst the two sides, when each of those two sides is subject to assessments for pavement. Because this is a not residentially zoned property. It is subject to the special exemption or a special assessment policy. It was assessed, but at half of the normal rate because of the local vehicle registration fee that was enacted a year or so ago. When we take a look at whether or not the assessment policy had been properly followed, the assessments were properly levied in accordance with our ordinance. We do have assistant city attorney, Lindsay Mather here, if there are any questions regarding whether or not those assessments were properly levied.

- Thank you, director. What is the amount that was levied? Do you have that?

- That I do not have.

- Okay. Questions for the committee. We'll open . Any questions from committee, otherwise we can open the floor.

- I never doubted that it wasn't properly assessed, but I'd like to hear a motion to open the floor.

- Yeah, second, please.

- Motion about Alder Scannell, second by Alder Brunette to open the floor. Those in favor.

- Aye.

- Aye. Opposed. Motion carried. If you're here for this item, just give me your name and address please, and we can move on. Go ahead.

- My name is Bob Hornacek and I am at Paul's Pantry at 1513 Leo Frigo Way, here on the northeast side of the city. I'd like to thank the committee for giving us the opportunity to address you tonight, to address this special assessment, which I have a copy of it here. I don't have it on my screen to share. I apologize. But it is in the amount of \$17,606.62, 17,606.62. We just received that bill in the mail on September 14th. Our goal tonight was to discuss the situation from our perspective, in hopes of having the assessment rescinded. We have a couple of different points we'd like to make on that, but just the first, I guess, clarification I'm looking for is to ensure that this is the proper place to have this discussion, because from my review of this, and what's happened to this point, there seems to be a little bit of confusion as to where this should be going. I think some of you may recall in March of

2019, when our executive director Craig Robbins, and our board chairman addressed this committee regarding this assessment. At that point, we were told there was nothing the committee could do except stop the whole project, which obviously nobody wanted because Webster Avenue needed to be repaired. We were basically told that it was too early to do anything. has some clarification for Mr. Robbins and got us... We were forwarded emails from the city attorney and the finance director saying we couldn't do anything till we received a bill. Then we'd have to go to the finance committee. Another elder, our Alder in our area put something on the protection policy committee, the following week on April 8th of 2019. Again, at that meeting Mr. Grenier had told us that there was nothing anybody could do until we received a bill. That is the motion city council took, no action on by. If they received in place on file, city council received it in place that file as well. Then nothing happened. We had basically been told we received this bill in December, and we never got anything. We kind of thought maybe when we weren't getting one, and then two weeks ago, we received a \$17,000 bill in the mail. I who joined Paul's Pantry full-time in June of 2019, reviewed some of the self-talk to staff here, and then just made a couple of calls to find out more clarity on the bill, on the process and everything. That's when I was told by city staff that it was too late, that the issue had already been heard, and that the city council have decided not to do anything, so we were out of luck, the assessment stands. We were a little confused by that because of the previous guidance, and we just were trying to figure out the proper channel to hear this. That's why I made a couple more calls. Somehow we ended up on this agenda, and I'm just trying to make sure that this is the right place to be. If it is, we are more than happy to make our points and have the discussion here. If we're supposed to be somewhere else, if we need to be somewhere else, we can go there. We're willing to talk to anybody about what we do, why we do it, how we do it and what we'd like to see happen with it.

- All right. Thank you, Mr. Hornacek. Before we proceed, I am going to ask our attorney, Attorney Mather, if this is the correct committee to hear this. I would hate for us to go through a lengthy discussion and review, and it'd be not be the right place. Are you with this, Attorney Mather?

- Sorry.

- It's all right. That's all right. I thought you were there.

- Yeah, I've been away for two seconds when you were talking to me. Can you repeat your question, I'm sorry.

- Is this the correct committee to be hearing this appeal before we get into a lengthy discussion and debate?

- It would be the correct committee, but there is still an issue of whether there is... Whether the time has passed to be able to appeal. Because it's a special assessment levied by, or I'm sorry, levied by the city obviously, but because DPW is the one that does all the heavy lifting on establishing, who's going to be assessed, what amount in accordance with our ordinances, INS is the appropriate committee to bring something like this in front of. However, I did go back and review the videos from the various hearings as well, because I did... I was also made aware of the timing issue. At the time of that April 8th hearing in 2019, the gentleman who was speaking, and I apologize that I don't know everyone's name, indicated that he knew because of consultations with his attorney, that any appeal had to be filed within 90 days from the date of the final resolution by council. There was some discussion at committee as to whether that was accurate or whether that was... Whether it needed

to be... Whether anybody needed to wait for a bill to be received. I believe what was indicated at that hearing, I believe Director Grenier said, I believe that you have to wait for a bill, but I don't know. Immediately following that comment, the gentleman said, well, our attorney says it has to be done within 90 days. Then the rest of the conversation directed that if there was any issue with the way that the propriety of the assessment or anything like that, that that would need to go to the very next finance committee meeting. I checked the subsequent finance committee meetings and there never was anything brought on those agendas. Additionally, the speaker was informed that he could reach out individually to DPW to verify the process for establishing the amount of the assessment. Just to verify that it was done correctly on the staff side, and based on my conversations with Director Grenier, it appears that did not happen. Immediately following that hearing, I mean. Even though there was one comment made in the context of a much larger discussion. The result of the discussion was this needs to be handled at the very next meeting possible, and that wasn't done. More than that, we're bound by state statutes. The state statutes say you only have 90 days to appeal. It's not like a municipal ordinance that the city council can change our ordinances, and this could happen differently in the future. The state law says you only have 90 days from that final resolution, and no appeal was made. An appeal would actually have to take place in a separate court rather than with one of the committees. That didn't happen either. Given that there was consultation with an attorney at the time, which was made clear on the record and that the balance of the entire discussion, the argument that period was waived based on representations by the city. I don't believe that I would agree with that argument.

- All right, Alder Brunette, do have a question for an attorney and then-

- Yeah, thank you, chairman. Attorney Mather, I'll be honest, it's hard to follow without some written chain of events. I understand where Mr. Hornacek is coming from. I'd be frustrated if I was in his seat as well. Attorney Mather, is there any bearing on the fact that he claims to have received the invoice for the road work, middle of September? How could you appeal something that had not been invoiced and received?

- Smart of the time period is it the passage of the final resolution driven by council. It's not contingent on the invoice because as I understand it, that isn't issued until the work is completed. The appeal is supposed to happen before the work is completed. So that- If the special assessment of the entire project needs to be changed because an appeal or appeals that can happen within that first 90 days, because I assume that the Webster Avenue project was not completed within those first 90 days. Anyway, the point is-

- Real quick. I'm sorry, I just need to clarify that. Wasn't Webster completed last year? When was it officially completed Director Grenier? This year?

- It wasn't until this year because of the lighting, the traffic signals and the planting. The vegetation and the medians that carried over into 2020. The actual road work. The actual road though, aside from all those other additional things was completed last year, wasn't it? Then there was carry over with all the other items you mentioned?

- The paving was completed in 19. Yes.

- Okay. Go ahead.

- The resolution was also passed in 2019, and the April 8th hearing that we're discussing also happened in 2019. It was within a week or two of the final resolution being passed.

- Thank you.

- Thank you, Alder Brunette. I have no other questions for the attorney now I was gonna hand it back to Mr. Hornacek. Mr. Hornacek go ahead.

- Yes, thank you very much Alder Wery, and thank you the city attorney, assistant city attorney for that information. I will say that a couple of things. Number one, we have emails, I can forward to you if you'd like. I'm sure you still have them Alder Wery, dated April another from the city finance director, spelling out the process for us, telling us we literally can't wait till we have a bill, and then we have to go to the finance committee. With all due respect, what we're trying to do and what we've been trying to do from day one is to do this the right way. The last thing Paul's Pantry was interested in is taking the City of Green Bay to court. I mean, that's a big step. It sounds very aggressive and big and scary. When the City of Green Bay gave us the guidance to wait until we received a bill, and then to go through this process, that was the path that Paul's Pantry decided to take, because we thought, hey, we've got a great relationship with the City of Green Bay. We wanna work together in partnership. We'd like to discuss this further. We'll wait till we get the bill. At the same time, according... I did find some questions regarding special assessments from the league of municipalities. According to the league, these municipalities certainly have the right to reconsider, reopen, amend, cancel and confirm prior assessments that they've made. Whether, regardless of the timeframe, we're just trying to follow the process outlined by the city. Paul's Pantry deals with handing out food to the poor. Paul's Pantry does not deal in street repairs, street construction. That's out of our area of expertise. That's why we tried to attend meetings. That's why we tried to rely on the city's guidance for how to move forward in this process. We're trying to do that in the most positive way possible. I guess regardless of that, if you'd like me to just continue and explain a couple, really our two points that we have regarding the assessment itself, I'd be happy to do that. Then we can figure out where it all goes from there, if you'd like.

- Yeah. Well, go ahead, please.

- The first thing, and Director Grenier pointed out a couple of points regarding the lot itself. I guess, the first issue we have with the assessment is we just did not believe that \$17,000 is reasonable in this situation. The property is a warehouse. It's used to store food for the poor. A special assessments in our understanding must be made on a reasonable basis. That property, as you saw in the picture faces... It fronts Vanderbraak. There is no Vanderbraak dead ends there. It turns into Leo Frigo Way, which where the actual pantry's located. There's no access at Vanderbraak, which is the front of our warehouse building. There's no access to Webster Avenue there. There is the portion on Klaus where the back of the property does intersect. Again, that's the backside of the property. This Webster Avenue is nice as it is to drive on. It really does not benefit our property in any way. There's no special benefit to our property. It's general public benefit that we see. According to what we see in the state statute, because we've looked at that as well, it says special assessments are for special benefits conferred on the property. Our property does not have any special benefit based on this. One thing I would point out about what Director Grenier said regarding the double frontage exemption, and that since our lot is large enough, it could be subdivided. The history of this lot is that a couple of years ago, Paul's Pantry purchased a rundown tavern. We cleared the property and built a warehouse. That warehouse is connected to a warehouse, that's been there since 2006. That line he

showed where it "could be subdivided in the future," to do so you would literally have to tear down the warehouse. There is no way that this property is gonna be subdivided. As far as receiving any benefit, there's really no special benefit that Paul's Pantry is receiving from this road being done. Beyond that, the larger issue for us is just a question of whether this is just, and whether this is fair. We don't believe it's fair to the poor that we serve or to our donors. We understand that nonprofits are not automatically exempt from the special assessments. We get that. But in Green Bay, the fact is many nonprofits are exempt, and it's because of their zoning. The wheel tax, when that was implemented a couple of years ago, the city obviously heard from some residents who were not happy with the special assessment process. They weren't happy with bearing the costs of road projects and the city listened. Residents and nonprofits that are in residential areas are no longer facing special assessments like this. From our perspective here at Paul's Pantry, we really don't think situations like ours were considered where we're a nonprofit, that's not zoned residential. At a previous meeting, when I watched back one of the minutes, it was said that Paul's Pantry is being treated as a commercial entity. I get that it's because of the zoning, but Paul's Pantry is not a business. Paul's Pantry is a grocery store for the poor. We hand out, we go out and we collect food. We receive donated food, we buy food and we distribute food to the poor. Right now we have about 4,200 families in Brown County that are registered as users of Paul's Pantry. That represents 13,000 people in our community who rely on us for food. These are the people who fall through the cracks of the regular system. We don't charge them anything for food. We give it away. We're not a business. We are a charity in the purest sense of the word. All of our money is from donations from the public. We don't receive any government funds, no state, local, or federal tax dollars, but yet in terms of the assessment, we're charged as a commercial entity. Again, I understand zoning. I just don't know that it was clear when the city implemented the wheel tax that situations like ours were out there. The fact is places like Paul's Pantry are gonna bear the cost of road projects, while other nonprofits, including another one just down the street on Webster Avenue will not and it's because of the way their zoned. Paul's Pantry pays the wheel tax. We have six vehicles, yet we're still being charged \$17,606.62. I guess all we're looking for is the city consciously chose a couple of years ago through the wheel tax to not build roads on the backs of residents and non-profits and residential areas. We're simply asking for consideration of the same treatment, on behalf of those we serve, on behalf of our donors. If the city wants to make it clear that nonprofits like us ought to pay, then we just wanna make sure that that's considered, that it's clarified and that there's a clear understanding of the way the city would like to move forward with this. Otherwise with all of that, we would respectfully ask this committee to rescind the special assessment for \$17,600.62. Thank you.

- Thank you Mr. Hornacek. Do you mind taking a couple of questions?

- No, that's fine.

- Alder Brunette and Alder Gerlach.

- Yeah, thank you Mr. Hornacek and thank you for all the work you do at Paul's Pantry. That institution is a keystone institution in our city. Since the beginning, you've helped a lot of families through the years included... That's beside the point, but I want to at least state that publicly so you know that we appreciate the work that you do.

- Thank you.

- For the city in our resident. Did you say that you had an email from the city attorney's office indicating that this could be addressed once the invoice was received or sent?

- Yeah, I'm looking at the email right now.

- Would you be willing to read that for the sake of the committee?

- Yes, this was dated Monday, April 1st, 2019. It was regarding the... It just says the hearing is on whether to levy the assessments to do the project. The committee could decide not to do the project, especially if you receive a number of people commenting saying they either don't feel the improvements are necessary or they can't afford the assessment. That's the same thing that happened with roads that were held over the last couple of years. If instead, the issue is that the property owner wants the work to be completed, but wants the city to pay the cost for them as is the case here, that is when the request needs to go to finance as part of the rescission process. Now to point out when she says that is when she is following up an email chain and the email chain prior is from Diana Ellenbecker, the city finance director, that says here, Alderman Wery, here's the information we gathered. Once the road assessments are set, there is no way to reduce. Once the property owner has received their bill, they would need to take it to the finance committee and try to go through the city's rescinded process that is in place for taxes in general, all requests to rescind received by the city should be handled at the same time. According to this information, since the bill has not been issued yet, finance committee and council would not be able to discuss the rescinding. Those were the two emails from the city attorney and the finance director that really guided what we decided to do at the time. Again, that predates my time being here full time at the pantry. When I look back and they shared the emails with me, that was really what helped guide the decision to just wait and say, we'll wait until we get a bill.

- Thank you. I have no other questions.

- Could you just ask who sent that email, please.

- Vanessa Chavez.

- Thank you.

- Thank you for answering my questions. I don't have any more at the moment. Thank you.

- Thank you. Alder Brunette, Alder Gerlach.

- Thank you so much for your patient explanation. Really appreciate it.

- You're welcome.

- I wanna say too, that Paul's Pantry is the bedrock of nonprofit and helping the poor in Green Bay, and I so appreciate what you do. And I have a question that is totally unrelated to what we're gonna talk about, but I just want to know since COVID-19 started, have you been serving more people? Have more hungry people been coming to Paul's Pantry?

- Well, I will tell you that is a very interesting question to answer because in many ways Paul's Pantry has not seen the worst of it yet. As a lot of food pantries that we're in contact with throughout the community and throughout the state have been seeing, it's been a lot of up and down, up and down. Initially we saw a rush, then as people were scared to be going out, people started... In-person visits started to go down quite a bit, or a little bit. Earlier on what we did, especially during the stay at home order, we worked with the community group to do at home deliveries, and we also did some pickups where people could just pull up and they didn't have to come in to shop. We did that for a couple of months and served a lot, a lot of people that way, especially vulnerable people who were not able to leave their homes because of COVID-19. While we've been seeing a fluctuation in our numbers, overall we have seen a dip in in-person visits. There's many reasons for that. One of the foremost being just the massive amount of support that's being pumped into the food system by the government at this time. Whether it be food share, whether it be school lunch programs and some of the extra benefits that are being done that way, whether it's some of the programs coming through the USDA with some of the food boxes that are being distributed throughout communities, including in Green Bay. Right now there's a ton of food supports being pumped into the system. That's artificially propping people up. That kind of thing can people sort of, the extra unemployment funds that have helped keep some people afloat, and they help keep some businesses afloat with some of the initial loans that the government provided early on in COVID. I know it started to go away a little bit. Businesses started closing things like that. We're still seeing, and it's not just Paul's Pantry, it's across the board and food pantries throughout Brown County, and throughout the State of Wisconsin. We're still bracing for the worst of it. Because we don't expect some of these artificial supports that are being pumped into the food supply system to stay forever. When they start to go away, we are prepared to serve whoever comes through our door. That being said, we still have 4,200 families registered with Paul's Pantry. That accounts for 13,000 people in our community that are receiving their food from Paul's Pantry. We don't do the deliveries now because of the situation, but we've said if, in fact, the property we're talking about today is the warehouse where we staged the delivery system for the community. We were able to deliver thousands of meals to people or to packs of groceries to people in need, so they didn't have to leave their home. It's a long answer. It's a complicated issue. As I tell our volunteers and our staff here every morning, when we gather, before we distribute food, we serve whoever God puts in front of us today. It might not be as many as it was yesterday, but whoever comes through our door we're gonna serve and they're gonna get a week's full of groceries.

- All right, I appreciate it. Mr. Hornacek. Let's table this back to the bill, I appreciate the information. Alder Gerlach, anything regarding the appeal?

- No, I'm ready to close the floor and ask questions of the attorney.

- Okay, anyone else have any questions for Mr. Hornacek? Is there anybody else here for this item that wanted to speak? Alder Scannell.

- Just no questions, but thank you very much for what you do for the community.

- You're welcome, our pleasure.

- Any last comments and we can open the floor again, if something comes up, but anything else before we discuss? Okay. Motion to close the floor.

- Motion by Alder Scannell, second by Alder Brunette to close the floor. Those in favor.
- Aye.
- Aye.
- Opposed? Motion carried. Any wishes committee?
- Question.
- Alder Gerlach, go ahead.
- I'd like to ask Attorney Mather, can we legally rescind this payment? Can we do that? I just don't understand. It sounds to me, like you're saying it's against state law to do that.
- Well, so the city can on its own motion do... I'm sorry, I totally lost. I had the statute right in front of me and now I lost it. The list of options that he gave as far as reopening, modifying those types of options do exist. However, the opportunity for the property receiving the assessment to appeal that directly has passed, if that makes any sense. The city can always reopen it. I know you're all shaking your heads. Under the state statutes, Paul's Pantry has 90 days from the date that the notice of the final resolution was published, which would have happened back in late March, early April, 2019. They have 90 days from that date to institute and appeal themselves. If that 90 days passes, then their ability to appeal passes. The city does have the right of its own accord to reopen an assessment and reanalyze, I guess, the propriety of the assessment. I guess that's not the main thing that we should be focusing on, but it is just a procedural issue that I wanted to make sure that I raised.
- Thank you for that. I guess, I wanna rephrase my question. What do we have to do to rescind this money? Because that's what I would like to recommend that we do, whatever you say is the legal way for us to do this.
- I actually am not certain what the actual mechanism is. I believe just like any other action taken by the governing body, it would just be most likely based on a communication or a motion in this case. Since they're already is a communication. Before we get to that, there are some other legal issues that I would like to raise if mister chairman, if you'll allow me.
- If I could, and whether or not we act on this tonight, it would have been nice. Perhaps if we bringing this back again to have some written commentary so that we could review it. Verbal is great, but if you miss some of it, you're out of the loop, but written recommendations and findings would be awesome. If we choose to hold this for that or moving forward, I would appreciate everything is written as well. Go ahead.
- If you want to refer it for some written memo on this, I'm happy to do it that way. The things that I'm going to talk about are largely legal principles, but probably we'll come across better in writing anyway. It's I can What's that?
- Attorney, if I could, would there be any... Would it help the case legally, I guess, if you exchange the information with Mr. Hornacek and Paul's Pantry regarding the emails they received and the advice they received from the city?

- Absolutely. If I could be forwarded that email chain, that would be very helpful.

- Because if you receive that and can put together a report with options and come back to us, it might change the lay of the land, so to speak, and we might have a little more firm footing to the work on, but we can certainly keep going ahead now, if he can find a way for us to proceed.

- As you all know, I talk a lot and I'm not gonna keeping things simple. Feel free to cut me off.

- No, go ahead.

- Just a couple quick points. With respect to the issue of whether the property is benefited by the special assessment. In the context of special assessments, the word benefit has a different meaning than just the dictionary definition of benefit. I'm so sorry, I've forgotten your name. As the gentleman stated, I'm terrible with names.

- Mr. Hornacek.

- Mr. Hornacek, thank you. As Mr. Hornacek stated, it has to be a special benefit. If your property abuts the improved... In this case the improved street, and you could have a driveway, even if you don't have a driveway, but you could have a driveway that accesses that road, that is a special benefit under the law. Even though it's not... The benefit doesn't have to be something that the property owner actually chooses to avail themselves of. It just has to exist. In this case, the property abuts Webster Avenue, and they could have a driveway there. They don't, but they could. There is a special benefit under the law. Another important consideration, I know Mr. Hornacek talked a lot about the way that other non-profits are treated. As he mentioned, it is largely because of zoning. My understanding is that we do not have a statewide, I'm sorry, a citywide policy with respect to how nonprofits are treated with respect to special assessments. We can't pick out individual nonprofits and treat them differently than all the other nonprofits in the city, or we face potential equal protection challenges. We would have to have a policy across the city about if nonprofits are not-for-profits are going to be treated differently than for-profit businesses or whatever in the same zone, essentially. Did that make sense?

- A little bit.

- Somewhat. Mr. , would you entertain a motion?

- I would, yes.

- I would like to move that we refer this back to staff to determine how we can legally resend this payment or this bill and hold that bill in advance until that is resolved.

- We have a motion by Alder Gerlach. Is there a second to that?

- I'll second it, but I'd also like to ask a few questions.

- Certainly. We have a second by Alder Scannell and under discussion. Anything else Alder Gerlach on your motion. No, okay Alder Scannell.

- Director Grenier, if we do resend this, would this then come out of the sales tax, wheel tax?
- Sales tax.
- It would come out of the proceeds that the combination of the vehicle registration fee funds and bonded funds that we have for pavement construction.
- Because they do have six vehicles, so . For Attorney Mather, not so much a question, but if we do need to have such a policy in place, we can hold this until it... If we hold this until the policy's in place, can we still rescind this after we put the policy in place, even though this... Because this has come up before. We've done the policy, can we do that little shuffle?
- Yeah, I understand the question. I don't know the answer off the top of my head. Since I'm going to come back to you with something in writing anyway, I'll include that in the questions that I look at.
- Good, good. Because I don't have a problem. I don't think when we did the wheel tax, we ever really were intending to have nonprofits pay special assessments. I mean, that's pretty onerous on them, just like it was for a city residents. I think I have no problem supporting such a policy if that's what it takes. I certainly hope we can figure this out.
- All right, thank you, Alder Scannell, Alder Brunette.
- I'll support the motion. I would have worded it a little different, but I think it serves the purpose for what we're looking for to find out. That would be mostly referred to the law department and that's the refer to staff. It's possible it might've been a big miscommunication. I'm a little concerned about the email that Mr. Hornacek has. because if we're not allowed to proceed due to state law, it is possible without purposeful intention that information received from the City of Green Bay could have contradicted what the reality is. It is quite possible that it was a big miscommunication. Without all that in front of us, I'm no attorney. I think that hopefully the city attorney's office could investigate, evaluate this a little differently and present some situations to us, whether that we've rescinded or not, at least give us a little more to the issue so we can understand it. All right, thank you, Alder Brunette. Any other discussion on this?
- Yeah.
- Perhaps if-
- Mr. Hornacek, did you wanna make a comment? Yeah, motion to open the floor?
- Motion by Alder Scannell second by Alder Brunette to open the floor. Those in favor.
- Aye.
- Opposed? Motion carried. Go ahead, Mr. Hornacek.
- Thank you very much. Thank you for the discussion to this point. I just want to say for the record, if there is a discussion about a policy down the road I had talked with some city staff earlier about that

as well. That we're more than happy to be a part of that discussion if would help. I guess the way this agenda item was listed, it was not as an appeal. It's just simply as a request. We respect whatever the committee's wishes are. In regards to what the assistant city attorney mentioned about the special benefit, I just wanted to point out, I'm no lawyer either and forgive me. I turn to places like the league of municipalities who tend to put things in layman terms, starting the idea of putting in a driveway. Historically, when it was a tavern, it did have a driveway on Webster Avenue, and it was part of Paul's Pantry's plans that we were approved by the city in December of 2018, that driveway was removed. In order to put a driveway in now, we would not only need the city's approval to do it. We can't just go in and cut the curb our self and put a driveway in. The city would have to approve it, and you'd literally have to tear down the warehouse. I don't know anybody who's interested in tearing down a building to put in a driveway, but Paul's Pantry certainly is not, and nor are we have any intention of ever selling that property. As long as the poor are here, Paul's Pantry plans to be here serving them. According to the league of municipalities and some of the information that they lead us to, the special benefit has to be reasonably certain to be realized in the future in order to apply. In this case, it is just... There is no chance of that being realized certainly within a reasonable timeframe. That's why we would still object and say, there is no benefit that is special for Paul's Pantry when it comes to this property. Thank you.

- Thank you, Mr. Hornacek. If you could, please make sure you forward any communication you have from the past, and any other pertinent information, and just ask that it be included with this agenda item there.

- Okay, thank you. Where should I email that?

- I would send that all to Attorneys Chavez, the email that our attorney gave you.

- Attorney Mather?

- Yeah, I would-

- That would be great. My email is just my first name.last name at greenbaywi.gov.

- Lindsay, to you. I know you had mentioned Attorney Chavez, but you want all of it just to you.

- You can send it to both of us. That's fine. Just if you send it to me, then I know for sure that I have it.

- Perfect. If you could make sure that's .

- Sure, thank you.

- All right, I'll entertain a motion to close the floor.

- Motion to close the floor.

- Second.

- Second by Alder Scannell, second by Alder Gerlach to close the floor. Those in favor.

- Aye.

- Aye.

- Opposed? Motion carried. We have a motion and a second on the floor to refer this to staff. And I know the motion read to pursue rescinding, correct? I probably side more with Alder Brunette. I want information before I act, but I think that's the general feeling is what we're trying for. It's all supported as well. I think that's what we're shooting for. If it comes back and it's overwhelming, we can't do it. I think that's-

- And I also did say to hold this bill in advance because I don't want this to become overdue.

- Thank you. Perfect.

- In response to the concerns that Alder Wery and Alder Brunette offered, might I suggest an amendment that would be to refer to staff and hold the bill in abeyance to determine if the assessment could be legally rescinded.

- Yes, you can do that. That's I know that's the way it ought to say.

- All right. We have agreeance from Alder Gerlach to change that, and Alder Scannell you seconded it. It's fine?

- Yeah.

- All right. Any further discussion on this? All right, those in favor.

- Aye.

- Aye.

- Opposed? Motion carried. Very good, look forward to getting this back with some more information. Thank you, Alder Hornacek, maybe in the future. Thank you, Mr. Hornacek.

- Alder Wery, before we move on to the next one, if I may. Item number one with Mr. Hoff. The reason that he had asked for that item to come back was because the meeting, our last meeting was the week immediately following Labor Day. His claim was that due to the Labor Day holiday, the mailed invitation, the letter that we sent to him didn't arrive until Tuesday, which did not afford him enough time to make plans to come to this meeting. He was mailed last week upon publication of the agenda. I don't think the same thing applies. He would have had proper advanced notice of this meeting. We do also have just by way of... Just for your edification, we do have both Mr. VanCalster and Mr. Paape city employees here.

- Okay, for this item.

- Yes.

- Why don't we just take up that item and-
- All right, I think we've it's been .
- Whether you dispose the item, or you wanna hold it, at least I think in the interest of time, I'd appreciate it if we could-
- I'm fine with just doing what we had. We denied it. I have no problem with the motion to deny.
- We will take up item number one right now. What are your wishes?
- I would recommend that you do a motion to reconsider because the motion is to hold it till the end of the meeting.
- All these technicalities.
- I know, that's why you keep me around, now.
- Motion to reconsider.
- Motion by Alder Scannell.
- Second.
- Second by Alder Gerlach. We consider having it at the end of the agenda. Moving it up to right-
- Those in favor.
- Aye.
- Aye.
- All right. Opposed? Motion carried.
- Motion to deny.
- Second.
- Motion by Alder Scannell, second by Alder Gerlach to deny the request by Brian Hoff to the nuisance littering solid waste material invoice of at 1019. Is there any discussion on that? Those in favor.
- Aye.
- Opposed? Motion carried. All right, thank you. That has been handled. Thanks for hanging in there with us Paul and Bill.
- No problem, thanks guys. Take care.

- Brewers start in half an hour so you can watch the pregame.
- I was hoping on that. I was wondering if you were gonna cut me loose here soon.
- I'm gonna start people here pretty quick. 20 seconds.
- All right, we are on .
- I don't think there's anything else on the agenda for me. I'm gonna take off too.
- No, you can't go.
- Have a good night.
- All right, have a good night.
- Thank you guys.
- . All right, number five. Consideration of possible item in request to view payment too construct Johnson. I think Alder Johnson's here as well.
- Yes.
- Okay. Now, this had come up. I don't know Alder Johnson, if you wanna speak to this, but I think we're just looking forward. Obviously this committee and a lot of others have spoken about aggressively increasing the amount of road work we're doing every year. In the last year, we were successful in doing more than the year before. It would be good to hear what we're planning for the coming year and years after that, because I know that's a question, a lot of us receive. What are you doing with the wheel tax? Alder Johnson has a thing to add to that, or?
- No. I think, I've been engaging in a public discussion. I'm happy to hear from staff.
- Director.
- Well, as I'd indicated when we brought the CIP forward last year, or for this year, excuse me. We anticipate that this year's program represents the new normal. If there is an expectation that we continue to increase the amount of work, I think that that does need some additional discussion because there are some limitations to what we can do above and beyond what we're doing right now. As I indicated in prior discussions, there are three... If we continue along the current path, which I would recommend we do regarding making sure that the utilities that underlie the pavement have at least the same service life or more than the pavement we're putting on top of them. We are limited by the capacity of those utilities to fund their improvements. General manager Quirk from Green Bay Water Utility is here tonight. She can speak to a water utility, but on behalf of the sanitary and storm utilities, I can tell you that we are pretty much maxed out as far as what we can afford to pay for. As a matter of fact, as we started preparation of our budgets for 2021. We noticed that the storm water utility, the debt service in storm has almost doubled from last year to this year because where we were able to fund things in the past out of operating budget, we can no longer do that. We're

continuing to borrow more and more money over the course of each year. It is affecting the debt service, which in turn is affecting the stormwater rates that we charge our residents and rate payers. I've had discussions with general manager Quirk in the past, and she has indicated to me, and I'm not gonna speak on her behalf. I'm just gonna relay conversations as I understand them, that water utilities pretty much funding as much as they can. Now, they're gonna have a limited capacity with the retirement of the led service program, but not a whole heck of a lot. From a staffing perspective, we are currently producing about as much work as our staff engineers can. As a matter of fact, at the last INS meeting, I think we approved five or six consultant contracts where we are hiring outside consultants to complete the work. The way that that is funded, we do not have consultant services as part of our operating budget. The same bonded money that we use to build bricks and mortar projects is used to pay the consultants to do the design. We're spending more and more money on consultants to try and do more work, granted it's not to the same level, but 20,000 here, 20,000 there starts adding up when you start adding those projects together. Then the last item that I had for you was relative to bonding, and unfortunately finance director Ellenbecker had to leave. She had a prior commitment. In discussions with the finance department, when we go through finance and bring our bond requests, there is a cap on how much we can bond for without adversely impacting both our debt service and our bond rating, more so the debt service that becomes a liability under our budget. Finance committee has been working to try to come up with a cap, if you will, on general obligation bonding each year. We only qualify for a certain amount of that bonding. We're limited by how much money we can get to complete these projects.

- All right, thank you director. Director Quirk, thanks for staying with us. Good job on the-

- I was on hold for like an hour and half. Please let me know we were going yeah.

- Good job on getting those lead pipes done. I see you have the last one coming out here pretty soon.

- One left.

- Awesome.

- Steve's correct. We've been trying to work with Steve's department very closely because we know that all the utilities should get done at the same time a new street pavement is going over the top. We spent close to \$5 million on water main replacement this year. About four miles of water main got replaced. We have about 440 miles of distribution pipe in our system, and that's about 1%. We've been increasing slowly, and we do have, in our capital, improvement plan too, for the utility increasing maybe a couple hundred thousand each year to try to start doing just a little bit more every year. We're not gonna be jumping. We don't have a big jump. We have a tower we have to replace, and that's a couple million dollars. We'll bond for that. Our water mains we use out of our rate payers. We don't bond for those because mains are used every single year, and we pay that with cash. We watch our cash flow very closely and we try to... We know that our best dollars are spent when we work with Steve's department, because we can get our mains replaced at a lower cost if we work together.

- All right, thank you. Any questions from the committee, Director Quirk or director Grenier, Alder Johnson?

- Thank you, chairman. Director Grenier, do you have a sense, and I understand you're not prepared for this question. If you don't have an answer, I understand. When you look at, you said something that really resonated with me, and that is only repaving streets where the lifespan of that street will not be outlived by the utilities that need to be taken care of underneath it. Do you have a sense of how many streets in our mileage wise, or maybe what streets that do need repaving, how much of that exists relative to what utility still needs to take care of first? Is that make any sense?

- It does. Do I have some, at least an anecdotal sense of how much of the streets that currently need to either be resurfaced or reconstructed also need utility work.

- Yeah.

- Okay. If I had to estimate right now, I would say in excess of 95%. The reason I say that is because I have challenged staff to look for programs each year over the last three years where we have resurfacing streets that don't have utility needs underneath them, in an effort to continue to try to boost the amount of linear footage that we're getting done every year. The staff is really struggling to find those streets. They simply don't exist. If the pavement has deteriorated to the point that a resurfacing or a reconstruct project is necessary, the very high probability is we have utility work under the street that also needs to be done.

- That's interesting to me. Then I would maybe kick that question. I mean, it sounds to me that even if we had this desire to do more streets, it doesn't make sense unless we increase the amount that we're spending on doing the utilities. In which case, then I would direct that question back to Director Quirk, and maybe for a response or reaction on that in terms of, is it possible for us to take a look at how we might be able to increase the amount of utility work we're doing?

- I would say certainly we can start looking at that. We did a master plan where we've got the streets laid out of what we wanna do. As Director Grenier said, we have a lot of main that needs to get replaced. We were not replacing enough main in past years just due to our limitations too. We have one tech and one engineer that's doing all the design for the water system also. We are staff limited to that degree too. If we wanted to increase design and inspection and construction, we would need to gear up and get a couple more people out in the field to help us do all of that too. I know our commission is very into wanting to get more infrastructure replaced. I will assure you that Steve and I will be looking at ways that we can start increasing that as we get more experienced staff and we can do some things. We'll look at it. The CIP changes every single year. We try to project for five years, but we only know that the next year is our best year of predicting what we're actually gonna do. Every year we take a look, can we do more? What do we have for resources? What's coming down the pike for what we need to do. I certainly would say this isn't dead. I mean, we certainly will look at opportunities to try to increase where we can.

- Director Grenier, just again, not holding you to those numbers because I know you're just spit balling them. But if we said that we have 5% of the roads in our community that don't require utility work, do you know what percentage of that might actually require resurfacing?

- What I can tell you is I have not yet found a reconstruct street that didn't require utility work. Any of the streets that we have identified already that we can get away with no utility work. We're resurfacing streets, and we actually have been inserting those streets into programs especially this year. We do have some lined up for next year to insert into the program as well.

- What I'm hearing then is right now that it's really heavily contingent on the water utilities' ability to expand their program. Would that be correct?

- No, not water only. It also is dependent upon sanitary and storm.

- Yeah, my bad, yeah. I don't wanna pontificate on this too much, but it surprises me a little bit to hear that the storm water utility is being stretched so thin. When we shifted 1.2 million of our budget over there, it seems to me that that could have been funding that could be used to help us put in a better position there. I think overall, we're challenged with this fact that the public wants more roads. They want more infrastructure. We're in \$220 million of debt right now, we're reaching our bonding ceilings. I mean the only way to... I mean, this is no fault of any city staff person. The only way to do more streets, to do more infrastructures with funding. One of the things that we talked, my desire to wanna do that five-year capital improvement plan was less about identifying specific projects so much as it was identifying the pots of money and where they're going. If you were to say, each department is gonna get X percentage every year. How is that being invested in? It seems to me, we gotta start to have a much broader discussion here when we're looking at all these debt ceilings and our ability to raise revenue in certain area. I mean, we're at the end of our rope in every direction we go. I mean, we almost need to start having a 20 year conversation about how these funds are gonna be moved around a little bit, to ensure that we can give public works and water utility and storm water utility enough funding to do the job we're asking them to do, because right now they can't do the job that the public is demanding. That's what concerns me. I mean, I'll just leave it at that. That's gonna be more of a conversation for finance and budgeting. I think it's something we really need to start to consider if we authentically want the program to be expanded.

- Thank you. Alder Johnson, Alder Burnett and Alder Gerlach. Excellent points for Alderman Johnson. I think almost every city council member, even the mayor campaigned, or at least mentioned the desire and understanding the public's expectation we do more roads. Fortunately, the public doesn't always understand what Director Grenier and Director Quirk just mentioned. Sanitary, storm and waterlines, all go into roads. The wheel tax great, we got that revenue source, but if we don't have the funding or the staff and contracts to do the other work required to pave and resurface and reconstruct roads, then we're in a pickle. Director Grenier and I had a very good conversation, and he laid out some of the challenges we have in regards to funding and infrastructure for public works. It's not unique to Green Bay. A lot of municipalities are struggling with that. Alderman Johnson, it was a great, and Alderman Wery it was great to put this out there. We need to continue the discussions. No question about it, and get that information out there publicly. Because when people say do more roads, do more roads, it's just not that simple. We all know that now. It took us a year to five in Alderman Wery's case about 30 years on the city council to understand. Thank you. Again, we just gotta keep pushing, keep it out there and keep working at it though. Having good results. Thank you.

- Thank you, Alder Gerlach.

- Just a question for Director Grenier. Again, you didn't know you were gonna have to answer this, so maybe you don't have the answer. I'm just wondering, several months ago, this committee moved to reduce the cost to the taxpayer, to the citizen for hooking up to the mini storm water sewer to reduce it by half. The purpose was to incentivize more people to engage in that. I wondered if there's any evidence that that has worked.

- We haven't looked at that specifically. Yeah, I think it's a little too early because the project is still going on.

- Okay, thanks.

- Thank you, alder. Go ahead, Director Quirk.

- I just wanted to mention. I haven't even talked to Steve about this, but there are some national funding mechanisms coming out. I don't know if that we'd have to work through numbers, but there's a program called WIFIA, the Water Infrastructure Finance Innovations Act, where big cities like us, we have to put in a \$20 million ask and we have to pay for half of it. It's only funded at treasury bills and stuff, but maybe there's a year where sanitary and water can go together on a project and possibly get some treasury bonds and try to get some work done too. I haven't talked to Steve about it. I'm just getting more information. The water utilities are just getting involved with that right now. I mean, we can look at some of the funds that are coming out and see if we can use any of those in the city to help us lower our interest rates and things too. We'll be looking at that a little more closely too. That's an excellent suggestion. Please do follow up on that and anything else. This is one of those, like as the other alders know and directors, this is one of those hair pulling things that drive you crazy. Because they have a lot of streets that need to be done.

- I don't think people understand all the work. It's not just doing the top, it's everything underneath, but they don't care. They just want it done. That falls on all of us to figure out a way to get it done. Director Grenier .

- I hate to even bring it up. This holistic discussion that Alder Johnson's referring to, I agree wholeheartedly. And I wanna preface things by saying staff as much as anybody would like to see more get done. We really would. What I'm gonna talk about very, very briefly again, on this holistic approach, remember that I believe it was last year. It could have been this year. I don't remember what year it is, but we agreed to go forward with the program starting in 2020 to do a comprehensive systematic inspection of sidewalks throughout the City of Green Bay, instead of just relying on the complaint based program. But we're going to continue the complaint based program. That's gonna blossom that sidewalk program, which draws off the same source of funding as the roads do. That moves that from \$150,000 a year of city expense to 300 or 450. There's \$300,000 that previously would have been available for paving projects that has to be set aside to fund that sidewalk program that the council voted on. We were just at parks having a discussion relative to the boat launch facilities. There's a need that's been expressed within the community to replace those docking facilities or launch facilities up there. The number that I gave you was based off estimates that my staff has recently provided to me so that we can get our five-year CIP submitted. We're looking at a \$400,000. We've got that in our CIP because we heard through parks that there's a desire to get these boat lunch things updated. There's a \$400,000 ask in our CIP to replace the boat launch facilities. Well, quick math, that's \$700,000 that previously we would have asked for, for pavement projects that is now going somewhere else. Again, we're limited where finance tells us how much money we get every year. Now, we've got a program that's probably bigger than what finance is gonna approve. Somebody is gonna have to make a decision along the line as to this one gets funded and this one doesn't. We're throwing everything out there and asking you guys to pick, but those are the kinds of decisions and the kinds of things that we struggle with on a daily basis.

- Thanks for director. Are there any other questions, comments? Alder Scannell.
- Yes, quickly. Congratulations, director or manager Nancy Quirk on your lead. I love your beanie.
- What?
- Your beanie, I don't know if you realize the lamp of the-
- Well, my fan, it was getting warm in here, so.
- The ceiling fan . It makes a great beanie.
- I turn on the heat yet, but I was... Sorry about that if it-
- No, no, no. No need of that.
- I wanna thank the common council too, because we replaced 247 private led services. Our citizens didn't have to pay a dime. That was partly due to the money that you allocated through the tax fund to help them pay for that. I wanna thank you as part of that. We were able to get into almost every home and get those taken care of, so thank you, also the city to help us get this done.
- Thanks director. It feels good to talk about it, but I don't want it to just end there. I think everybody agrees with that. I don't know how we can continually bring this back and keep talking about it. Keep thinking of innovative ways to fund and to keep pushing, because we all have the same goal. We just need to find a way to do it. Alder Brunette.
- I think quite frankly learn that public's gonna hold us accountable. The public's gonna hold the mayor accountable, and we signed up for it. We gotta find a way to move mountains if we do, if we need to, but it's why we're here. That's a good point. Talk is cheap. Roads, are expensive.
- What are your wishes committee? If I could director, when will you be coming back with the roads that are being done next year? Has that been determined already?
- I need to consult with finance department because that needs to tie in with the CIP discussions, which are gonna go on. From what I remember, the intent was to do something coincidentally with... The CIP discussions were supposed to run concurrently with the budget discussions. I would anticipate that we would probably be bringing something forward as early as the next meeting.
- Okay, perfect, that's great. Well, any other questions or comments from staff or committee? I hate to receive in place the because it seems like we're ending it, but we can always-
- I was gonna say, if we received and place on file, I mean, we're gonna be talking roads for a number, it's gonna be peaking popping up and then we can pull this in. I think to receive and place on file, is appropriate and we're not at risk at losing this at all. I think we all have this on our radar, and roads will certainly be coming up again and again, and so we can touch based on where we are as far as trying to find more funding and everything else. I'm gonna make a motion to receive and place on file.
- I'll second it.

- Motion by Alder Scannell, second by Alder Gerlach to receive and place on file. Under discussion, I think this does do a couple of things, at least for the public. It lets them know there's a lot more involved in roadwork than just scraping the top off and putting a new layer on.

- That's very, very important. However, their expectations are, they don't care and they just want it done. That's on us to find a way to get it done and to keep the discussions going. We're all in the same boat there and pulling in the same direction. Any other comments on this, Alder Brunette?

- Yeah, I agree. Receive and place on file is probably appropriate. Depending on how the budget goes we might have to resurrect this conversation and really hammer away at it. I agree with Alder Scannell. We've been talking about this for quite some time. I'm willing to receive and place on file, and let the budget process this year play out and hammer away at that public meeting, if we have to.

- We don't wanna hammer on, Steve. That's no fun. All right, any other discussions that Alder Johnson?

- Alder Johnson, I think you're muted.

- That was the most profound thing you ever said too.

- Do you know Director Grenier, off hand how many miles of roads we have in the City of Green Bay?

- There are roughly 456 center line miles of that. I believe there are 22.71 on the county trunk system. The number that we use for roads completely under city jurisdiction is just north of 421 miles.

- Recognizing how geographically dispersed the City of Green Bay is, do you know how that compares to cities of comparable size?

- I do not. Population versus aerial extent, no, I don't have a good feel for that.

- The reason I bring that up is because it would be my presumption that it's more miles than other cities of comparable size, just because of how big our footprint is. I think that's another worthwhile data point to pursue, because if we're maintaining more miles in cities of comparable size where a disproportionate amount of our budget needs to go to that, I mean that's an important conversation piece.

- Sure. Sure, the only city that I do know is the Pier, and that's just because of the director down there. And I have been friends for, God, almost pushing 40 years now. Interestingly enough, there are about one fourth, our size and they have about one fourth of our road. We do compare very similarly to the Pier. I think some of the other municipalities in our surrounding area, as you've indicated may not be the same. That's one of the discussions that I've had with folks in the past, as it relates to snow removal activities. Our way is very long and narrow and you're never more than three blocks off of a primary road. It's very easy to manage snow and ice there. They're very compact for the amount of population they have. They may be completely different than we are. Kenosha, which is very similar in population, that would be somebody that I could reach out to. Shelly and I talk

on a pretty regular basis discussions with Appleton, Oshkosh, Eau Claire, folks who aren't necessarily the same size as us, but larger than 20,000 to see, is there some sort of correlation or not?

- I mean, if it comes up, great. I don't necessarily think I need to ask you to do that, but I think it's a curiosity point that could play into how we determine what level of funding is appropriate for the City of Green Bay moving forward.

- Well, I can't guarantee anything, but you may have peaked my curiosity on that as well.

- All right, I think we're ready to move on, unless there's any other comments. We have a motion in second by Scannell and Gerlach. All right, those in favor.

- Aye.

- Aye.

- Opposed? Motion carried. All right. You don't have to leave Nancy. You can stay if you want.

- Okay, yay.

- Good night.

- Night.

- All right. We are on to number six, consideration of possible action on request the Department of Public Works to grant easement to the central LTD for northerly 30 feet under 55 feet of parcel or the railroad. Director.

- Okay, we've included several documents in the packet. One of them is the easement itself. The second is the exhibit that goes along with it. Showing exhibit A, is an aerial photograph showing the rail crossing, the parcel and the easement area. Then exhibit B, exhibit A continued is a close-up of the parcel with the easement area and the railroad signal equipment located on it. That parcel on South Ashland Avenue, just north of Clinton Street was acquired by the city. I believe there was, I don't remember if that was a flood issue or something like that. In speaking with , that that house was acquired and raised, and there were issues with that house or that parcel. There is no intent at any time on behalf of the city to try to sell that parcel for redevelopment, to have a new house put on it. The intent in speaking with community and economic services, or community and economic development, they were looking at green space or potentially a location for public art. They are supportive of this and what we have Wisconsin central under orders between them, and Wisconsin Department of Transportation, there's some upgraded signal equipment that needs to go in on that crossing of Ashland Avenue. In order to have the hot and some of the controls equipment that operates those signals, it's too big and doesn't fit on within the railroad right away. They typically will go out and talk to adjoining property owners to see if they can acquire an easement through those property owners to house the equipment. Because we're a municipality and a partner agency, it makes perfect sense to approach us rather than the neighbor to the north where they'd have to tear down the guy's driveway in order to get this stuff in. Again, in speaking with community and economic development, they did acquire this property for the sole purpose of taking the house down, because there were some issues with the property, as far as being able to be used as a

residential property. They are fully supportive of the easement, and it will not adversely impact the ability to continue to use that property for some other purposes. statutes recommend approval.

- Motion to approve.

- Motion by Alder Scannell.

- I have a question.

- Before we get to it, is there a second to the motion? Second by Alder Brunette. Now your question Alder Johnson?

- Thank you. Director Grenier, ranking them as easement, are we charging them for that, or we're just granting it to them?

- We're just granting it to them.

- How do we get them to commit to fixing the railroad crossings in our community without the taxpayers having to pay for it? I mean, we're giving them something for free and we can't even get them to fix the railroad crossings that we now have to allocate wheel tax funding to. Or cut their grass.

- Steve.

- I wish I had a good answer for you alder. I don't. What I can tell you is several years ago, we did bring resolutions through the common council. We did try to work with a Canadian national to get voluntary compliance. When that failed, we did bring resolutions through ordering those crossings improved. When that didn't result in the positive action, we did bring that to the office commissioner railroads. I believe at least two crossings OCRs office. I can't remember. I'd have to go back and check the record. Either OCR neglected to take it up, or they issued the orders to have it done, and then never followed through from the OCRs office. The only way that we were able to effect any positive change was for us to start throwing money at it. What I will say is since we've done that, we actually have seen some improvements. We've got several of these crossings. As a matter of fact, I believe... I can't remember if it's on, I think it's on 13th. There are currently three tracks on that Howard-Spur that cross 13th. CN is gonna take that down to one. The pavement has to be filled in that gap where those tracks used to be. For about a 15 to \$20,000 investment, we're gonna get a completely refurbished crossing there, which should run in excess of 65,000. In my opinion, it's been a wise investment of funds because we're actually getting some action, but I do understand your concern. It's really their responsibility under the law. We're fighting all the way up to the federal level because they are protected by the interstate commerce clause.

- I have no problem being a cooperative partner, but when the cooperation really goes one way, I mean, that's what causes a little bit of pause for me on this. How long, and I apologize because I didn't get a chance to read this in detail. How long is this easement good for?

- I think it is a permanent limited easement. It's perpetual.

- We don't really have the ability to resend this at any time either.

- Correct.

- If we all of a sudden decided we needed a use for that piece of property. I don't know that we ever would, but-

- Yes, it is perpetual right privilege and easement.

- I mean, I'll let the committee debate this one, but I'm probably gonna have some questions prior to the council meeting. Thank you. Alder Burnett.

- Well, I think the motion to approve is on the floor. Second. Now, glad you mentioned that Alderman Johnson. I don't have many train tracks in my district anymore, but when I was the alder in the eighth district, I spent a lot of hours dealing with the railroad issues, especially on 12th street. I remember knocking on the door like daily for awhile of their main center there. I'm not gonna say which railroad is irrelevant here, but trying to get some response, meaning it was horrendous. That's a great point. I mean, we are having to spend taxpayer dollars through the wheel tax to repair tracks caused by railroad traffic. I understand that they're protected as Director Grenier said, but the permanency of this is something to consider. I'll go ahead and vote yes today. Then if all Alder Johnson wants to do some research or we wanna pull it in with different information or different perspective, I might change my vote depending. I'm fine with it here at committee. We can discuss a little more at the full council if needed.

- Thank you, alder. Director, go ahead Alder Scannell.

- , I too had thought about what Alder Johnson brought up, but it was my understanding. I did a little research. That we have better relationship with the railroad than we've had in the past. I don't mind trying to grease those wheels and be more cooperative and hopefully it'll come back with us. I mean, I think they've been more responsive recently than they have in the past, and hopefully we can just keep that ball rolling. That's why I've been supporting this.

- Keep it on track in other words.

- Keep it on track. . Director, and forgive me if you've already mentioned this, but did they approach us for this building or this little storage area or whatever?

- Canadian national did not. Wisconsin Department of Transportation did.

- Got you. They might not care if they don't get this or not.

- Again, the railways division of is the one that came to us, and said, we need to upgrade these signals. I don't know if it was part of a safety study or something that was done. The request originated here at the region office with the railways division at , but the easement itself would be with Canadian national.

- All right, thanks. I have a motion and a second, any other discussion? Those in favor?

- Aye.

- Aye.

- Opposed? Motion carried. Number seven, consideration with possible action on request for Department of Public Works to enter into a professional service division within associates with the design of that would be the amount of \$232,051.90. Director.

- Sometime ago we came to you and let you know that country club had been selected by for some funding. That's a project that has long been in need of repair that runs north off of West Mason Street, past NWTC. Back in the 80s when that one was last reconstructed, it was using a technology that's no longer used for good reason. The short answer is there are no double bars that connect one slab of pavement to the next one for load transfer purposes. As a result of that, the pavement has deteriorated at a much faster rate than doweled pavements do. It was an experiment that was tried across the country in various locations and failed horribly. That that's why it's not used anymore. Luckily we were able to get that one in and get it funded through the federal... Well, the feds bring the money down to the state and the state passes on to us. Very, very similar to the Webster Avenue project, same funding mechanism, and we've been selected. The project is scheduled for 2025, and because we're designing under WisDOT guidelines, their process is substantially longer. There's a lot of hoops that need to be jumped through. We're very happy that we were able to get a consultant engaged and they'll start work, the actual design work here late in the fall, and then on into 2021, which believe it or not will barely get us the design in time for a 2025 construction. Ayres Associates is the same company that we engaged on the Webster Avenue design. We've got a great comfort level working with them. We did solicit competitive proposals and with the team that scored those proposals, Ayres was the highest scoring company. Staff does recommend award of this contract as stipulated.

- Motion to approve.

- Second.

- Motion by Alderman Scannell second by Alderman Burnett. Any discussion?

- Question.

- Alder Brunette. , thank you. As you know that's in my neck of the woods. I remember the discussion a few months ago. We're approving the contract now. It takes that long to complete the engineering work. Because when I saw this on the agenda a few days ago, I was like, wow, that means that maybe the work will be done quicker than what Steve said a few months ago. So it's still gonna be 2025.

- Yes. Again, because we're designing under WisDOT's requirements, there's a series of reports that need to be done. There is a very strict regimented procedure that comes down from federal highways through the state DOT. In order to qualify for the funding, you've got to follow that process. That process typical road project like this, and this one's not complex really. There's gonna be some complexities because we have NWTC right there, and we're gonna have to have some inter agency coordination with the tribe, the United Nation. At this point, both parties have been cooperative partners. There's no adversarial relationship there. Even with that in mind, these types of projects, without the complexity to them typically have a design life of anywhere from about 27 to 38

months. Then you have to have the design in almost a year ahead of when construction goes. That's just because we gotta follow their process.

- Like you said, actually owns quite a bit of land there, and it's undeveloped land as well, it's a wooded area.

- I mean, it makes sense. I had corresponded with the constituent when I saw this on the... I perked my ears, I was like, wow, we can get this thing done quicker.

- In house projects, will turn around from identification of project, start the survey and to the point where we actually have machinery turning earth. We do a lot of our projects within a year. If you're following the WisDOT the FHWA process, you're looking at anywhere from three to four years on the design end of things, especially if you need to acquire real estate, real estate acquisition alone. As you go through the design process, you get to what's called the design study report. Until the design study report has been submitted, reviewed and approved, you can't start real estate negotiations, and real estate negotiations can typically take 24 months alone. That's a lot of the process right there is the real estate.

- All right. No other questions. Thanks for the explanation. Appreciate it. Any other questions? All right. I'll entertain a motion on this one, if we don't-

- We already had one on the floor.

- We do? All right. Those in favor.

- Aye.

- Opposed. That motion carried. Number eight, consideration with possible action on presentation by Department of Public Works staff to the INS committee regarding a few options for more effective downtown snow bank management.

- It's a long way off, . It's requested that examples be provided from the 10 largest municipalities in the state. We had referred this from September 9th. Alder Scannell or Alder Johnson, do you want it or should we the big chair.

- Hey, we can get . I think I'm fine with just sharing the report. Go ahead director. Chris, are you still with us? There he is. I'm actually gonna turn this over to operations director Chris Pirlot.

- There we go. I think I'm working. Good evening. Steve and I, and some of our supervisors have looked at this for years. Thinking is there a different way? What are other communities do? Finally when this item came up, you said 10 communities. I said, let's just take... Let me contact all the communities in the city and the State of Wisconsin have about 50,000 or more. That's 13 communities. In your packet, we sent out... It's a three-page summary of a survey that we presented to them. What do you do for your downtowns and Ontario stone removal? How's it paid for who does the work? Just to get an idea of what's everybody doing? Once we get all of our colleagues, communities. As of last Thursday, when we put the packet together, we had not heard from Madison Lacrosse and Eau Claire, but I kept working on him. Unfortunately, I only got... I heard back today, yesterday from Eau Claire. I don't have any info for Madison and Lacrosse, but I still plan on pestering

them over so politely to get some information in the near future here. Anyways, general summary of the 13 communities, including Green Bay. We all know how we're doing in Green Bay. DPW assesses how much snow we have stored along our and/or in the downtown area, because that's really your major impact. I don't think we've ever really moved snow in a residential area. The people have terrace area, terraces are primarily intended for storage of snow, but of course, what are you gonna do in more populated areas or more denser areas, business areas run out of real estate to store. You have to consider options to free up that space. As we all know, every winter, we at least do generally speaking one or two snow removal operation, sometimes more, depends on the winter. Of the 13 communities, including Green Bay, basically everybody does it the same way we do, but... I'm just prefacing because that's the basic cookie cutter overlay. I just wanna talk about some of the differences and some of the communities that I spoke with, for example, Milwaukee a big community, 600,000 people. City Of Milwaukee does not remove snow windrows, period. However, there are big district people and they have quite a big structure there. It's been some years since I've talked with their bid district and downtown business people, but they had really big operation. It just don't matter. They're bid people, decide when the snow is gonna be removed. They pay for it. The city basically just sells permits to the contractors that work for the bid to add the city snow dome. . Obviously, I don't know if that's... Like I said, that's a big community. That's a very unique situation. Their parking division is set up similar to the City of Green Bay. It's a standalone entity. They remove snow, clear snow past adjacent to parking meters, just like we do in Green Bay. I really wanna know what Madison does. They have a very unique situation of course, with the university. Kenosha does it the exact same way as the Green Bay, except when the DPW makes a recommendation or a thought that, hey, we better remove. They run it by the mayor, and the mayor makes the final decision. Racine, same thing as us. Appleton has had a unique situation for quite some years depending on their downtown's broken into a high intensity versus low intensity areas. They assess the downtown businesses anywhere in between 1 and \$2 per front lineal foot that goes into a fund to remove snow. Then Appleton has a priority basis when they decide that they need to remove snow for safety parking lane, freeing up parking lanes, freeing curb drive lanes. They'll go remove it and then that that's a one to \$2 per foot. Like if you will, wheel tax pays for that DPW to remove it. The Director of Public Works said that does not cover at all. The city ends up paying for the rest of the cost. Appleton does it the way we do, except they have a little rainy day fund, snowy day fund to help out. Waukesha, same as us. Oshkosh, same as us all. Eau Claire, same as us. Janesville has a little bit of a hybrid program. In the downtown, the big district pays for the removal of snow. Before the city goes through to plow, it's the responsibility of the businesses. They can shovel their snow and their sidewalk and their terrace, push it right out in the street in front of the snowplow. The snowplow in the downtown area, stores the snow in strategic locations and the bid district hires a contractor and hauls it out. Basically in Janesville, they're continuously keeping their downtown clean, but there's part of direct participation by the bid district to help pay for that removal. The last best couple West Allis, same thing as Green Bay. Lacrosse, like I said, I have not heard back from yet. Sheboygan, is a similar to Green Bay. They used to have a special assessment charge to downtown businesses, they discontinued that some years ago because of what the director said was unrealistic expectations by downtown business patrons and business owners and operators. What it boils down to me, and I'll be as savvy as your operations division director for 15 years now. DPW has the ability to do what... To remove snow. I mean, we live in Wisconsin. That's part of our core services we provide here, whether we like it or not. It all boils down to time and availability of the time balanced against what our equipment and our other core duties that we have to do during the business day on year round, and in our regular duties during the winter months. A lot of the snow removal operations in the downtown are big, large equipment snow blowers, craters. You have to do it at night so there's overtime costs as opposed to just doing it during the regular day. Here's the recurring theme and it

boils down to money and resources. I of course, I'm a little bit biased because I am inside a public works. We don't just decide not to and say, it's just too much of a hassle to remove snow and windrows. We remove it when we professionally from a safety perspective, parking availability perspective as the curb lanes are getting too narrow, make a decision. We gotta take care of this for our residents. Of course, there's a lot of people who have higher expectation of what our city should have. In a perfect world, yeah, I like the way that Janesville does it's work. They just keep pushing out into the street and keep hauling it away. That costs money. Which is why they have a partner in the cost sharing too. Their people could shovel it out. DPW stores it and put them, someone else pays to remove it. I don't have any great solution. At this point, I'm not convinced we need to look at even a hybrid program. We just need to continue to be cognizant and communicate with each other as to when we really need to remove snow. For the safety, the parking public, parking patrons, border republic and our business needs in the downtown.

- Thank you, Chris. Alder Johnson, Scannell questions, anybody else?

- I have a few. Chris, when we do right now, and please do correct me if I'm wrong, but my understanding is the process when a decision is made to remove snow banks. The process right now is to first address areas with... That have the arterial needs, where we need to widen the street because it makes it unsafe. Another priority is parking meters. Another priority might be, I'm not even sure. Can you just maybe walk me through that, how you determine which areas get done first. That's an excellent question. Some of the communities put together a priority list of who's first and why, we could do that just in general. Most of the communities do not have a written plan. It's like you said, Alder Johnson. It's arterial streets, when the curb lane, you have a facility, like West Walnut. The curb lane gets so filled in that you're really down to one and a half lanes. The vehicle and the curb lane is over the lane line. That's a safety issue. Obviously you have to do something about that. We're gonna take a look at the higher volume streets first. Like you said, the arterial streets, multi-lane streets, and it's not necessarily just where parking meters are. It's where parking is in the core downtown area where you have a need for curbside parking. I look at downtown, our downtown in my book goes from Ashland Avenue over to Monroe Avenue. On the east side, it's controlled by meters, on the west side, there's some meters, but not on the street. I would say that we treat those basically the same, but we generally start in metered areas. When we get into metered area removal or parking related snow removal, we start where the meters are. Because for every single parking space, there is a need to get to the parking meter, assuming that we wanna get revenue far from that in the parking patron either. We want them to get safely there. Parking division, basically after every snow fall, on their own dime, not on this... They're self-revenue generating, snow blows path adjacent to every meter. Obviously that is nice because someone parks there. They can get to the meter and they continue onto the sidewalk. On Broadway they do it probably every third ish parking stall, because that's not metered, but we don't want people to have to get out and walk all the way down, 300 feet to the corner to be able to get up to the sidewalk. If the windrows are the same, whether it's east of the river or west of the river, to us in operations, that's the same priority, but we have to start somewhere. We pick, let's clear by the meters first, and then we'll move over across the river.

- One thing in a previous committee that I lived in that they used to do, and I'm not suggesting that this automatically applies to Green Bay. That's why I'm looking for your feedback, but what they used to do in their downtown areas, they would plow the snow to the middle of the street rather than to the sidewalks. Then they would come through obviously with the dump truck, and a truck that was equipped with we'll call it a huge snow blower that would just into the dump truck and they'd haul it

out after every snowfall. Do we have that kind of equipment? Do we have that capability? Does it make sense for not necessarily the whole downtown, but maybe certain parts?

- We do have that equipment. We have two large snow mowers that fit on the front of rubber tire front end loader sit very similar to have pretty much every other large community in the state. We did consider that probably about five years ago, when a street section superintendent, Tony Fietzer was still with us. Steve, Tony and I talked about it, and we said, let's give it a shot. Because Tony said, okay, how about we just push it off to the middle of the street and then toward the end of the snowplow operation, we'll blow it and clear it? We'll try it on a pilot program somewhere. I believe if I remember correctly, we tried it on South Washington, and I think it was Adams or Jefferson, just quick runs north to south where you don't have to turn corners a lot. What ended up happening from our experiment, if you will, our pilot program was the time got done following the city, and getting enough equipment together to do the snow haul because we dump trucks to haul snow. We also did dump trucks to finish plowing 460 miles of street, and switching over equipment if we had to pull a spreader out or whatever, which doesn't really take a lot of time. When you say 20 minutes, a spreader times, we need 18 trucks, it adds up. We were well, into the regular business day and it really hazardous too, if you will, compete with regular daily traffic. We really didn't want to leave that there in the middle of the road during the day and to have to come back at night because it inhibits crossing of streets by pedestrians, turning corners, safe distance, all at once.

- Not only that, but because we were looking at long runs like that. We actually were blocking several cross streets because the wind roll went right down the center of the street and we went blocks and blocks before you had an opportunity for somebody to make a crossing movement over the streets that were plowed. We do attend and are very active in American Public Works Association. Several of us are very engaged with our winter operations subcommittees. We are always looking at talking to our peers and other municipalities in other areas of the country, to see if we can improve our operations. The downtown snow plan was one of those opportunities that Tony heard about at a snow conference that we decided to give a try to. We didn't try it just once. We actually tried, I think twice. Both times we wound up paving ourselves into a corner because we are limited on the amount of equipment we have. We talk about leaf collection in the fall. We use the same trucks to haul leaves that we do to plow snow, and we've gotta be able to make that conversion while we've got the same... The plow trucks also have spreaders in the back. In order to haul snow, we got to take the spreaders out and then we've got to put them back in, in case we get another snowfall. Just from a logistics perspective, there were some concerns with it. But yes, we did actually look at it and try it.

- There's two primary reasons, I think that are prompting me to wanna discuss this issue. One is with COVID, we have more and more businesses in our downtown partners that are really dependent on curbside pickup. If we don't have a place to go with the snow, it creates sometimes a wall that separates that curbside pickup parking spot from the business. The other piece really is safety. This has been one that's been on my mind for several years. Obviously in the district that I represent the Broadway area. There is a high concentration of pedestrian foot traffic, and I observe it on a daily basis in the winter months. People that they're climbing these snow banks to get access to the businesses, and the businesses. They don't have any place to go with this snow. That's the challenge. That's the dilemma. Because of a high volume of people that we have, and you get these snow banks when they get all iced up and slippery and dangerous, it hazard. That's what I've personally observed on the west side. I'm sure Alder Scannell maybe has experienced some feedback from the east side that maybe is comparable. I'm not sure. I do recognize that there is a problem, and I wanna make

sure that whatever... That at least we still have an honest conversation about the solution. Unless Alder Scannell has more to add to this conversation, maybe one of the things that I would suggest for tonight is that if we do refer this back to staff, perhaps Chris you could sit down with you, Alder Scannell, myself maybe we bring in Jeff Marcus from the east side bid and just have a conversation about what, from our experiences and perspectives and the feedback that we get, what we deem to be those priorities streets. Because you just had alluded to before that that wasn't something that maybe you guys have really done. You've done your own judgments, and I understand that, but maybe there's an opportunity for us to provide some feedback into that process as well. I mean, obviously winter is coming, but we're not gonna see huge snow piles right away, knock on wood. I think we've probably at least got a little bit of time for us to really continue to push this conversation. I think it would be great to have a few more brains at the table, maybe to get some feedback too that can help solve the problem that we feel still exists out there.

- Sure, I'm definitely open to that.

- Alder Scannell. Go ahead.

- I'd just like to add that, Janesville really sounds pretty interesting to me. You've mentioned how you didn't think we we're quite at that point yet, or you think that'd be helpful, but if we did go that, would there be a place for us to... For the city to store it where the bid board could pay someone to come and to haul it away?

- That option was actually offered several years ago to the bids.

- Well maybe now there'll be interested because COVID-19 does make a different world that we're in now. It's just the thing I was thinking of, so we... A partnership. I didn't wanna just dump this all on DPW saying this is the problem. You guys gotta solve it. I was thinking, this is gonna take a community effort if we're gonna really make some progress on this. I thought that I was being . Maybe that's not the way to go now, but maybe we come up with something else. I really would like to sit down with Jeff Marcus and see if we can address some of the concerns somehow. I remember a few years ago talking to with Director Grenier about this, about we offer it to the bid board that they could pay someone to... We would let them use where we dump our snow. I don't know what happened to that. It seemed to get lost. Marcus seemed to, I don't know. The businesses lost interest or what, but maybe now that might work given the situation, they may take a different perspective on it. If we can do something, I think it'd be a good idea.

- Thank you alder. Any other questions from the rest of the committee, or comments? All right, I'll entertain a motion, or give you an acceptable motion would be to refer back to staff, to engage with interested groups, to carry forward a discussion. I don't know. You think that would work?

- It worked from our end. I'm always happy to interact with the patrons, the end user, if you will. Just hear our thoughts and ideas.

- All right, is there a second to that motion?

- Second. Second by Alder Scannell. Any other questions or comments on that motion? Director Grenier.

- Refer to staff to meet with interested parties to develop potential solutions?
- Sure.
- All right, those in favor.
- Aye.
- Aye.
- Opposed? Motion carried. Number nine is consideration part side of the purchasing manager request approval to award contract for fiber optic cabling to public sanctuary. For the sum of 43,800 to Holtger Brothers the lowest possible bidder, RFB 3274.
- In your packet, we have a memo from Calvin Winters, the procurement manager that indicates they did go out for bids. Holtger Brothers was the low responsible bidder to request forbid 3274 to provide that fiber optic cabling to Holtger for the baby 12 twilight sanctuary in the amount of 42,800. Staff does recommend approval.
- Need to approve.
- Motion by Alderman Burnett.
- Second.
- Second by Alder Gerlach, discussion. Those in favor.
- Aye.
- Aye.
- Opposed? Motion carried. Number 10 report of actions taken by Department of Public Works, granting licenses, sidewalk builder, summer construction company.
- Again, that's just a report of a sidewalk builder who has a license with us in the past. He's been granted renewal.
- A motion to receive in place on file. would be appropriate.
- Yes.
- Motion by Alder Burnett.
- Second.
- Seconded by Alderman Scannell, those in favor?
- Aye.

- Motion carried. Informational director's report in recent activities.

- Just two things for you. Very briefly. Today we made the first announcement that Fall Loose Leaf Collection is going to start on October 12th. Direct, and I had that conversation on Monday and we held off till today to make the official announcement because that ties into the second one. We all have been working for some time on what is being referred to as a department 101 series of videos. Things that may be of interest to the general public, rather than just have something on our website or something on the Facebook page, that's a text that people lose interest in, we're actually generating a series of videos that we're gonna start doing. One of the ones I have in mind is sidewalk repair and replacement. Just because there's an X on your sidewalk, doesn't mean it has to come out. If there's a pothole or a divot in the sidewalk, that would cause a tripping hazard, residents could at very low costs, go to a home improvement store and get a container of hydraulic cement or grout and grow it and to remove that trip hazard. Then the X goes away. We don't have that information readily available for folks. What we wanna do is a series of videos on things like that, different service lines that we provide, different informational pieces, the how tos, what to do and what not to do. The first of those videos was published today on the city's Facebook page. It's about a six minute long video and it talks about a yard waste and loose leaf collection. The dos and don'ts. Don't put it next to obstructions. The video actually shows next to our east side garage, the equipment in motion, how it's pulling the material off the curb gathering it up into large piles. The loader with the tusk clam comes over, picks it up, dumps it into a dump truck. Then after everything's done the street sweeper comes and clears it up. There's also some discussion in that video about keeping the material in the terrace because of the nutrient loads in the... By placing it out in the street, it's actually putting the city in violation of our storm water, MS4 permit. That's part of a larger educational series. When we did the spring yard waste collection, we actually recorded over 3,200 addresses who were doing it wrong and actually putting the material out in the street. We have those addresses. Today we finalized a letter that's going out to every one of those people who had a violation in the spring to let them know, the way you put it out in the spring was actually in violation of municipal ordinances. It's causing us an issue with our storm water permit. Please take care to keep the material up on the terrace. If you're putting things out for the fall and then there's an advisement in there that failure to comply with this could result in a municipal citation. We are actually looking ahead that continued violations, if people have been properly notified, we've taken the effort to make the educational series out there. There is an intent to potentially move forward here and start issuing citations for violation of that. Just to let you know that we are working on a series of videos. With that in mind, if there are functions of the Department of Public Works or questions that you as alders receive that you think your residents would be interested in knowing about by all means, send those suggestions to me. I'm very happy to consider those for future 101 videos.

- I think that's a great idea. If we can share on social media, a short video about something, people will watch that rather than reading a two-page document. If you're looking for an actor, I hear former Alderman Danziger has some performance experience. He'd be, I'm sure interested in starring in one of your videos. We actually are starting to spread that around because I think there's a lot of people in Green Bay area getting sick and tired of seeing me on everything. We're getting a lot more people involved to get some variety in the videos as well.

- Questions Alder Scannell?

- I saw the video. In fact, I shared it on my social media. Really good, very nice. I'm glad to hear that we're following... We've got residences identified that have been problematic in the past and that we're gonna be doing stuff. That's really good at news. I just got a call a few days ago from constituent complaining. Like they did last year to me that their neighbor is blowing leaves into the street already. In fact she wanted to make sure that the neighbor next to that 514, I think it was, didn't get in trouble because the neighbor went over there and then blew that person. Kudos are really good. Appreciate it.

- Motion to . Alder Brian. No, all right, anything else director?

- That's it.

- final, Alder Scannell? Second. Second by Alder Brunette. Those are favor.

- Aye.

- Aye. Opposed, motion carried. Boy, if we can make this last one last 21 minutes, we can say we're here five hours with the two committees. We can reconsider something.

- It's .

- Maybe the snow banks. We can talk about that one more.

- what I learned?

- Okay.

- I learned a new word, windrow. I never heard of this. I hate them. I hate those things. I shovel them all the time. Snow windrow, I never heard that word before.

- What's the word you use Steve, about country club, the road, the dowel?

- Out the dowel. Dowels.

- Dowels.

- Yeah, that's my new word.

- There was a new word in parks committee something that we were gonna put platforms up for a certain kind of bird or animal. Was a or something? I don't know. . Will make this a part of our committee now, what we learn. And everybody has to look to the left and to the right, and sit down and wave to everybody, hey, hey, hey. All right, I guess we can go. The Brewers are losing two nothing, so.

- Oh no.

- They'll come back.

- All right, well-
- Motion to adjourn.
- Motion to adjourn by Alder Scannell.
- Second.
- Second by Alder Gerlach. Those in favor?
- Aye.
- Aye.
- Opposed. Motion carried.
- Thanks everybody.
- Good bye.
- I think Brian is our.