



MINUTES OF THE IMPROVEMENT AND SERVICES COMMITTEE

WEDNESDAY, APRIL 14, 2021, 6:00 PM

AMENDED

Immediately following Park Committee which begins at 5 P.M.

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. Chris Wery, Ald. Randy Scannell, Ald. Jesse Brunette

C. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve the agenda of the Wednesday, April 14, 2021 Improvement and Services Committee meeting. 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. Lynn Gerlach to approve the minutes of the

Wednesday, March 24, 2021 Improvement and Services Committee meeting. Motion carried.
Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

E. REGULAR BUSINESS.

1. Consideration with possible action on request by resident at 1604 Hillcrest Drive to extend the payback period and waive the interest for the water assessments associated with the Hillcrest Drive Reconstruction project.

Moved by Ald. Jesse Brunette, seconded by Ald. Randy Scannell to hold the request by resident at 1604 Hillcrest Drive to extend the payback period and waive the interest for the water assessments associated with the Hillcrest Drive Reconstruction project. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

2. Consideration with possible action on proposed revisions to Section 8.11, Green Bay Municipal Code, Noxious Weeds and Maintenance of Vegetation.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach 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. Lynn Gerlach 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. Lynn Gerlach 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. Lynn Gerlach 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. Lynn Gerlach to approve the modified revisions to Section 8.11, Green Bay Municipal Code, Noxious Weeds and Maintenance of Vegetation effective June 1, 2021. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

3. Consideration with possible action on request by Green Bay Water Utility to have the City of Green Bay waive the \$30 plumbing fee for the galvanized water service replacement program.

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

Bay Water Utility to have the City of Green Bay waive the \$30 plumbing fee for the galvanized water service replacement program. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

4. Consideration with possible action on request by Department of Public Works to award the Clerk's Office Conference Room construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve the request by Department of Public Works to award the Clerk's Office Conference Room construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

5. Consideration with possible action on request by Department of Public Works to accept the grant from the Environmental Protection Agency (EPA), and enter into a contract with Wisconsin Department of Natural Resources (WDNR) to complete the scope of work and the project at the Tank Farm Marsh.

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 by Department of Public Works to accept the grant from the Environmental Protection Agency (EPA), and enter into a contract with Wisconsin Department of Natural Resources (WDNR) to complete the scope of work and the project at the Tank Farm Marsh. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

6. Consideration with possible action on the report of the Purchasing Manager for approval of award to US Petroleum Equipment for the replacement of the Fuelmaster system at the Department of Public Works shops for the sum of \$28,215. The Fuelmaster System was competitively bid on Sourcewell Contract #092920-SYS.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve the report of the Purchasing Manager to award US Petroleum Equipment for the replacement of the Fuelmaster system at the Department of Public Works shops for the sum of \$28,215. The Fuelmaster System was competitively bid on Sourcewell Contract #092920-SYS. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

7. Consideration with possible action on the review and award of the following contracts:

A. BRIDGE 1-21 (ATKINSON DRIVE OVER CN/WC RAILROAD B-5-225) EXPANSION JOINT REPLACEMENT

B. RAMPS 1-21 MAIN STREET PARKING RAMP FAÇADE REMOVAL

C. SOUTH BAY SHORE DIKE REINFORCEMENT - SEGMENTS 20-22

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve the award of the contract BRIDGE 1-21 (ATKINSON DRIVE OVER CN/WC RAILROAD B-5-225) EXPANSION JOINT REPLACEMENT to the low responsive bidder Highway Landscapers, Inc., in the amount of \$208,050. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve the award of the contract RAMPS 1-21 MAIN STREET PARKING RAMP FAÇADE REMOVAL to the low responsive bidder, Central Restoration, LLC, in the amount of \$91,593. 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 approve the award of the contract SOUTH BAY SHORE DIKE REINFORCEMENT - SEGMENTS 20-22 to the low responsive bidder, Vinton Construction Co., in the amount of \$443,553.75. Motion carried. Vote: Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

8. Report the award of the following contracts:

A. PAVEMENT 2-21 JACKSON STREET RECONSTRUCTION

B. PAVEMENT 3-21 S. JACKSON STREET RECONSTRUCTION

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to receive and place on file the report of award of the following contracts:

A. PAVEMENT 2-21 JACKSON STREET RECONSTRUCTION to the low responsive bidder, Soper Sewer & Water, LLC, in the amount of \$2,316,702.99.

B. PAVEMENT 3-21 S. JACKSON STREET RECONSTRUCTION to the low responsive bidder, Peters Concrete Co., in the amount of \$2,263,864.75.

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

9. Consideration with possible action on acquisition of right-of-way for Tax Parcel No. 5-1363, for improvements to Gray Street from Dousman Street to Mather Street.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve the acquisition of right-of-way for Tax Parcel No. 5-1363, for improvements to Gray Street from Dousman Street to Mather Street. 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

1. Sidewalk Builder

- a. E&I Concrete Construction
- b. Evraets Concrete Construction LLC
- c. Fischer Ulman Construction Inc.
- d. Kurowski Construction LLC
- e. N&L Concrete Construction LLP
- f. RG Hendricks & Sons Construction Inc.

2. Tree & Brush Trimmer

- a. A to Z Tree Service

3. Underground Sprinkler System

- a. ADC Maintenance LLC

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to receive and place on file the report of actions taken by Department of Public Works. 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. Lynn Gerlach 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 April 28, 2021.

G. 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

- Is now underway and we'll note that Alder Scannell's present, Alder Gerlach's present, Alder Brunette is here and Alder Wery. Can I have an approval of the agenda?

- Motion approved.

- Motion approved.

- Motion by Alder Gerlach second bail to scale to approve the agenda. Any changes? Nope. All right. Those in favor?

- Aye.

- Aye. Motion carried. D is approval of the minutes.

- Motion approved.

- Second

- Motion by Alder Scannell, second by Alder Gerlach. Any changes? Those in favor?

- Aye.

- Aye. Posed. Motion carried. Alright. Does anybody else not like getting those spam risk calls? I'm sorry. Anyone else get ten of those a day now? I don't know what's going on but just looked over and there's another one. Okay. I digress. Under regular business, so everything that we do tonight will be a recommendation to the city council next Tuesday night on the 20th and starting with number one consideration of possible action on request by resident at 1604 Hillcrest Drive to expand the payback period and waive the interest for the water assessments associated with the health crest bribe reconstruction project. So Steve's not here? I direct to Brunette.

- Steve is here.

- Oh, you are.

- I thought you were just watching tonight, I thought you were just bored.

- No, I'm not fully back. Oh, okay. Okay.

- Okay. So we've received this request, historically on other types of assessments, sanitary storm and especially on pavement, the city does have a policy for commercial properties that allows that to be extended from the normal five-year payback period to a 10 year payback period. Upon petition, there have been limited instances where we have allowed residential properties who also enjoy that same ten-year payback period, which is why this is coming before INS tonight. However, the second part of the request is to waive the interest payments. The city has to borrow money to pay the contractor in order to front that on behalf of the resident. And especially with the water assessments, DPW has to borrow that money because water being a PFC regulated utility needs to be paid in full. So there are absolutely no deferrals when it comes to water. Anytime that the committee or the council grants a deferral relative to a water assessment, water utility has been paid and DPW is now covering those assessments. So we would be fine with a request to extend the payback period from five to 10 years, recompute the outstanding balance and let the resident know what those new payments would be through the clerk's office. But staff is not in support of waving the interest because of the fact that the city has to borrow that money in the first place.

- All right. Alder Brunette?

- Yeah. Thank you, director Grenier. I'm glad you're doing better. One thing, the property owner is not able to attend and so I don't know if I'm speaking on his behalf, but I think I know enough about the situation to say that I think one of his concerns was that the entry from when the work was done a year ago, in his opinion, the interest rate has increased. Director Grenier, is that true, do you know?

- When we established the interest rates for payback period, it's based on the bond that we took out so that interest rate does not change over time.

- Okay. Well, do you know what that is by chance?

- Offhand? I don't. I believe, I would be guessing, but I believe the interest rates for the 2020 construction I believe were at 4.77.

- Okay. For some reason, he thought maybe when we so, as we all know, he'll crest with the reconstruct, so it originally came up three years ago, maybe from the time it was done three years ago to a year ago, maybe the interest rate increased from the bond issue over that time. I don't know.

- That could have happened.

- Maybe that's what he was referring to. I think it's reasonable to extend to 10 years. This gentleman has some rather expensive dental work and being a frugal individual, he was concerned about the you know, obviously paying more over the life of a ten-year extension versus five years. So he was hoping

for a reduction in interest rate. But if staff doesn't recommend that, I'd be fine with extending the payback period to 10 years. And I'll ask him to, you know, make a case because it goes to the full council if he wants to pursue a further reduction of interest rate. They'll have to make a little better case for that provision. If it's okay, I'd like to go ahead. I'm sorry, chairman, I see.

- So, first off, I'll see if there's a second to your motion and then I'll go to basically

- Basically, the motion would be to allow a payback period of 10 years versus five years,

- But you also move something about waving the interest?

- Yeah. The interests, I will not make a motion about the interest based off staff recommendation that we would be breaking precedent, you know on that matter. So just be the payback period, Alder Gerlach.

- Second.

- All right, the motion by Alder Brunette, second by Alder Scannell. Attorney Mather.

- Hello Alders, and welcome back director Grenier, although not back back. I just wanted to, first, with respect to the interest rate. So, the ordinance that actually allows for extension of the payback period does not make any mention of forgiving any interest. The interest is solely done in under a different ordinance that deals with a finding of indigency. So under 9.44, based on our financial hardship you can extend from five years to up to 10 but that ordinance itself does not make any reference to eliminating or reducing or anything like that with respect to interest. So I understand that this is a little bit moot now that Alder Brunette's motion did not include any reference to interest, but I did just want to make a record of that. That that would have to go under I think it's 9.42, maybe. Anyway, it's a different process. The other thing that I wanted to point out is that the ordinance does require that the extension of the period be based on a finding of financial hardship. And I don't know if this individual has submitted anything in writing that the committee has been able to look at, or has made any- aside from speaking with staff, And it sounds like perhaps Alder Brunette has had any direct communication with the committee but my recommendation would be that unless you can make a finding of financial hardship based on the limited information that you have in front of you I would hold it until that person can come in, explain the circumstances, and then you can put on the record your reasons for finding that there's a financial hardship.

- All right. Appreciate it, attorney. Alder Brunette? Yeah, thank you, attorney Mather. I'm fine with that. You know, I have been engaging with this individual for several years and I keep trying to gain and it riff-raff for whatever reason he felt he was not happy with some of the response and I'm not blaming anyone. It could have been a number of reasons. It might've been his issue, I don't know, but I preferred that it be dealt with at staff and then staff brings something to us that states yes, this person does have a hardship. All I'm going off of is what he tells me. So I want to be fair for it, I want to follow the proper process, So attorney Mather, you recommend that we hold it and then have him work with public works directly and keep me out of it?

- The finding, yes, my preference would be that he worked with staff, but I do note that it is the common council that has to make the finding of financial hardship. So while he can work with staff to submit whatever he thinks may be appropriate to the committee, if you would prefer to do that

instead of appearing before the committee and ultimately before council, that may be one possible avenue to go down, but ultimately it's the committee and not staff and then ultimately council but not staff that can make the finding of hardship. That's not something that staff can make a determination of on their own and then bring it to the committee and say, in our view there is a hardship. you guys have to decide that amongst yourselves.

- All right.

- If I may, your honor.

- Sure. Anything else, Alder Brunette?

- I'm a little confused. So, I mean, I'm fine with holding. I'm fine making that decision obviously, but I don't know if we have enough to prove that there is in fact a hardship so I'd rather hold it rather than I'm just a little confused, but anyways, Alder Scannell seemed like he had this commentary.

- Sure, Alder Scannell, then Alder Gerlach.

- I think this is how we operate all the time staff does the work and they make a recommendation or don't make a recommendation, but they can do the work and provide us with all that information and then we could work from there. So I think it's best that he's directed to work with staff and staff vet all this information and then they can present it to us, with or without any kind of recommendation. And we can move forward however we decide and then the council can move forward however it decides.

- All right, fair enough. Motion to hold, then, until the next meeting.

- Wait, wait, wait.

- Second, but

- Alder Gerlach first, why don't you go first?

- Questions on the floor, which was to extend the payback period from five to 10 years, period. Full stop. Can we go ahead and approve that? And do we have to deal with this wave the interest at the same time? Or can we approve that? Or do we have to hold the whole thing?

- The extension, even the extension has to be based on a financial hardship.

- Oh, okay. I didn't understand that. Okay. I will be quiet. Now you can do it.

- That's all right. Alder Brunette had a motion to hold the item and Alder Scannell, I saw, had a second. And that's so that the resident can work with staff to get that needed information in. And then I assume Steve, it'll come back to us then at some point cause it has to be approved by committee and council camp. That is correct. All right, then that's all we can do for this one. So any other discussion on then those in favor?

- Aye.

- Aye

- Aye

- Proposed. Motion carries. Big moment. Instead of revisions to section 8.11, Green Bay municipal code, noxious weeds and maintenance of vegetation. I think we saw this month or two ago, perhaps, Dr. Grenier, did anything change?

- Well, what has happened, This has come back to staff and joining us tonight is Melissa Schmitz the resiliency coordinator, Melissa and I have been working with members of the sustainability commission and members in the park staff as well over the past several months to try to come up with the new draft ordinance language to bring forward for consideration. So included in, in the packet tonight Melissa has prepared a pretty exhaustive summary of the proposed changes, what those changes are and why. And then there is a markup of the proposed draft language for section 8.11. Also included in the packet was a copy of the street terrorists policy which addresses the publicly owned property in front of on the side of, or immediately adjacent to private properties comprising the right of way adjacent to somebody's property. So with that, I think what I will do is turn it over to Melissa and she can add on whatever else she feels is necessary.

- Welcome back, Alyssa.

- Hi. Okay. I did hear in the very beginning of the intro were there any changes from what your committee has seen from the very first time, couple of months ago to now one notable change that you'll see in your markup copy is from the original markup that you've had in your possession is there was some term, there was a section in there that said the maximum amount of space allowable on a property for a planned natural landscape. And it was 300 square feet or up to 5% of the lot size, that has been removed. And that was removed based on staff feedback from parks and also sustainability commission member feedback as well. So that has been removed from the copy that you have tonight. There's been some other minor changes but that's probably the most substantive change that you'll see. Also, I think I gave a background to your committee at the onset. I think I did, but these code amendments are part of a larger project that the city undertook starting at the end of 2019 a green infrastructure code project, where there's several different municipal codes that are being examined for the incorporation of green infrastructure in the code language. So this is the first one. This is the first one of the codes that have been audited and are being looked at part of that project. And then, in addition to park staff, the code amendments were circulated to the planning department and the development teams. So there's been lots of eyes on this. And then the sustainability commission has provided valuable feedback also which is a citizen-led group. The city currently has a provision for planned natural landscape areas. And that's in the current code. The reason for the changes are there were some ambiguities identified in the code audit, and it's kind of a reorganization of the section of the code. There's been lots of definitions that were added, edited, and, in some cases, expanded to be more inclusive of green infrastructure and different types of vegetation that the city is encouraging property owners to incorporate as part of planned natural landscapes and also better differentiating between noxious weeds and planned natural landscape areas. The other big change that you're already aware of is that this is asking for a required registration of planted natural areas versus voluntary registration. And the reasons behind that are I have four reasons and I'm happy to talk about that now or open it up. And then the last point is that the review and enforcement and appeals process has been better outlined in the draft changes as well.

- Committee. Do you want to hear a little bit more on some of the reasoning or do you want to open the floor? What do you want to

- I kind of go over her four steps that she's promised us.

- For the required registration?

- Please.

- Okay. So the first one, and these are in no particular order, these are not in order of importance that recording registration will help city staff better be able to track and potentially inventory, plan natural landscape areas and rain gardens using GIS, so that we can quantify pollinator habitats in the city and rain gardens as how that relates to stormwater management. And there's other things at work here too as far as rain gardens and why that's important for stormwater management. Registration will also enable staff to offer technical assistance to applicants before they get started on their project. And then we would also have the opportunity at that time to direct them to some local resources that might help them with their planned natural landscape areas, like the wild ones. There's a local chapter master gardener volunteers and the Brown County extension office. All really great resources for natural landscaping.

- Also this is the one I probably feel most strongly about is that I believe that the registration helps protect the property owner or the tenant who was ever putting in the planned natural landscaping areas. If a complaint arises down the road they have an approved plan and it really clears up a lot of the issues that may arise. And lastly, it could potentially make the role of the weed commissioner more efficient. If we have plans on file, the weed commissioner does not approve plans. They're on the enforcement mechanism of this. They can review the approved plan that we would have on file and work with park staff or other staff that have that expertise in verifying the species of plants in the event that there's a dispute. This isn't unprecedented that a neighbor or a complaint might come in saying, well I don't think that's a real plant. I mean, I'm just I'm being very simplistic in how I'm versing that but a weed versus a plant versus, you know if that really is indeed a part of a natural landscape Those are the four main reasons why I think registration is a good idea.

- All right. Fair enough. Any questions from committee? Anything else, Melissa, you wanted to add before we open the floor up?

- No, just lastly that the review and enforcement and appeal sections they really haven't changed in verbiage all that much. It's just a lot more straight forward. As far as lumping everything into paragraphs it sort of outlines it, A, B and C in the event of an enforcement action for noxious weeds versus maintenance of overgrown vegetation versus planned natural landscaping areas.

- All right.

- Motion to open up the floor.

- Second

- Motion by Alder Scannell, second by Alder Gerlach to open the floor. Those in favor?

- Aye.

- Aye.

- Posed, motion carried, Anyone here interested in this item, please just give me your name and address. If only they'd wave a little bit.

- Oh man, come on now.

- All right, Ned, okay, you've waited long enough. Name and address please, Mr. Dorff.

- Thank you. Ned Dorff, 1321 Emily Street. I appreciate the committee taking this up again. And I did notice that that major change had occurred in the language. And I appreciate that. I definitely felt heard and I appreciate Steve taking the time to follow up with the phone call after the last meeting as well. And we had a good conversation. So thank you for making some of those major changes. And as far as feedback on the current draft certainly the mandatory registration is something that I would still oppose. I think Melissa gave good reasons for registration but I believe that that should be voluntary and that you know, all four reasons would be helpful to the homeowner or property owner. And they should take advantage of that registration process. But I still disagree that we should be mandating a registration of a garden or a natural landscaping, especially if we're singling out one type of landscaping project. I don't think that that respects the private property owners' rights. And I would look to counter that with the voluntary registration process. There are volunteers who have worked with the pollinator corridor over the last 10 years that would be willing to sit down with city staff and create language for perhaps a webpage on the city's site and make some kind of registration process smooth for the public to use. So I would hope that we could do that and tap into some of the volunteers in our community. I am not one of those people that would be good at helping make a website but there are people who work for the university who've been involved with the pollinator corridor project that would have a little more expertise in that than I would, as far as the setback. I know that originally it had been three feet. It still is three feet in this draft. I still would like to see to zero feet. I do notice that there have been some changes in the wording there, where neighbors have gardens growing together or where a landscape goes into public property or into a naturalized area where there would be a zero foot setback. And I appreciate those changes, but I would still recommend a zero foot setback, unless plants are spilling over into a neighboring property or growing into a neighboring property as some of these native plants can spread vegetatively. So I'm just curious if there's a safety or an engineering concern with allowing, I guess landscaping along that three foot strip. And I don't know if anyone could speak to that. Is there some kind of wiring or safety-type concern?

- Which three foot strip are you?

- Along, say the side lot lines, or the back lot line

- Just going back to 10 years ago or whenever it was that we originally adopted the ordinance that's currently in place. I don't believe that it was anything relative to utilities or anything along those lines, to the best of my knowledge, or to the best of my recollection, it was simply a setback to allow a transition back to a more traditional crest, which most lots have, to inhibit or prohibit the plant natural landscaping from going onto adjacent properties. There was a buffer strip required there

that's kind of the same reason that there was the three foot setback in the front yard. If there is sidewalk present, is because some people don't we did hear a lot of community feedback that people did not feel comfortable walking directly up against that plant natural landscaping. So they wanted the three foot setback from the sidewalk. So that three foot setback was then also carried to side and rear yard, where you would be a budding a property that was not planted into plant natural landscaping. Again, the thought process being exercise of somebody's rights ends at the point that it infringes on somebody else's rights.

- Sure. Okay. I guess practically speaking, if I have plants growing within three feet of the sidewalk, but they're not spilling out onto the sidewalk, is that something that would trigger a code violation

- Upon complaint, yes. And then what we would do is we would work with the property owner to say you are not compliant with the ordinance as written and we need to get you back into compliance, but it doesn't mean that somebody would come out there and cut your plant natural landscaping down.

- Okay. I appreciate that, I wonder if there is a way where we can because there are some short native plants, right? There are some that won't spill out over the property line or spill out onto the sidewalk. If there's a way that we can note that there would be some allowances for plants to grow within that three foot space as long as they are not crossing into public areas or a neighbor's yard. I guess that's why I would recommend reducing it to zero but then noting that if it is spilling into the sidewalk or into the neighbors yard, then it would have to be cut back. The other question I had I saw that the terrace planting I appreciate that being attached to this agenda. That's actually the first time I've read that updated one. There's a statement in the draft of the the noxious weed ordinance that says you cannot have a plant natural landscaping in the terrace. I guess I would counter that with a question about as long as the plants adhere to the other requirements of the terrace area I would think they should be allowed, right?

- Technically you would not be compliant with the plan natural landscaping because the plan natural landscaping is on private property in the terrace, you're in the public right of way. So it needs to be differentiated. So if you were to submit a plan for plan natural landscaping on the private property that plan can not extend into the public right of way. You would need a special permit from the city to allow for that to happen. And as long as you are doing something compliant with the terrace policy, you're allowed to do that. Just don't call the plan natural for all practical purposes, they're the same, but there has to be a differentiation at that property line because of the ownership.

- Sure. That makes sense. Feedback from the public, those were my main points. I did get some feedback from the public concerns about natives being singled out versus cultivars, horticulture varieties. Why would a plan just be needed for a native versus any kind of landscaping and would apply planning to buy plants are added or removed from the planting. And then I did receive one concern about the height limit. There's a note in the ordinance change about a height should be maintained, put charity. And the note that I received said that plants growing in people's yards tend to receive more sunlight than they do in the wild and grow it to a slightly higher height than in nature. A note on that. And I think those are the main points that I have and that I've received. So again, I'm hoping we can change that mandatory registration to voluntary, move the setback. And those are kind of my big concerns on this one but I appreciate the work that's been done over the last month or so to change it up.

- Thank you, Mr. Dorff, any questions from the committee? Alder Gerlach?
- Can you explain your reasoning for why you don't think that registration should be mandatory? Is it just on principle that you just don't want people to have to register?
- Well, I would love if people would register, part of the map out these Native an idea of how much pollinator habitat we have in the city. But I still strongly believe it should be voluntary. Nobody shouldn't be required to say what kind of garden they have in their yard or get approval from the city to do that. As long as you're not growing something illegal in your yard, I think the city should leave you alone. I don't think it needs to be approved by somebody. So yeah, it would be just a matter of principle for me. I hope people do register. Right. It goes along with the project I've been working on for the last 10 years, but I maintain that it should be voluntary.
- All right. Any other questions, Alder Gerlach? No, anybody else? Anything else you want to add, Ned?
- Should I talk about floor right now or later?
- You have five minutes.
- All right. I'm done.
- All right. Anybody else here for this item? Anybody else? All right. I don't think we have anyone else here for this item. So, confrontation in a motion
- Close the floor.
- Second.
- All right, motion bell to Scannell, Second bell to Gerlach return to regular, those in favor?
- Aye.
- Aye.
- Posed, motion carried. What are your wishes?
- Who wants to go first? How about we hear from staff, Mr. Grenier director?
- I would like to echo Mr. Dorff's point, I think he and I have had some incredibly productive and very engaging conversations over the past 10 or so years. Going back to when Mr. Dorff was an Alder. So always a pleasure and love working with Ned on these issues. I am going to respectfully disagree with him, relative to the registration, staff did support a mandatory registration when this ordinance was originally drafted and will continue to stand by that. And our reasons, my reason as the department head is actually pretty simple. The weed commissioner and those of us who are charged with administering this ordinance simply don't have the background in these plants to be able to distinguish one plant from another as to what's a noxious weed, what's plant natural landscaping and what is simply unmanaged growth. That's what led to the lawsuit with Margaret all those years ago, is because

we went in and it was impossible for the weed commissioner to distinguish what was what. So we enforce the ordinance as it existed prior to the adoption of the plant natural landscaping. From our perspective, and I see operations director, Pirlot's here tonight with us as well for a separate item, and I know Chris will back me up on this, when we get a complaint about unmanaged growth. If our staff can simply go to that registration database and say, no, that's planned natural landscaping they have a plan on file. It's here. It's approved. It's done. That eases our ability. Now, if we have voluntary registration, I will tell you, Since the original ordinance was adopted, I don't think anybody's voluntarily registered their property. So in the 10 or so years that we've had, nobody has capitalized or utilized that voluntary registration. What I'm trying to avoid is getting my staff caught in the middle of an argument when we don't have the technical background. Now we've been in contact with the parks department, and so far, parks has been pretty good with us but they've also told us point blank, we don't have the staff to go out and manage these calls either. So we simply don't have the number of staff nor do they have the technical expertise to understand what these plants are and be able to make those determinations out in the field and still continue to do our day jobs at work. So that that's the reason that we do support the registration of these things. A flower garden is a flower garden. Okay. I think most reasonably educated people are going to be able to go out and take a look and say, okay somebody put some paving stones or rocks or whatever and made a garden of some sort or they planted a tree, okay. Plant natural landscaping, as we understand it, is intended to be more expansive and take up a larger percentage of what's normally turf grass. And more often than not if you're not part of that community, if you don't understand that, it's going to look like you just let your yard go native. Okay. So what we're looking for is, as Melissa identified earlier, we're looking for an easier way to protect those people so that when we get the complaint we can immediately access the database to say, no they have a plan on file that is plant natural landscaping and kind of free up our staff a little bit to continue doing what they're doing. Otherwise, we're going to have to go out and hire somebody and we're not going to be very responsive on it. We're going to be responding to things in weeks instead of days.

- All right. Alder Dorff.

- Hi, I just have a question for director Grenier. Director Grenier, is it easy for their plantings? I mean, how do we even advertise that it's required now? Or do we give them a warning before we give them a citation if they didn't register it? I just wonder about the nitty gritty kind of stuff. How do you go about doing that?

- That's what we would do. We would start off with an educational campaign utilizing primarily social media and traditional traditional media here in the market to get it out there, to let people know that the planned natural landscaping ordinance has changed. And if you do wish to have planned natural landscaping on your property, there is a requirement that you submit a plan and that you register. It's a no cost registration. And what that does is it helps the staff to track those in case of a complaint. We would then also work with those folks to help them. And when we're talking a plan, we're not talking something that's overly elaborate. You're not going to have to go out and hire an engineer or a soil scientist or somebody else to do that. What we're talking about is getting something that shows the property on an aerial photo. So you could go to the Brown County tax parcel listing Brown dog, and print an aerial photograph of your property. And then with a Sharpie, you can draw in hand-drawn borders to say, in this area I would like something that's this, this and this. If you want to give us an extensive, you're going to be buying seeds from a commercial supplier that says, it's this percentage of this cone flower. Okay. If you want to get that extensive, that's fine. But if you want to say in this area, we're gonna have Prairie grasses in this area. We're going to have shrubs. That's fine

too. Okay. We don't want to reinvent the wheel and we don't want folks to have to invest tons and tons of time. What we're looking for is a common sense approach to things. Give us a rough idea of what you're putting out there so that if we get a complaint and Lord knows, I get complaints on this. If we get a complaint, we can take one of our guys who doesn't do this for a living. He's not a landscape architect, send them out in the field with the plan he can look at it, goes yeah, I'll buy that. The determined Edison complaints. If we get, and as Melissa said, there is a procedure a little bit further on, that if there is a dispute, then we can continue to ratchet that up, but what we're looking for is to handle the 99% of things, not the 1%

- Does sound somewhat complex for perhaps older people that can't download the picture or whatever. I understand where you're coming from director Grenier and that's probably what's going to pass, and I also understand where Mr. Dorff is coming from. Would it also be possible that, if there was a complaint and someone didn't have it registered, that they then could register it without getting a citation?

- Absolutely. You may not have heard it, but it's a line that operations director Pirlot and I use all the time. Our goal is compliance, not citation.

- Okay. Does sounds complex, though.

- Well, let me give you a case in point, Alder Dorff, in the past 14 months, the department of public works has sent out in excess of 7,000 letters to property owners indicating that they are in violation of the ordinance for placing yard waste or leaves, not on the terrace, in the street.

- Right.

- We continue to try to educate people when it would have been very easy for us to just go around with a citation book and start racking up citations.

- Right.

- Okay? I would like to think that we have a demonstrated history of trying to work with people and be very upfront with the education and compliance side of things, as opposed to jumping to citation.

- Okay. Thank you.

- Thank you Alder Dorff, Alder Gerlach.

- As much as I want to side with Mr. Dorff, director Grenier has convinced me that it's only practical to go in that direction but now I would like to go to that setback issue. And I wonder if maybe Melissa would like to comment on what he had to say about that.

- Yeah. So the way that it reads in the amendments and it didn't change from the last, is a three foot setback on the rear and sidelight lines unless there is a permitted fence in place. Okay. So a lot of people have backyard fences. I have a six foot fence in my backyard and in a portion of my side yard too. So, in cases where there's a permitted fence, where I applied for a permit with the city to put up this fence, in cases like that, then the setback is zero. But my interpretation, and the way my support goes for this or my staff recommendation is that I do think we should have a three foot setback on

the side lot lines and the rear lot lines as well, if there is no fence in place, because some of those plans do creep and it can cause hard feelings between neighbors, whatever your opinion is on turf grass or a mulch three-foot area or whatever it might be. I think that is a balance in the planned natural landscape areas. And I guess having some harmony in between neighbors. That's my personal feeling on this and I can tell you just from my personal experience I've been a master gardener in Brown County for 15 years. I have a lot of experience in this, I know how beautiful some of these landscapes can be, but I still like my turf grass, too, and I know there's a lot of people out there like that. So I think we should. It's striking a balance so that everyone can get a little bit of what they want.

- Thank you. Can I follow up, please? I appreciate that, and I have to say that in my brief experience, as an Alder, I can just if somebody flowers lean a little bit too far to somebody else's yard, I'm going to hear about it. So I know what you're talking about. I want to make a quick comment. I want to say that whoever worked on rewriting this ordinance, thank you. I think you improved the sentence structure as you went. Like it. And finally, if we pass this, I know it has to go to the council, but if we agree to these changes tonight I think we have to have some plan in place for how people are going to register or how we're going to make registration easy or accessible or something. Do you have a plan for that that we'll be able to immediately tell people and this is how you do it? Well, I would say that we don't have an immediate I would like to see an online registration to make it as easy as possible. If people don't have access to the internet then they would need to come in. As far as outreach goes, that's part of my job is outreach. So as far as getting the word out I'll echo what director Grenier said, as far as putting it on social media I would also recommend that we send letters or have correspondence with some of the local groups that have a stake in this, that have members in their organizations that do plan natural landscaping areas of like the wild ones and master gardener, volunteers of Brown County. The reason being is because they get new members all the time. And so that might be an outreach mechanism to get the word out about these changes and about the registration process.

- I wonder if it would be possible to have a, you say people who can't go online could come into city hall and do this

- Well we're going to have to have some mechanism for registration. I think online is probably going to be the easiest for most people where you can submit your documents but, to answer your question do we have this all ready to happen in the next month? No, not yet.

- Okay. And when you do, there are people who don't use the computer and just can't do that. So if there will be some kind of paper registration could it also go out to all the neighborhood associations and not just information, but an actual copy that they can make available to their citizens If they would like? I mean, I can definitely work with Will Peters, he's the main liaison with the neighborhood associations. We can definitely do that.

- I think that'd be a great idea. Thank you.

- Thank you, Alder Gerlach, Alder Scannell, Alder Brunette, questions? What would the committee like to do?

- Oh, did Ned still want to talk about it?

- Motion to open the floor.

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

- Aye.

- Aye.

- Posed, motion carried. Floor's open, Mr Dorff.

- Thank you. I think it's a really important point to note that we don't know how people would register their gardens right now, right? There's not a mechanism to do that. That is something that we have not given people over the last eight to 10 years however long this ordinance has been around. So I think to say that voluntary registration hasn't worked is true. And I think the reason for that is we haven't given the public a mechanism to do this. At least not one that the public is aware about. And that's a failing, you know, when I say we I helped write the ordinance, right? So I take some responsibility for not following through and figuring out how the public is going to register those voluntarily. I don't think that voluntary registration is a failure. I just don't think it's got the mechanism to work yet. So I would hope that the committee, and the council eventually, would allow this to be a voluntary process and create a simple way for people to register their gardens and landscapes. Thank you.

- All right. Thank you. Anybody else? Anybody else? All right. Let's return regular order.

- You can return to regular order.

- Alder Scannell made the motion, Second by Alder Brunette, those in favor?

- Aye.

- Aye.

- Posed, motion carried. What would you like to do, committee? Changes, approvals? Hold it for a year?

- I think I'll make a motion to approve. I think I'm going to go with staff recommendations. I think, we can always tweak this as we go along. If necessary. I think the mandatory component is probably the most cautious one for me, but I know staff is going to be working with people. They're not out there We're not making this mandatory so we can slam people So I think it's a good tool to help us get organized as a city with this. And I don't think it's an onerous burden on a property owner. I think most people haven't registered cause they didn't know. And I think they say we've done what's required. I don't think they're going to get all up in arms. Especially if we tell them that this is going to help protect them from complaints, as well as help organize the city with pollinator quarters and everything else, I think. And I think it just helps to make a tool to help us get organized and work things out more smoothly. So I'm going file a recommendation here to make a motion to approve

- There's a motion by Alder Scannell to approve the ordinance as presented. Is there a second for that?

- I'll second.

- Second by Alder Brunette. Go ahead.

- Mr. Dorff, from I'm a big property rights guy and I'm really conflicted too about the mandatory piece of registering but I'm also an Alderman and I've also dealt with a lot of these issues when there's comes with property disputes, amongst neighbors. And I haven't had one in my district that Director Grenier knows probably what I'm talking about. And it's been a horrendous experience trying to find that proper way of dealing with this. And we've had the city law department, public works, the city's landscape architect and the parks department trying to figure this out. And I think a required registration of that particular parcel of land would have alleviated so much of the issues that we've had to deal with. I'm hoping that the public works department will bring something forward. If they think that voluntary registration will work. I want to believe that they'll bring that forward. But while we Institute this change, to give the staff the discretion to require that, because he's right. I think director Grenier is correct. There are a lot of our staff members that don't have the knowledge of these particular vegetations that, to some people appear to be beautiful to the eye and are native but to people in our neighborhoods they're horrendous and they're an eyesore. And that's just the reality of we're dealing with but I like what this ordinance is, I love the natural vegetation. I love the pollinator. I love every thing, We need that transition period. So I'm going to agree with staff, although it goes against my belief in private property rights and it kind of hurts me to go along with requiring people to do something but I'm also an Alderman and I've been dealing with these sorts of issues for five years now. And it's difficult. So anyway, so I'm in favor of it.

- Thank you, Alder Brunette. Alder Gerlach?

- Is there any way before passing this? And I understand has to go to council but is there any way to amend it or somehow hold it so that it does not go into effect until, and unless, there is a proper vehicle for registration. Because I hear you focusing that, for 10 years, people didn't register and it would've been so much better if they did but I don't see any mechanism for doing that. And it just seems to me kind of opening ourselves up for trouble to say, well, now we're going to make you register and wait a minute, we'll figure out how that's going to be. Can we somehow make that part of moving forward that we don't move this forward until there is a mechanism in place and available for that mandatory registration, it only makes sense. What do you think?

- Procedurally and assistant attorney Mather can correct me if I'm wrong here, procedurally at a minimum what will happen is presuming that the committee approves this tonight not only will the report of the improvement service committee go forward before the council next week, but also under ordinances first reading the ordinance language will go forward in front of the common council. So at a bare minimum it's going to take two readings in front of the common council before the ordinance could be enacted. If somebody wanted to amend the ordinance that has happened multiple times in the past, while under first or third reading to put a effective date. So that would be if you wanted to come up with a date certain, a July 1st, something along that line knowing Melissa, the way that I do, I do not think that it's going to take a whole lot for us to put together a registration system. I don't want to commit her because by me speaking up I'm sort of sticking my own feet into the fire here. As it were to assist in this process, it would be a little extraordinary, but not unheard of for us to have such a registration process done at least a framework for one by the second and final reading three weeks from now. But I think that is a little aggressive. If you wanted to have a June 1st effective

date I think that's achievable for us to get some sort of a registration process put together on the web and in a hard copy format.

- Alder Gerlach, does that answer your question? Or do you wanna

- That's a start but I'm going to let Alder Scannell talk he'll figure it out.

- Alder Scannell.

- So if we did put a date June 1st, July 1st does that cause any kind of problems? Is there any problem with holding it up like that?

- That's where I can see, assistant attorney Mather is raising her hand. So I'm gonna let her address that. I'm sure that's why she wants to chime in.

- So it doesn't necessarily cause any problems. What I will say is that between now and June 1st we are barring any more unforeseen delays. We are going to be completing the recodification. So if whatever you're creating, if it's going to be based on the ordinance numbers and those sorts of things, those will all have to be updated once the recodification is completely passed and actually the April 20th council meeting is the last we've asked staff and committee is not to have any new ordinances going after the ones this week that will appear at next week's council meetings, specifically because the second reading will be, I think May 8th or May 5th or fourth or something. And then we're hoping that the second meeting in May we're going to do the recodification and all of the numbers of the ordinances are going to change. So the only thing that I can think of actually from my perspective in my personal role is that a delay would actually be very helpful because then this wouldn't go into effect with these current numbers. It would only go into effect with the due numbers. That's just very selfish of me. It's not uncommon for us to have ordinances that would require some sort of permit or form for people to fill out for that to go into effect with the understanding that the form has not yet been completed. It would just be like any part of our code that we can no longer enforce because it's been invalidated or something like that. Director Grenier could not direct his staff to enforce any part of the ordinance for noncompliance or anything like that because we haven't made a form available yet for people to comply. So, no, there's not any problems but there's also no harm in waiting. I guess that's entirely up to the committee.

- I would just ask as a matter of June 1st or July 1st Cause I've got no problem waiting until July 1st to make sure we've got enough time. Unless there's a reason not to wait that long for some reason.

- Not from loss perspective.

- Attorney Mather, am I correct in understanding that if this item were to be held at the committee level until say June, are you saying that might be advantageous from the recodification standpoint?

- Yes. So if it were held at committee until then and pass through committee after whenever the recodification data is that would be helpful if it were passed now with an effective date of June 1st or whatever date you pick the net effect would be the same as if the effective date was after its publication. Like it normally is.

- Okay because, as Melissa indicated early in the presentation, this is the first of several of these ordinance modifications to ensure that there are no barriers to green infrastructure development that are coming through. There is no real driving factor saying that this must be recodified or this ordinance must be updated immediately. Obviously we don't want the wheels to fall off and forget about it. But if there is a legitimate reason from a larger perspective and that larger perspective I'm familiar with all the work you've put in on the recodification, that is no small effort. And if it would be advantageous for us if we're in agreement in concept on this and we don't actually bring the ordinance forward until June 1st or July 1st I don't think DPW has a problem with that.

- Any problems?

- Can you repeat that, Randy?

- Do you see any problems with holding it?

- No, I don't see any problems with waiting. I do just want to reassure Alder Gerlach that on page four. I mean, there is a very four-step process not really the process, but what is expected in a required plan in a landscape plan that's submitted. So the components are there, but what you're concerned about if I'm getting this correctly is that we don't have like an actual process or mechanism. That would be an internal staff policy procedure that we need to firm up. Is that your concern?

- That is my concern that I'm hearing. I mean, I didn't know anything about this 10 years ago or two years ago but now I'm hearing people say, well, for 10 years nobody's been registering because nobody really knew how. And I understand the director was saying it sure would be good if they were all registered and

- Right

- I just feel like I want an insurance policy that it's not going to be another 10 years. And then we're going to say, well, we passed it but we never really, And I trust you that it's that you're going to do it. It's just that I think we would be foolish to pass this as is and say, Oh, well, you know, we'll get to it.

- So we have the components for what are in a required registration. That's already laid out in the code. And it says to be submitted to the department of public works. So we do have that in place. You know, what that means is if we don't have an online portal set up June 1st that means that somebody could put all their stuff together in an envelope, send it to public works, it's received it's a plan it's going to get filed and it's going to be reviewed. And that process will continue. So I think we have a process outline. Do we have it in electronic classes at this point? No, but I will see that we get there.

- We're spending enough time on the side of anything new. Okay. Attorney Mather.

- If I could just make a suggestion that may appease Alder Gerlach's concerns, you could include in the motion that it would come back in July come back to ins for an update from staff as to what the actual process looks like. And then the ordinance would still be in effect but you could also have that follow-up that would actually have Melissa come back and explain how it actually works.

- Fair enough. Good. All right. Well, I don't know about you. Right now we have a motion and a second to approve. Fine with putting the date down at whatever June 1st? I think we can get it done. What do you want, Randy?
- Hey, I'd like to amend it to put a date on it.
- Actually, I take it back. You can't change the effective date to beyond when the expected recodification will be because then all the numbers will be wrong.
- So maybe we'd be better just to hold it.
- If you want it to not be in effect until June
- Attorney Mather. So if we wanted to effective June 1st, you would have to go through the approval process and then change again later. Is that what you're saying?
- It would
- Because it's going to pass through council twice, before June, effective June.
- Yes. But it would not be it would not be codified until June 1st at which point all of the numbers will have changed because even though it will have passed council it doesn't actually become a part of the code. until its effective date.
- So June 1st is fine is what you're saying. Figure it out on the backend.
- That is not what I'm saying. If you just want to wait until June my recommendation is to hold it. If you would like to not wait until then whatever effect date you pick is essentially going to have the same net effect. And you should do it now so that it will be part of the code before the recodification happens.
- All right. Let's just pick one. What do you want, Randy? Let's just move forward. I'm ready to move forward with it now. I mean, staff can figure out the recodification later. That's fine. I just would like to get this thing going. I think we've all been working on was wanting to get it approved, move forward.
- Right. So, I don't know if I need to,
- A motion then the second for June first, I believe.
- Okay. Anybody else change that or amend it
- And I hope during that time, you know staff can work on the forums and also maybe reach out to other groups to get feedback so that, you know when it comes to during the regions and stuff, we can tweak it any as groups get more and more involved and we can see what happens with that.

- I agree. I think it's good to move this thing forward nothing's getting mired down in red tape and government slow down stuff. So let's just get it moving. I need a second to move this thing forward and have it effective June 1st. Any discussion on that?

- All set. I mean, I second the original motion but with the amendment. I'll second.

- Okay. Those in favor?

- Aye.

- Aye.

- Posed. Motion carries. Thank you, Mr. Dorff, thanks Melissa. Thanks attorney. Any other thank yous? Barb, we'll thank you, anybody else?

- Number three considering the possible action request to Green Bay water utility to have the city of Green Bay to waive the \$30 plumbing fee for the galvanized water service replacement program. Director?

- We do have Brian Paul from Green Bay water utility here with us tonight. I believe that what this is is a parallel request to what Green Bay water utility brought forward some time ago when they started the led replacement with the led service replacement they did request that those plumbing fees be waived which was granted by the city. And now, now that the last led service is out and Brian can correct me if I'm making a misstatement here. Now that the actual led is out of the ground the most likely place for any residual lead would be on the galvanized pipe. The led adheres to the interior surface of that galvanized pipe where it doesn't necessarily do that to the same frequency or the same degree with either a plastic pipe or a copper pipe. So water utility is working on a very aggressive plan to get those galvanized pipes out and to make the galvanized program largely mirror what the led service replacement program the request has come in to waive those plumbing fees. So with that, we'll turn it over to Brian Powell.

- Yeah. Steve summed it up pretty good. You know, back in 2016, we went to a five-year program to remove all led services. Our side, homeowner side and a part of the homeowner side was we received graciously 300,000 of the excess land well sales tax. And then the plumbing permit fees were waived. And we also received funding from the DNR, you know two rounds of funding, and we'd got all the lead out and now the new lead and copper rule is going to throw a little curve ball at us. You know, they've now indicated that galvanized services that were once downstream of led pose the next threat that you could have led particulates in those galvanized services. So the DNR actually We've entered into what we would call a rollup three of funding. And actually today we actually secured 1.4 million for funding on the private side services from the DNR. So we were just trying to mirror the program like Steve said we had before with waiving those permit fees.

- What type of a timeframe are you looking at with this processor, this next phase there is there a lot to be changed out?

- Yeah. Right now our records that we have about 700 galvanize services that were once downstream of lead with the primary site lead program where you've removed 250 private side, you know we

removed 1800 on our side with our own forces and contractors but the private side, we did 250 with the funding. We have 700 to tackle with this funding.

- Do you have an anticipated number that we'll be doing a year, a hundred, 200?

- Well, I got the 1.4 million, I had to submit an estimate. And I estimated that we would do 300 certainly cost approximately \$4,500 a piece. You know, if we're able to they came in cheaper, you know they allot us a dollar amount for a cheaper being three could do 350 400 hall up until we to that 1.4 million mark, then our funds run out. And for this calendar year that other programs had like multiple years. This is literally we have to spend that money this year in 2021. And then we would have to resubmit for 2022.

- Now these galvanized water service is that all under private property or any of that under like sidewalks or streets?

- None of them would be under streets but some of them surely could be under sidewalks. It would depend where the the stop is at. Sometimes our stop is right at the property line. Other times it's in between the sidewalk and back a curb like in the terrace area.

- Any questions from the committee? All right. Anything else?

- Motion to approve.

- Well I guess we don't need to close it. Motion to approve by Alder Scannell. And is there a second to that?

- I have one question.

- Sure. Go ahead, Alder Gerlach. I didn't hear a second.

- I always have trouble understanding the budgetary impact of these decisions. Can anybody

- Well, real simple. If Brian is saying there's 700 services at \$30 a service that's \$21,000, that would have been unbudgeted revenue. Cause I don't think anyone in the the revenue would actually be through the inspection department and nobody was anticipating somebody to replace 700 services. So that would not necessarily have been factored into their revenue projections because the work is being done primarily by water utility personnel. I don't know if inspection department is required to come out and do routine inspections on these, like they would for a private home or commercial development or something like that. So that would be something that, between now and counsel, I would suggest that you talk to the chief building inspector Paul van Callister to see if they would have any issue with the waving of these fees. But I don't believe that they do. Again, they agreed to the same thing with the led in order to help us get the lead out of the ground as quickly as possible. So I'm not anticipating that they would have any issue with a similar arrangement for the galvanize.

- Thank you.

- Thank you, Alder Gerlach. We had a motion by Alder Scannell, is there a second for approval?

- Alder Brunette did, yes.
- He did, okay. Second by Alder Brunette, any discussion? Those in favor?
- Aye.
- Posed, motion carried.
- Let's get the led out.
- Number four, consideration of possible action on request by department of public works toward the clerk's office conference room construct the contract at a staff level. You park the award at the next week in the meeting of the improvement tourist committee. Grenier, I didn't even know we were doing a conference room. Where is it?
- They're reconfiguring some of the storage area alongside the clerk's office. This one is just a simple matter, I called the assistant director in and said we kind of dispensed with the summer schedule. Why are we looking to award something at a staff level? If we've got meetings every two weeks when the bids come in, it happens to be the one month that we are meeting once a month. So it is going to be a timeliness issue. We have to get the money spent by a certain date. So every day that we delay is a problem and the ability to get the contractor in there and get the work taken care of. So that's why we're looking to get that pre-approval otherwise we would be more than happy to just bring this through normally.
- Is this something we already funded?
- Yes, there is funding available for this.
- Okay. What are we looking at? Roughly? What kind of a project? 10,000, a hundred thousand.
- That, I will be honest with you. I don't know. I haven't had those conversations with them.
- Alder Brunette?
- Director Grenier, you said funding was available but I think the better question would have been was it a budgeted expenditure this budget year?
- And again, I don't know, when it comes in from other departments, I'll be really, really honest with you. My big question for the other department is do you have funding for this? And if they tell me, yes, I'm a happy guy. Okay. I worry about where my funding comes from, but I trust other department heads to care of their own funding needs.
- Yeah. I mean, the concern I have is if no one from the clerk's office is here to
- I do see clerk Jeffries is here. I don't know if clerk Jeffries, if you're able to log in or
- Yes, thank you. I'm here.

- There we go. All right. Perfect. Thanks. We might have a couple of questions for you. Go ahead, Alder Brunette.

- Clerk Jeffries, thanks for being here. I just want to know what the project is. And I know you weren't clerk at the time but was this a budgeted to 2021 expenditure?

- So, Alder Brunette, this was not a budgeted 2021 expenditure. This project is to create an elect prep area in the clerk's office. So anyone who has been down here during election has seen our temp helpers as well as our full-time staff basically find any space available to put together ward boxes. And there are many, many components that go into each one of those ward boxes to assemble absentee ballots to make sure that we have a place to put voter registrations when they come in via paper. And so while we do have some obviously some space available at everyone's desk we don't have a place to store these materials nor do we have a place to assemble them nor do we have a place for people to comfortably do so. And so we have one of our Intrepid 10 palp and she was assembling just recently. She was assembling one of our display boards on the floor in the middle of the Glen. So that's what the purpose of this.

- Yeah, I mean, that, that makes sense. Now the ballpark, I know this will have to go out to bid, but do you have a

- I do it's under 25,000.

- I would imagine that, cause we voted, even though I voted against it, to retain the 700 plus thousand from the center for tech and civic life brand. Would that money be used for this?

- Yes. Thank you, Alder. That is the funding source, indeed.

- Okay. All right. Thank you.

- You're welcome.

- Any other questions from the committee? Anything else you wanted to add Celestine? Nope. Okay. What are your wishes committee?

- There? So, sorry, Alderman Wary, There is something I would love to add. This was really needed. We have a lot of organizing to do down here in the clerk's office and we're very public facing. And so it's my goal to make our office not only pleasurable for our full-time employees, pleasurable for our temp staff, which also includes tax collection, from December to February, but also for the members of public. So thank you for allowing me to add that.

- Perfect. Celestine, When you enter the clerk's office, will it be to the right? Kind of that area up to the right?

- If you come into the clerk's office in the foyer area it would be actually what I'm doing is making my office smaller and using the back area. So most people don't see the back area. So when you come in from the parking lot door there's a door immediately to your left that basically enters our sort of storage area. So it would be essentially the entire back part of the office would be the election prep area with shelving, tables, yeah.

- Gotcha. Okay. Just trying to visualize it. Perfect. Thank you. Alder Gerlach?

- I have visualized it and I'll share it with you because you might know. I agreed to become a chief inspector at the very last minute before the last election. And I had to go in for private tutoring after I took my online course on a Saturday morning and I spent two hours with the clerk learning how to be chief inspector very quickly. And her office was quite a mess and we had to try to find a place to even sit and write something. And then she explained to me that how she would move her office forward and have half of the space be her office. And the back part would be this storage and assembly space. And for one who was sitting there a few days before an election, seeing all this stuff it made perfect sense to me. So if you trust me, take my word for it.

- Alright, thanks Lynn. We have a motion and a second to approve?

- Motion to approve.

- There we go,

- Second.

- motion by Alder Scannell. Second by Alder Gerlach to approve. Any discussion on this one? Those in favor?

- Aye.

- Aye.

- Posed. Motion carried. Thanks Celestine.

- Thank you.

- Okay. Number five, consideration of possible action on a request by department of public works to accept the grant from the environmental protection agency and enter into contract with the department of natural resources, complete the scope of work and the project at the ink arm marsh. Brie Kupsky from Wisconsin department of natural resources has been patiently waiting along with us all night here a very short synopsis of this back in September we brought forward a couple of projects, some of them through parks committee and one through INS that we sought the approval from committee and council to seek out grant funding to complete these projects. Short answer is tank farm Marsh has been granted that funding. We are now back asking for your permission to accept that funding and complete the project.

- Yay. Money's good.

- Yeah.

- Brie's even sitting out at the water right now

- And we gotta tip our hats and give all the commendation to Brie. She has been the one driving this project. She's been the one to applying for the funding. She's the one who's keeping these things moving forward. Unfortunately, DNR can't do the project. That's where we come in as the partner agency we're available to accept that funding and help administer the grant and go forward with some of this. So it's been a great partnership. We're very, very happy. And this is the first of many projects that we'd like to see go forward here in Green Bay.

- Excellent. Brie, anything you want to add to that?

- Do we need to open the floor?

- Yeah. Yes.

- Motion to open the floor.

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

- Aye.

- Aye.

- Posed, motion carried.

- Brie Kupsky, 3915 White Pine Drive, Green Bay, Wisconsin. Yeah. So the only thing that I add to that is just, this is one of I think five different projects that we are entering into a potential partnership with the city of green Bay great lakes, restoration initiative funding to actually implement habitat restoration projects. So I'm really excited. It's been a great partnership on our end as well. And I guess as far as like the timeline we're looking to submit that final grant proposal with the city and DNR, both submitting that to EPA at the end of this month. And then we'd be looking to start the contract for that project to provide a full project design funding. So it's not actually to implement the project. It's just a design at this point in the July timeframe. And so it would be about a year that we'd expect that we'd be going through that process of the city actually doing the contracting for the full design, with, you know whatever contractor actually bids out on the project. And DNR will be in sort of an advisory role and more of like a grant oversight role on this one and any subsequent projects that we work on with the city of green Bay. And then we're hoping that by the end of next year so by the end of 2022, we'd have a full project design and then we'd go back to GRI and some other funders and ask for funding to actually implement the project. So yeah, I'm very excited.

- Alder Brunette, did you have a question?

- Yeah. Miss Kupsky, thanks for sticking with us and for bringing forward this great news. I just a quick question. When I hear tank, I always think back to tank park that general area where auto tank on properties, is that where this is?

- No. So this is down around. So when you're driving over 43 going towards the West side of green Bay, you see all those kinds of tanks out on the Southern shoreline or the Bay where the old Pulliam like power plant used to be. It's the Marsh area. There's like a big kind of open water Marsh. And that's where we're really trying to do this work. So a lot of the work is really focused on doing like

invasive species management. We'll be evaluating with sort of adjacent land owners who, a lot of them are private land owners, whether or not we can like deal with the water control issue a little bit. But yeah, it's over in like that area of the Bay. Now Ken Eures city park. Ken Eures park area?

- Well, Nope, not that far over

- Not that far, just a little bit back

- Atkinson Drive back to Billsby.

- Okay.

- So between Atkinson Drive and the river and then North to hurl button. Yeah, like where the yard waste center is in that general area general. I'm not talking specific.

- Yeah. Another mile back towards the river and you're you're right on it.

- Thank you.

- Any other questions? All right. Thank you, Brie.

- Motion to close the floor.

- Motion by Alder Scannell,

- Second

- Second by Alder Brunette to return to regular order. Those in favor?

- Aye.

- Posed, motion carried. What are your wishes?

- Motion to approve.

- Second. Motion by Alder Scannell, second by Alder Brunette to approve, any discussion on that?

- Aye.

- Posed, motion carried. Good job. Number six consideration as possible action on the report of the purchasing manager for approval of award to US petroleum equipment for the replacement of the fuel master system at the department of public workshops for the sum of 28,215. Fuel master system was competitively bid on sourcewell contract 092920-SYS.

- I'll start this off and then turn it over to operations manager Pirlot. The short version of this is the automated fueling system or fuel tracking system that we utilize at our garages for fueling fleet vehicles has reached the end of its active service life, and we can no longer get parts for it. So we need to replace that automated fueling system. Nathan and Chris have been actively working with

vendors to make sure that we're getting what we need and something that'll last us for a long time and then working with the purchasing department. So with that, I'll turn it over to Chris and he can fill in any of the blanks here.

- Steve pretty much stole all the thunder on details but just to elaborate on a hint, our fuel system serves DPW, police, fire, park and rec at multiple locations. The County, some of the County vehicles, like bookmobile and the library vehicles some other human services vehicles fuel with us. The transit, the smaller buses. They fuel daily with us. So we have to kind of stay in business. Not only kind of, we actually have to stay in business for fueling vehicles for all of the core services of the city and many of the County as well. So, yeah. It's supported only in as much as if they can fix what we have. So all of a sudden I have an obsolete system and we just have to upgrade. Unfortunately, it didn't fail at budget time last year but we got a decent price. You know, when we were shopping around.

- Any questions from the committee? Okay. Alder Gerlach.

- How do we pay for this? It wasn't budgeted for.

- We actually had some of our capital needs come in a little bit under budget. So we're utilizing those savings rather than rolling them forward.

- Thank you.

- Basically as a contingency fund

- Motion by Alder Scannell to approve.

- Second.

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

- Aye.

- Aye.

- Posed, so that carried it. All right. Number six done with. Seven Consideration of the possible action of an award of one of the following contracts, A bridge 121 Atkinson Drive over CMWC railroad E5225 expansion joint replacement.

- Okay. We had three bidders highway landscapers was the low responsive better at \$208,050 recommendations to go with highway landscapers in the amount of \$208,050. This again is for an expansion joint on the Atkinson bridge going over the CN railroad. There's multiple bridges up there where Atkinson goes over to the rail, it's our bridge, where Atkinson goes over I43, it's a DOT bridge. And one of the expansion joints is failing over the railroad, so.

- All right.

- Motion approved.

- All right. There is a motion by Alder Scannell.

- Second.

- Second by Alder Gerlach. To award the bridge one-to-one contract to the low bidder highway landscapers Inc \$208,050. Any discussion on that? Those in favor?

- Aye.

- Aye.

- Posed, motion carried. B is a review and award the contract for ramps 121 Main Street parking ramp, facade removal.

- On the Southwest stair tower and up the West side of the ramp right up against Schreiber foods. That's one of the last remaining spots on the main street ramp where there is a brick facade. Most of the other has been replaced shortly after Schreiber foods went in. The RDA funded the architectural cladding components on the South and East side of the main street ramp and around the North and West side of Pine Street. So there's this one area that has brick facade on it yet. And during routine inspection over the winter, staff noticed that the brick appeared to be buckling. So we had our contractor go in, do a little snooping around and found out that some of the tiebacks that hold that brick facade in place are starting to fail, Given the age of that ramp, not entirely unexpected. So what we did is kind of took a look and said what would it take to kind of pull that stuff back? It turns out that the damage to some of those anchor points was a little bit more extensive than we had anticipated. And given the fact that that ramp is not long for this world. Again, remember when we did the developer's agreement with Schreiber foods, that ramp has to come down by 2031. So meeting with staff we determined the most cost-effective course of action for us would be to remove all that brick and simply put up a similar facade to what's on the other stair towers. So, with that in mind staff went ahead and prepared the bids. We had one bidder. That bidder was Central Restoration, LLC who is the same bidder who's doing our ramp repair work. And that's where the funding for this is coming from. We're cutting back a little bit on the ramp repairs and using that money to do the facade work. So we're happy with the number that came back. Central's a very good company. They've worked with us very well over the past number of years. So staff does recommend award of this contract to Central Restoration, LLC in the amount of \$91,593.

- There a motion to that effect? Second. Motion by Alder Scannell. Second by Alder Gerlach to prove the wording of the bid ramps 121 to Central Restoration, LLC, 91,593. Questions? Those in favor?

- Aye.

- Aye.

- Posed, that carries.

- If there's any extra can I get a facade remove?

- Not a bad idea. All right. C South Bay shore date reinforcements segments, 20 to 22.

- I'm going to have to check in with the assistant director. Jim, does this get us all the way down to the end or is this only halfway?

- Nope, this finishes all of the segments up to Mahone Creek.

- Okay. So this would be the second phase of the repairs. Again, we would have loved to have gone all the way to the end last year, but we only had funding to go a certain distance and do the bidding statutes. We couldn't extend that bit. So to pick up where we left off last fall and finish up all the way down to Mahone Creek, staff put the second set of bids out, we had five bidders very competitive bids, Vinton Construction, who did the original work on phase one was again successful this year. Staff recommends award of the bid in the amount of \$443,553.75

- Questions? Motions?

- Motion.

- Motion to approve.

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

- Aye.

- Aye.

- Posed, that carries. All right, number eight. Report the award of the following contracts A, pavement 221 Jackson Street reconstruction, and B, pavement 321 South Jackson Street reconstruction

- We had come to you a couple of weeks ago asking for the ability to approve these at a staff level and report out again. This is because given the size of these Jackson Street projects, the sheer amount of work that needs to happen there this year, timeliness was critical on this. So we did receive the bids on the 221. I believe the 221 is the South portion from the south city limits up to Mason Street. One of them is south city limits to Mason Street. And the other one is Mason street essentially to main street. Okay. So on the 221 project, we had six bidders, low bid was Soper Sewer and Water LLC in the amount of \$2,316,702.99. And that's all in water, sanitary, storm and pavement. We have verified that the money in the capital improvement program for this year is sufficient to cover that project Pavement 3-21 is the second phase of that project. Again had six bidders, Peter's Concrete Company had the low responsive bid in the amount of \$2,263,864.75. And there was money from this year's capital program to cover those. So staff did make those awards and contracts are being executed, circulated, so we can get the contract working as soon as possible out there.

- All right. I like to see all the bids. Perfect. Any questions from the committee?

- Motion to receive them place on file.

- All right.

- Second. Motion by Alder Scannell to receive a place on file. Second by Alder Gerlach. Discussion? Those in favor?

- Aye.

- Aye.

- Posed. That carries. Number nine, consideration with possible action and acquisition of right away for tax parcel 5-1363 for improvements to grease week from Bell Smith, Mather.

- Included in the packet, we've got some documentation in there. The church between Kellogg and Division Street has traditional squared corners at the intersections for right of way. We would like to have those corners radius for vision triangle purposes. So there are two very, very small pieces of right away that we are looking to acquire from the property owner. Property owner has indicated that they are in agreement with this. This is what we refer to as a nominal fee take. Fee meaning that we will actually take ownership of the property, it becomes city right away and just gets attached to the right of way, adjacent to it in the terrace areas and nominal because it's a very small piece. And based on current property values the payment that would be offered for these two right of way corners is \$500. This would be funded by the city's right of way account.

- All right, questions?

- Motion to approve.

- Second.

- Motion by Alder Scannell, second by Alder Gerlach to approve. Any discussion? Those in favor?

- Aye.

- Aye.

- Posed. That carries. Number 10, report of actions taken by department of public works. A, granting licenses, sidewalk builder, ENI Concrete Everetts Concrete, Fisher Almond Construction Kurowski construction,>NNL concrete, and RG Hendricks and sons. And two is tree and brush trimmer, A-to-Z service. And three is underground sprinkler system, ADC maintenance. Those are the licenses granted.

- Motion to receive and placed on file.

- Motion by Alder Scannell to receive and place on file.

- Second.

- Second by Alder Gerlach. Those in favor?

- Aye.

- Aye.

- Posed. Motion carries. Look at that, we made it to informational. Director, what can you inform us about?

- Two very brief things. First one, Monday of this week we started curbside yard waste collection for the spring. Chris has been very active on social media, making sure that we're identifying to residents where we are within the routes and letting folks know how our progress is going. Spring yard waste collection has started. Today is the third anniversary of a 24.2 inch blizzard that we all survived. Hopefully have flushed all memory of although it snowed a little bit today definitely not what we experienced three years ago and we're thankful for that. And then I just wanted to express my personal thanks. My staff has been incredible. Not that I expected anything different, they're always incredible, but they've done a great job over the past four and a half weeks that I've been out of the office in making sure that the department continues to operate and provide that service that our residents and taxpayers expect. So I just wanted to express my thanks and appreciation to my staff for everything that they're doing in my absence.

- Just that one thing I'd like to add to Steve about the spring yard waste collection and it has gone very well. Of course, we're in our first week. East side, we've gone through three of the routes. We started Thursday routes. Thursday, Friday, Monday routes are done on the East side. On the West side, we're still working on Thursday routes and a little bit on Friday routes, so there's more material on the West side. Now, along with that, our discussions today because as mentioned earlier in this meeting we were out doing enforcement, if you will just so we can follow up with education material for residents who are we see stuff in the road. On the West side, we did do one complete run through the West side so far with visual enforcement. And I gotta verify the number but verbally the number I got is they only found, I mean, zero is a great number, but this is still a great number in my opinion because we have so many properties in the city of Green Bay they only documented 125 violation areas on the West side in the first round. Now, like I said, I have to verify that number but that's significantly lower than it has been, ever. You know? and we've been doing this now for three rounds two falls and a spring before this. So I'm happy to hear that. Like I said, we're going to verify and then we will be educating the residents and working with them too. So like I said, we just want them to comply and do the right thing for the environment.

- Excellent. Any other updates, Steve or Chris? So there was questions, so Alder Scannell.

- Steve, with the city deck docks, do we still need to look at that to see what we need to do to be able to put in bags no matter what the water level? Like we did

- Staff is actively looking at that, yes.

- Okay. Super

- Trust me, nobody wants those docks in more than I do because most of the complaints wind up on my desk. And if there was a way to safely get them in and make sure that we're not putting our valuable assets in jeopardy, I'd be the first one to get those things in the water.

- Right. And I know that, but I'm hearing it too. And I was just curious as that came up, because I put in the communication about what we can do to fix the dock so we don't have to worry about water levels. So I was just wondering how that was going, the city deck.

- Yep. We're looking at it.

- Okay. Super.

- Alright. Anybody else? Who wants to receive, place and file?

- Motion to receive and place and file.

- Alder Scannell, Alder Gerlach. Those in favor?

- Aye.

- Aye. Posed, that carries. Looks like we're meeting on April 20th is our next. Parting is such sweet sorrow, but Motion to adjourn.

- It's that time. Motion by Alder Scannell, second by Alder Gerlach. Those in favor?

- Aye.

- Aye.

- Posed. Everyone have a super duper week!

- Thanks everyone.

- Take it easy.