



MINUTES OF THE PARKS COMMITTEE

WEDNESDAY, SEPTEMBER 15, 2021, 5:00 PM

Virtual Meeting. Public may join via Zoom.

A. ZOOM MEETING INFORMATION.

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

B. ROLL CALL.

Present: Alder Randy Scannell - Parks Committee Chair, Alder Chris Wery - Vice-Chair, Alder Jesse Brunette, Alder Lynn Gerlach

Others Present: Director Dan Ditscheit, Assistant Director James Andersen, Alder Mark Steuer, Alder Barb Dorff, Public Arts Coordinator Laura Schley, Park Planner Kaurie Mihm, Lindsey Mather

C. APPROVAL OF THE AGENDA.

Moved by Ald. Jesse Brunette, seconded by Ald. Lynn Gerlach to approve. Motion carried.
Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

D. APPROVAL OF MINUTES.

Moved by Ald. Lynn Gerlach, seconded by Ald. Jesse Brunette to approve. Motion carried.
Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

E. REGULAR BUSINESS.

I. Consideration with possible action on the request by Ald. Steuer on behalf of the property owner at 1236 Thrush Street, for the City to reimburse the property owner \$3,500 for the removal of 3 street trees.

Moved by Ald. Lynn Gerlach, seconded by Ald. Jesse Brunette to Open the Floor.
Motion Passed.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None.

Moved by Ald. Lynn Gerlach, seconded by Ald. Jesse Brunette to Close the Floor.

Motion Passed.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None.

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to Refer to Staff to calculate expenses the Forestry Department would have incurred, for consideration to reimburse the property owner at 1236 Thrush Street \$3,500 for the removal of 3 street trees and bring this back to the next Parks Committee for discussion.

Motion Passed.

Yes- Chris Wery, Jesse Brunette, Randy Scannell, No- Lynn Gerlach, Abstain- None.

2. Consideration with possible action on granting approval to the Green Bay Arts Commission to install 4 art sculptures in Leicht Memorial Park.

Moved by Ald. Lynn Gerlach, seconded by Ald. Randy Scannell to approve the Green Bay Arts Commission to install up to 4 art sculptures in Leicht Memorial Park. Motion Failed 2-2; No Recommendation.

Yes- Lynn Gerlach, Randy Scannell, No- Chris Wery, Jesse Brunette, Abstain- None

3. Consideration with possible action on the request by Ald. Wery to review drainage concerns in the baseball fields at Colburn Park.

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to open the floor for discussion. Motion carried.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Lynn Gerlach, seconded by Ald. Chris Wery to close the floor for discussion. Motion carried.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to hold on the request by Ald. Wery to review drainage concerns in the baseball fields at Colburn Park until the next Parks Committee Meeting. Motion carried.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

4. Consideration with possible action on the request by Ald. Wery to review the Park Department's Public Notification Policy.

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to open the floor for discussion. Motion carried.

Yes- Jesse Brunette, Chris Wery, Randy Scannell, Lynn Gerlach, No- None, Abstain- None

Moved by Ald. Lynn Gerlach, seconded by Ald. Jesse Brunette to close the floor for discussion. Motion carried.

Yes- Jesse Brunette, Chris Wery, Randy Scannell, Lynn Gerlach, No- None, Abstain- None

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to refer to staff to provide a

recommendation for modifications to the Park Department's Public Notification Policy. Motion carried.

Yes- Jesse Brunette, Chris Wery, Randy Scannell, Lynn Gerlach, No- None, Abstain- None

F. INFORMATIONAL.

1. Director's Report on updates and recent activities of the Parks, Recreation & Forestry Department.

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to receive and place on file the Director's Report. Motion carried.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

2. The next Parks Committee is scheduled for Sept. 29, 2021.

G. ADJOURNMENT.

Moved by Ald. Lynn Gerlach, seconded by Ald. Jesse Brunette to adjourn.

Motion carried.

Yes- Chris Wery, Jesse Brunette, Lynn Gerlach, Randy Scannell, No- None, Abstain- None

VERBATIM MINUTES

- Last committee meeting for September 15, 2021, is now in session. Roll call, Alder Brunette?

- Here.

- Alder Gerlach?

- Here.

- And Alder Wery not yet, hopefully soon, and the Chair Scannell is here running the show so let's go. I'll take a motion to approve our agenda.

- So moved.

- Second.

- Motioned by Alder Brunette seconded by Alder Gerlach, all in favor?

- Aye.

- Aye.

- Aye.

- Opposed? Okay we have an agenda. Do I need to slow it down a bit or?

- No, you can go.
- Okay, I'll take a motion to approve our minutes.
- So moved.
- Second.
- Moved by Alder Gerlach; seconded by Alder Brunette, all in favor?
- Aye.
- Aye.
- Opposed? Okay that passes unanimously, shocking.
- And then we are ready for the first item whenever you are.
- All right onto regular business. Consideration with possible action on the request by Alder Steuer on behalf of the property owner at 1236 Thrush Street for the city to reimburse the property owner \$3,500 for the removal of three street trees. Do we want Alder Steuer to start with this or . . .?
- Yeah, I'll start briefly. Luke Kampen is the citizen and we've had several conversations. I mentioned I would come to the meeting, and I talked to him a little bit about the situation. So I would like the committee just to keep an open mind as Luke tells his story of this. I know there's rules and regs and all sorts of things, but with that being said, I would like you to just listen to Luke and just keep an open mind and I may have some comments afterwards. So that's it for now.
- Okay staff do you want to address this now or do you wanna--
- Sure. I can give just a brief summary here. And if you look at your agenda packet you'll find in there a map showing the residents location along with a map showing which three street trees were removed, and then you'll see some photographs of the area. And so what happened in this situation is on August 25th of this year our forestry superintendent was making the rounds on the west side of Green Bay and noticed the contractor removing three street trees in that location. And by the time we had seen it and got to the site the three trees were already removed, and one of the three stumps were ground down already. So we directed the contractor to stop work right away because it was a street tree. And after that we had some discussions with Alderman Steuer and the property owner in regards to what happened. And I'll let him add to this, the property owner, if you're willing to open the floor to him and I guess I would say let's just open the floor right now. We'll hear his take on this and then we can answer questions from there.
- Okay and that will be noted Alder Wery is with us hey hey.
- How are you?
- Would someone like to make a motion to open the floor?

- Sure. I move that we open the floor.
- Okay, motioned by Alder Gerlach. Let's open the floor, seconded by Alder Brunette, all in favor?
- Aye.
- Aye.
- Aye. Opposed? Okay the floor is now open. Please state your name and address.
- Yep Luke Kampen, 1236 Thrush Street Green Bay 54303.
- Okay. Go ahead.
- All right. Thank you guys for taking the time to discuss this. Yeah, so I mistakenly had the misconception that on my property, so I have a sidewalk in the front and no sidewalk on the right-hand side of my house. For some reason I thought that the sidewalk was the only separation between private property and city property. So I thought that the trees that were beyond the sidewalk in front of my house were city trees, but I was responsible for the three trees that were on the side of my property. And so there were three ash trees that were dead. There was some growth on the bottom that was like new growth from like this year, otherwise the tops had been dead since last summer. And so this year with all the storms we've been having there have been a lot of branches falling down. And so I wanted to make the tree a safety concern for people, cars, my property - whatever it was. And so I contacted a contractor to come and remove the trees. They never mentioned anything about it being city property. Obviously that's my responsibility, and I accept that responsibility. So they removed the trees and then as you mentioned the city stopped by and told them to stop. And so I still paid for the service that I'd requested. And so now I guess what I'm asking is just that the city would recognize that it was an honest mistake with good intentions, and it was work that needed to be done either way, and that you could, I guess, make me hope for the money that I paid. I understand that I would pay for more than the city would with their salaries. But at least consider reimbursing for whatever wages you would pay your city employees to remove those trees. Thank you.
- Okay. Any questions for Mr. Kampen? Take them to close the floor.
- So moved.
- Second.
- Motioned by Alder Gerlach to close the floor, second by Alder Brunette, all in favor?
- Aye.
- Aye.
- Okay opposed. Okay floor is now closed. Alder Steuer you wanted to make some comments?

- Well like I said Mr. Kampen has been very forthright, I don't think he's shirking the responsibility of what happened. I think it was an honest mistake. Granted we have many ordinances, many rules, and regulations. I don't even think we know every one of them. But you know at first blush you would think okay, yes those are city trees, there is no sidewalk there. They were dead trees. I'm not absolving Mr. Kampen from that, there were dead trees. My take would be for the to look at the intent of this. There was no harmful intent by Mr. Kampen on this project. I know that there's always maybe some liability possibly or injury, you never know. I'm surprised the contractor didn't know that that; that's kind of a shame, but you know it does fall back on the property owner. So Luke you know he's spent \$3,500 dollars on this, and I would like to know you know, when I'm done speaking you know, what it would cost for the city to have removed these three trees. What it would've cost in wages and labor and benefits and all that kinda stuff. My take is I would ask the committee to look at this carefully and see if there's some way that we could reimburse Mr. Kampen for a portion, or all of it. You know I don't really have a number in line mind, you know I would look for the recovery that the city normally would've paid out for this. So I'll let the committee talk about that, but I would like you to just keep an open mind on it and see what you can do. Thank you.

- Alder Gerlach?

- I do have an open mind on it. And I think it was indeed an unfortunate mistake, but I don't think we want to compound the mistake with another mistake. It was costly and I'm sorry, but our Forester did not deem those trees dead. I don't believe he had said they should be cut down. And it's very, very important that we do not give license to citizens to start making their own decisions about what trees should be cut down. I had a man send me an email just this morning, I shared it with Director Ditscheit who told me that all the trees on his street are dead and need to be cut down. And if we now pay for these trees to have been cut down, what signal do we send to that man? And imagine the \$20,000 dollar bill we're gonna get next week after he has all his trees cut down. We have to hold the line. I'm sorry, it's an expensive mistake, but at least the trees are gone which is what you wanted. And, or which, is what Mr. Kampen wanted. And I'm absolutely opposed to the City paying any money for this because of the way that it was done and the can of worms it would open for us for the future. I think it would be a terrible signal. I will not support this.

- Anybody else have something they care to add to this?

- I'd like to add--

- Director Ditscheit.

- Just a few things if you don't mind.

- Director Ditscheit and then Alder Wery.

- Okay yeah just a few clarifications. So I did touch bases with our City Forester on the status of these trees. And just to make sure that they were in fact ash trees, and if they were slated for removal. And I don't know if you had a chance to talk to the Forester about this, Alder Gerlach or not, but I talked to him today about it and he said that yes they were ash trees, yes they were dead, and they were actually slated for removal as the next round of removals. And they probably would've been removed this winter along with all of the other trees up and down that block. Now that being said, we were not consulted by the property owner as he mentioned. I do honestly believe him that

this was a mistake and there was no intention to cut it down and bill the city for it, that this was an honest mistake. But as Alder Gerlach previously mentioned we have dead ash trees all over the city and we are getting a lot of requests to remove those. And I guess the one thing that I would just like to caution as you look to finding a resolution to this is you know when these requests come in in the future are we going to have to decide whether or not these individuals do in fact know that they're street trees or not? And we might get a hefty bill if we start doing this on a regular basis because there are a lot of dead ash trees. So like I said, I fully believe Mr. Kampen that this was an honest mistake. I just wanna caution the committee for what could be ahead if we set a precedent with this.

- Okay thank you, Alder Wery?

- Thanks Mr. Chairman, Director, you answered my questions about if they were dead and scheduled to be removed. So that in some effects we should be thankful that they're down because yeah there are a lot of ash trees. I don't know what it would entail for budgeting, but it would be almost nice to have some kind of bounty system. If you take a tree down we'll reimburse you even if it's just a small percentage, because they are all over the place. And it's easy to see that this was an accident I mean without the sidewalk there. And I mean if you're not involved in anything with the city, it's very easy to think they're your trees. I don't know how we would price it out or put a dollar value on it, but you know I'd be open to some type of reimbursement since we were gonna do the work anyway and this is gonna save us some time in the future. And we could evaluate how much time that would've took and use that dollar amount. I'd be fine with that. I'd be interested to see what the others have to say.

- Alder Brunette.

- If the committee recalls, Brian Pilot from the Forestry Department and Director Ditscheit were going to be working on a report to prepare a report to present to this committee regarding the plan for removal of ash trees; which I think that was due in September, which is fine Director Ditscheit if we could get it at some point later this month. If you remember I came up with the thought that why don't we hire contractors, private contractors to help us clear some of the trees. Director Ditscheit and Mr. Pilot said that when you think about it if you hire your private contractor to remove one tree from your property you're probably looking at \$1,000 dollars. So even if we were to budget 100,000 dollars to remove 100 trees that's probably not the most prudent use of resources. But the city's able to have some cost savings compared to a private contractor because you know we budget, and we have levy supported dollars and dollars from our utility expenses on water bills. So I would be very curious to know what the labor cost and the equipment cost would be to the Green Bay taxpayer had they been the ones who removed the trees. I do believe Mr. Kampen, I think it was a sincere mistake, but it kinda might've helped us out a little bit and cleared up three trees for us. And I don't see any issue with reimbursing him what the true cost would've been to the forestry department if our staff could generate that. If you look at the pictures, the tree straight is in the city right of way anyways, there's no sidewalk there, but if you look down to the pictures you see sidewalks down the road from him. So honestly I see that it was a very likely an honest mistake. So I guess my thought would be, Director Ditscheit, do you know what would the city cost be to have removed those three trees, ballpark?

- Well just a couple of things to comment on that. So I guess to answer your question, short answer is no, we did not calculate out that. It's something we can provide a calculation for you prior to council if you would like. We can get you that number. But one thing I just wanna point out here just

two other comments. One is as far as I'm aware I don't believe we've ever reimbursed a property owner for cutting down a street tree. So we would be setting a precedent in this situation. I did check with our Forester, and he can't recall a situation ever occurring either where we've reimbursed a property owner for something similar to this. The second thing I just wanna talk to you about is you know when you're looking at our budgeting. So you know we have to pay, as you know our labor is all in one lump sum. Or I'm sorry it's a separate line item, not a lump sum line item. So if we were to reimburse this individual for the cost of us removing the trees we don't have a budget for that set aside, cause we don't budget a lump sum for contractual services to remove trees. And we can't just downgrade our staffing budget line item because we have to pay them year-round. So if we were to pay any dollar amount towards this we would likely have to just overdraw our budget for the year to make up for this because we do not have a budget line item for something like this. So short answer, yes we could calculate it out. Yes we could give you that fee and offset the cost based on what it would've cost us. But, no, we don't have a separate budget line item to actually pay the bill for it. So just keep that in mind also.

- And I have a question for the Director. What are our concerns from the City standpoint of people if they start having a lot of people cutting down trees in the city trees? Is there liability issues? Why wouldn't we want people to be cutting down trees?

- Well the biggest issue in this situation is there was no verification with the City Forester that the trees in fact needed to be removed. I think you can speak to any resident you want and everybody's gonna have a different opinion of whether or not a tree is necessary to be removed and whether or not a tree is healthy or on the down swing. So you know although in this situation the trees were ash trees and it was very apparent that they were on the decline and in fact you know nearly dead. In the future, if the Forester doesn't make that assessment before the trees come down, we're leaving it up to the property owner to make the decision that in fact the tree is unhealthy and needs to be removed. And then we're dealing with the issue after the fact.

- Okay. Alder Gerlach?

- I deal with tree issues every single day, more than speeding now. And I would just say again, yes it seems like an honest mistake, but there was no effort to check with the City to see if these trees should come down. And the precedent we would be setting by giving any money, by asking the staff to put time in to calculate what we owe this citizen just adds to our cost. And then we signal to other people, well it's okay it was an honest mistake, and you know they were dead, and he could tell they were dead, and so you can probably tell they're dead too. It's just crossing a bridge you don't wanna cross. Forester Pilot did tell me that I said well I think I would find someone for cutting down a city tree. And he said oh if the tree is healthy and living they are assessed. If they cut down a city tree they are assessed. It's just that these trees didn't have any value, they had been marked to be removed next, this winter. I just hope you will not vote to set this precedent and to open the door to this, it's a mistake.

- Alder Wery.

- Thanks Chairman. If these were indeed coming out in the next round they probably had exes on them already?

- No we did not mark them yet, I verified that with our superintendent today.

- Okay, but I mean anybody, I mean Alder Gerlach no offense, we're all dealing with tree issues, so it's nothing special just to your district, we're all dealing with that city wide. So I appreciate that, but you know as far as the precedent, every case is individual. You know I've been doing this 20 years and that always gets thrown out there why we can't do something cause it's gonna be a precedent. Ah bologna. Takes it on a individual basis and when you look at the facts of that case. So if somebody cuts down a tree that's clearly on the other side of a sidewalk that's a very clear instance. This one, dead tree, hard to tell if it was on city property, entirely different case here. So I think that's all nonsense. So I'm in favor of finding out what maybe we could reimburse here. And you know I'd make a motion to refer this to staff to find out, you know an appropriate time, I guess labor costs, and materials for taking out these three trees.

- I'll second that.

- We can just bring it back to committee, it doesn't have to wait for counsel, we can just bring it back to discussion.

- Okay we--

- We shouldn't be so harsh on the residents of Green Bay that how dare they not know how things go. Come on now!

- Well okay--

- That's ridiculous.

- Don't make fun of me Alder Wery!

- I'm not making fun of you, I'm saying we shouldn't be so harsh of people like you are. We should be a little more understanding. Be harsh if you want. I think there's some leeway here to be understanding. So carry your heavy sword if you want, that's fine.

- Out of order, come on, no back talking here between each other, that's enough.

- Well.

- And we're not--

- I wasn't talking to her.

- There's no need for opinions. The case Alder Gerlach made is perfectly logical and reasonable and if you don't agree with it that's perfectly logical and reasonable too.

- My comments weren't directed at her Mr. Chairman, they were commented in general. Okay.

- Yes.

- If she thinks they apply to her so be it.

- Order, order, order. Let's. Enough. For myself I feel sorry for him. I mean I believe it was an honest mistake. So do my sorry feelings want to help him out? Yeah. Should we help him out? I'm not sure. I don't mind getting more information to you know have that discussion if some alders wanna do that. I'm fine with that. I don't know if that I'm gonna support that. I certainly, you know, would like to be able to help the guy out; but I'm not sure it is the responsible thing to do or the right thing to do. Mistakes happen and sometimes you gotta pay for 'em and that's regrettable, though certainly you know we always try as a City, you know, to be receptive to our constituencies and try to help people out as much as we can. So. I'm fine with the referral to staff and getting more information and then having that discussion again. So we have motion to refer back to staff and the second by Alder Wery, seconded by Alder Brunette, is there any further discussion? All right all in favor?

- Aye.

- Aye.

- Aye.

- Opposed?

- No.

- Okay. That passes three to one with Alder Gerlach in the negative.

- Okay it'll just take a moment.

- That's fine.

- Before we're ready. And I should be able to have that information ready for the next parks committee. And just so that you're aware too, we should have the report for the emerald ash boar summary for the next parks committee also which will be the end of September.

- Yeah that's fine, right on schedule as usual, I appreciate that.

- Yep, I've already reviewed the draft. Alderman Wery made the motion and Alderman Brunette seconded it. We're having an issue with civic clerk on our end.

- Oh that's fine.

- It'll just take a moment, I apologize.

- No, no it's technology. It's our world now, we gotta be nice to it.

- Okay, James is back in civic clerk now so we can proceed.

- Okie doke. On to item two. Consideration with possible action on granting approval to the Green Bay Arts Commission to install four art sculptures in Leicht Memorial Park. Staff. Sounds exciting.

- Yeah so there is a \$46,500 dollars available in TID five funding to install several sculptures at Leicht Memorial Park. If you're familiar with that park there is a walk way; it'd be on the south side of the park adjacent to Dousman. And that walkway was always intended to be a little sculpture walk. And there's four pads there suitable to install sculptures. So what we're seeking approval for is to grant approval to the Green Bay Arts Commission to send out an RFP, go through the selection process to select either one to four artists to install one to four sculptures within the budget and then to have that installed along that sculpture walk. So I know Laura Schley is here. If you have any questions she's our coordinator for these type of projects. Otherwise I'd be happy to answer any questions that you may have.

- Alder Wery.

- Yes Mr. Chairman. Director what is the expected cost for the project? I didn't see a report in there, sorry if I missed it.

- Yes the expected cost, or the budget for it, is \$46,500. Of that, let's see, give me just a minute here. So \$5,000 of that would be for footing construction, \$40,000 would be for sculpture creation, and then the artists would each then get \$500 dollars in addition to the \$40,000. So that's how the RFP is being set up and that money will be divvied up. So \$5,000 for footings and the rest of it would go towards the sculptural pieces and the installation costs associated with that.

- Appreciate it. And then what is the location at like, is it the grassy area or is it?

- No, there's a walkway in between or just on the edge of the grass in between. So you have Dousman, and then you have a planted bed that follows the road and then there's a walkway right at the base of that plant bed.

- Oh yeah.

- There's four pads there which were designed in to be sculpture locations. So we're not sure at this point if we would install one sculpture or four sculptures, it just depends on the submittals that the artists make, and which one is approved. But the budget wouldn't change. It'll just be the number of sculptures.

- And then, last question for now is, you said the source was coming from which fund?

- TID five.

- Now is that part of the money that we've been setting aside? Or is this just over and above you know how we had changed it a couple years ago for development projects to put in a percentage? Is that from that?

- That's over and above. So it's additional money in the TID five that's available.

- All right, thanks.

- Yep.

- Alder Gerlach.

- And did you say that all of the \$46,000 dollars is available from that fund?

- Yes.

- Okay.

- So there'd be no cost to the taxpayers.

- Okay, thank you. Kay.

- Alder Brunette.

- I apologize Director Ditscheit, I was momentarily distracted. Did you say there's any, like, information in the packet? I didn't see anything in there. Was there an email or anything that we can reference?

- No, there is no information available in the packet because it's, I didn't think there was, or I didn't think there was too many issues that we couldn't just talk about versus putting together a proposal.

- It's f--

- So the budget is \$46,500. We'd install one to four sculptures along the walkway to the south side of the park.

- So we, basically are going to go over the proposed budget or the planned budget by about \$12,000 dollars. Is that correct?

- No. You know the budget for the sculptural pieces is \$46,500 dollars. So the Arts Commission would submit an RFP with that budget in mind and the artist would design proposals to fit within that budget. So we would not exceed that dollar amount in any situation.

- Okay, thank you, that explains it. Like I said I was momentarily distracted.

- Sorry.

- By children playing nearby. So--

- I apologize for any confusion.

- For fighting nearby. Is there anything, you know this might be a question for economic development perhaps, but is there any other things in that TID district that these funds would go for other than public art? We have flooding issues over there still; we have other infrastructure needs. Not that I don't believe in public art, I do obviously, but just being very responsive to some of the things that have come up in that area that I don't wanna be caught flat footed wishing we would've put the money toward something else rather than public art.

- Yeah and there is potential for other development. I know there are some things already in the works out there. So we are going to be doing some shoreline improvements along the dock wall at Leicht Park to accommodate the cruise ships if they ever arrive. So there's some infrastructure that needs to be done. So that's already in the works also. But what I would recommend is that you know if you'd like to discuss that in more detail maybe put in a communication to the finance committee. Or better yet, just contact the Finance Director directly and review the TID and the available funding.

- Okay, all right, thank you Director.

- Sure.

- Alder Wery and Alder Gerlach.

- Alder Gerlach can go first, this is my second time.

- All right, Alder Gerlach.

- I just have another question. So I wanna make sure if we approve this we are asking this to go to the Public Arts Commission for the next step? Is that what is happening if we approve it?

- Yes what we're doing is granting approval to the Arts Commission to hire artists and install sculptures at Leicht Park.

- Okay thank you.

- Go ahead Alder Wery.

- Thanks, and Alder Scannell you stood in that committee right, the public arts?

- Not anymore.

- Oh, okay.

- No.

- I'm sorry.

- Alder Gerlach does now.

- Oh, okay. So that actually will come back around to us again then. Do we get to see what the art is itself or?

- If you'd like we could. Usually that selection goes through the Public Arts Commission for the selection. If you would like to see it at Parks Committee we can bring it back after the fact. I know we recently went through the same process with contracting out art murals for 10 shelters.

- Yep.

- So in that situation parks we had a member from the Parks Department sit in on the review and selection committee. And then we just selected it through the Arts Commission and we're working with them to install those. And so we would assume that this process would be very similar.

- Yeah. I think that's fine Director. Back when I first started we made the mistake of running through some of that artwork along the Fox River through Council. And we had hours long debate about what was art and what wasn't, and I don't want the Council to get into that. So I'm sure you have good guidelines of what we expect there, so. No, that's all I have right now thanks.

- Anything you care to add Laura?

- Currently the way we have the RFQ set up we don't have any, sorry the sun is attacking me.

- Yeah. I see that.

- We don't have any thematic requirements for the art piece, we were gonna keep it very open. But if there's certain things that Parks Department is interested in highlighting within the area we can include that in that RFQ so that artists kind of have that in the back of their mind. They are gonna be provided, at least the three finalists, are gonna be provided a overview of the site, descriptions of they have a very brief idea of what the site is going to be used for currently as the RFP stands. But once those three finalists are selected we would be providing them more information on what goes on at the site and could potentially add some more details then at that point. But if there's anything particularly of interest you guys want, like you really want fish sculptures or something.

- I want something inviting people from the boats in, you know. some that you know, a sailor waving. Alder Brunette.

- Not enough Packer's stuff in town. Perhaps you could go that route. So I just want, Laura I appreciate all the work you do. I'm gonna vote no tonight. Not because I'm against public art, I'm just gonna look at the other needs for that TID is with the flooding and some of the economic issues we've had and some of the TID's. I just wanna do my due diligence. And I may change my mind when it gets to the council, but I just wanted to let you know why I'm voting no. I fully support the work you're doing it's just knowing some of the things that we know with flooding and some infrastructure challenges we've had in the near downtown area, I wanna make sure I contact city staff and kinda think about it a little more that's all. Thank you.

- Absolutely, yeah, thank you.

- If Director Ditscheit, the TID five, that's north of Dousman correct? Or is there?

- It's actually you know it's a pretty long area, so it actually is both north and south of Dousman.

- Okay, all right, yep.

- And then also continues part way across the river into a little bit of the downtown area also. So it does extend out to Broadway. And I don't have a map in front of me, but it's a fairly large area in the Broadway district and near downtown.

- Okay all right it's different than what I was thinking so that's thank you.

- One.

- Yep go ahead Alder Wery.

- Thanks. Yeah and you know I also you know, this is what the intent was for this area obviously. I would like to have known, and I know it's a different department, but what's the fund balance in there? And we had set aside specifically, council did a couple years ago, a fund just for art. And I really think that should be coming from there, because in this area if you recall we did set aside an area to be a designated kind of historical Fort Howard area that the money's gonna be needed for also. And there's an idea maybe for artists is you know this was a very historical area I mean in Fort Howard which isn't here anymore of course. And for the Native population before that. So likewise at least right now I'm gonna vote no as well until I can see that maybe the fund balance and you know all the projects, structural needs that we might have. Before we look into this, is more something we want but we don't really necessarily need unless it's coming from that designated fund. Thanks.

- Okay, gladly we need money for things so I'm good with this, I'm gonna support it. I understand where the other Alders are concerned but I think I'm not as worried. I think we've got enough funds. And we are working on flood issues and so on. I think someone would be hollering if we were dipping into you know, so anyway, any further discussion? Okay then was there a motion made? I don't think so.

- I move to approve this--

- So approve. And I'll second it. And it looks like it'll fail because it'll be two to two I bet. But all in favor, aye?

- Aye.

- And opposed?

- Nope.

- No.

- So that's a two-two tie so it fails for now. Perhaps we can pull this at come council guys and.

- I would think we'd have enough information by then I would hope yeah.

- Yep, yep. So we'll see what happens Tuesday.

- Okay.

- Thank you.

- Thanks Laura.

- Civic clerk is being really slow on our end so.
- No that's.
- Give me just one minute here I apologize.
- I think we should start doing karaoke. Alder Steuer.
- Yeah.
- And you don't need me for anything else correct?
- No, nope, you're yep, thank you very much.
- Just karaoke. Unless you wanna do a song.
- I'd karaoke. Thank but no thanks.
- What do you suggest? What song?
- "In a Godda Da Vida".
- I was a freshman in high school when that came out. That was something else.
- Do you know what the real title was?
- Is it still recording then?
- No.
- Do you know what the real title of that song was? It was supposed to be In A Garden of Eden.
- Okay, I think I knew that.
- The guy came in so wasted he couldn't get it out right and they just went with it. In the Garden of Eden, In a Godda Da Vida.
- So Randy, no offense, but I never know if you're telling us a joke or the truth.
- That's truth.
- Okay, okay.
- We are ready on our end.
- Okie doke, item number three. Consideration with possible action on request by Alder Wery to review drainage concerns in the baseball fields at Colburn Park. Alder Wery you wanna start with

this, or staff, or . . . ?

- I'll defer to Director.

- Sure.

- To start yeah.

- Yeah, so I'll give you just a brief summary. So if you recall through our bond request over several years we requested funding to redevelop the ball field area at Colburn Park. So if you look at the agenda packet you'll see in there a conceptual plan that shows the new ball field alignment. And then, also, I submitted a second sheet which shows the proposed grading plan. And in essence what we're doing out there is we removed one baseball field which is a large field and installed two smaller fields which are little league fields. And the reason for doing this was to create a four-field ball field complex for the little league group. So it's a very active group, lot of participants. We don't have another area on the west side of Green Bay with four fields right next to each other, so this is a tournament facility. It always was a tournament facility 'cause the little league played on the baseball field anyway during a tournament, but it really didn't function properly for them. So that was approved through several years of bond requests. And construction recently started. So we began construction on August sixth. And what we did which was a Friday, so on Friday our contractor went in, stripped the topsoil off of one field and put up all of the erosion control and silt fence. And then that weekend there was a very large storm event at Colburn Park. And there was some flooding in some adjacent residents' properties. And I believe one individual is here who would like to speak on that issue and what her concerns are in relation to that flood event. And also kinda the big picture is the project graded properly and the drainage resolved so that there aren't issues in the future for that property owner. So that's a little bit of history of where we sit on the grading issue. I would just rec, unless Alderman Wery would like to add to that, I would recommend you just open the floor to the public at this point.

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

- Second it.

- Motion by Alder Wery to open the floor, seconded by Alder Brunette, all in favor?

- Aye.

- Aye.

- Aye.

- Opposed? Okay the floor is now open. Anyone here to speak on this?

- I am, Janet Angus.

- Please state your name and address and then the floor is yours.

- Janet Angus, 1403 Shirley Street, Green Bay, Wisconsin.

- And you heard the whole conversation, you know what item we're on, and what we're speaking of specifically?

- Yep, you're on item number three.

- Yep, okie doke.

- Review drainage concerns for baseball fields in Colburn Park.

- Yep, super, so floor's yours.

- First of all I would like to thank you all for allowing me to speak tonight regarding the City of Green Bay project. And specifically I would like to thank my Alderman Chris Wery taking the time to come over and walk the project with me and to understand and see my concerns. I've lived in this house for 55 years. There was a flooding event August 10, 2021, on the digging up of the land began prior to that, and there was a huge excavation site where the new baseball diamond is going to be. The City, on August 3, began staking the property for the \$658,000 dollar project. And it's involving the addition of four- to five feet of dirt slash fill, more than a five-acre area of land behind my home. This is changing the grade of the property. This land, in my opinion, is now higher than my property and my home was built in 1965. On Tuesday, August 10th, there was a massive amount of flooding, over an acre of my property was covered in brown flood water. There were streams of water approximately 10 to 16 inches deep flowing down my sidewalk, the waterfall over my curb going into the storm sewer on the street. There were rapids on my sidewalk. I have photos of all this. There's rapids down the south end of my property, there's a waterfall over the silt fence located in the park. The water drains down my sidewalk on Locust Street. So down the sidewalk, and this is the storm sewer that's been constructed parking lot that's currently there. And also in the area there's a storm sewer in the back area. The water totally misses those because it goes down my sidewalk. Water goes downhill. It's not graded properly. You know I had reviewed this and asked that it be fixed prior to this project starting, I think it was back in August of 2020. But I was never notified by the City of this project occurring, of the plans. Prior to August of 2020, I was never notified that they were gonna start work on this. And I think, as an adjacent landowner, I deserve the courtesy especially when I own a large amount of land butting up against the park, I should've been notified. And I should've been able to look at the plans to give the history of the property. I mean, I have lived here for 55 years. And I remember when we built our home, my dad and my mom built this home, it's my childhood home, there were no baseball diamonds. Baseball diamond directly behind my house didn't exist. When that was put in, it was put in higher. And then when the baseball diamond behind 817, 819 South Locust Street was put in, that was put in higher resulting in massive amounts of flooding resulting in a berm the city built to protect my property and so that the water would flow appropriately so the flood waters would not damage the property that we own. In 55 years I've never experienced the water flowage that existed on August, on Tuesday, August 10th. And August 11th there were more rains, so I have additional photos in day light if you'd like to see those, of what I'm talking about. So I have photos to document all of these concerns. On August twelfth I did meet in the parking lot behind the house, in the park, with Korey Matt from the Department of Public Works and engineer Emma Brown to discuss the flooding issues. In that meeting it was stated that there was a storm water management plan that was done by a consultant. I was not provided with those documents. Finally on August 16, 2021 an updated 81321 storm water management plan there were a lot of changes on that plan in red. So they were added. The storm water consultant plan that

I was advised about our meeting on August 12th when I talked to Robert E Lee and Associates they said there was no storm water plan. I verified this, there was no storm water plan done for the north side of the project of the park. It was only done for the south side where the parking lot is. There's gonna be two parking lots with a pond in between for water drainage. There was nothing done on the north side of the park. But it did add four to five feet of height where the baseball diamonds are. So on the 13th a storm tile plan was added. The storm water plan does not include a ditch on the park side of the property. The drainage tiles that were added I believe are four inches, four inches in diameter. And like I had said, most of the five acres of land has been raised four to five feet in height. Which means water goes downhill and it's all gonna be pointing at me. Park has changed. You look at a hill where the land was once flat. When it rains water pours off of the mound and goes over the top of a 24 inch all silt tent. I've had to hire and pay for a surveyor to come in and mark my lot lines. It wasn't something I was expecting to do this summer. The work that has been done, the conclusion is that there's a four inch on the six-inch drain tile system will not be effective when there's rain you know heavy rain, medium to heavy rain, and it will be very and the spring when there is snow melt and freezing and thawing. This will result in flooding because the ground and the drain tiles will to absorb the amount of water that will drain off of the higher areas. A berm apparently is the only thing that will protect my property. The city currently as I had said has no ditch on their property and no berm to protect the property and homeowners on the north side of this project. And again I wanna remind you a berm was constructed behind the property located at 817, 819 South Locust Street after the construction of the baseball diamond behind it which resulted in flooding that cost thousands of dollars to repair to that building. I do I want you to realize I have a duty to mitigate my damages to my property. And from the bids I have received it's gonna be costly, extremely costly. So I had a couple questions for the committee. Who on the committee has actually gone to Colburn to look at the project? And when did you go to look at this project? Or are you relying on staff? And another question I have is on August twenty-fifth when I tried to appear in front of you why did the directors report fail to include the problems noted at Colburn? These are extreme flooding issues and I was never notified about any of these plans, any of the heights of the land. Like I said, if you go out there, I was out there today, you look at the property, the property is significantly higher than what it was. And I don't know why they had to go up. It's a good question, why did they have to go up in the air an additional four to five feet to build two baseball diamonds? I don't have a problem with baseball diamonds, I have a problem with the flooding and the destruction of my property. And the cost that I am going to have to incur to fix it. The parks should notify adjacent landowners regarding large projects like this. In going forward I would hope that you would definitely change your policy so that you understand the history behind the park. Like I said, there are no drain tiles back there, there were no drain tiles back there. There were three parks department people that showed up looking for drain tiles. I could've told them there were no drain tiles back there at all. There never ever prior to August of this year were any drain tiles back there in that park. I grew up here, I know what happens. Now the park it's significantly higher than my land. And you know it's not like you can just tear up sidewalks and raise a house after it's been sitting there for 55 years. And I don't think I should have to put up with flooding in excess of 12 to 16 inches on an acre of my property without completely notifying you the committee about it. And not just being pushed off. I felt like I was being pushed off by staff from the parks district. I feel like I have a handler who doesn't even listen to me. This is my home; this is where I live. I shouldn't have to go outside and have water up to my knees. And in the spring when that water freezes I'm gonna be the one out there chopping the ice trying to get rid of the parks water if it's not fixed. The water should not go down my sidewalk, it should go into a drainage ditch on the park, and there should be a berm protecting the homeowners on the north side of the property. Of the project. Thank you for your time and I hope you'll consider my request for a berm for a ditch on the park's property. And also finally that you

change the way you notify adjacent landowners on these huge projects. This is not a small project, it's \$658,000 dollars and the removal and addition of property in excess of five acres of land and it's in my back yard. I deserve better than that. I just. And yeah this is a city business issue. Thank you for your time.

- Any questions? Miss Angus. Okay thank you very much for your testimony. Take a motion to close the floor.

- So moved.

- Second.

- Motion by Alder Gerlach to close the floor, seconded by Alder Wery, all in favor?

- Aye.

- Aye. Opposed? Okay floor is now closed. Alder Wery go ahead and then I think probably Alder, oh Alder god I was gonna, thought for sure well, Director Ditscheit, Alder Wery.

- We know where you're goin'. Thanks Randy. Chairman. Yeah I've been out there. Obviously I've been working on this project for a number of years now and I go out there probably twice a week just to kinda see how it's going 'cause you know it's a big change. It's gonna be a good change for you know little league obviously and the parking situation. However, because of the unique layout of this land and the hill that it's on I don't know if it was just maybe oversight on planning that they didn't you know perhaps where you know where the water was gonna drain but it does affect you know two or three of the properties that are kind of on the end there. And we did have a lot of rain fall, we are in the middle of construction, so there was a whole bunch of stuff that all happened at once. It's good to have foresight if we have some heavy rains or if before things thaw. So you know I apologize to Janet, I'm glad you met me out there with a couple of the neighbors that you know you had to experience this, but because of your pushing it did help now get those drain tiles installed. So that it's a credit to you for pushing that. My question would be will those be enough Director, that size of drain tile I know it's all installed. But bigger ones they need to have to rip the whole thing out and that would be a huge project. But in addition to that I know on upper Colburn when there was some water issues, we did put in a berm for some of those homeowners wouldn't have their back yard flooded out. You know couldn't we do for the property owners who experience that downhill flooding?

- Yeah, just couple of responses to your questions. So, in order to install a berm what would need to be done is to relocate the drain tile that was just installed. We paid I believe \$40- to \$50,000 to have that drain tile installed initially. So, there would be not only the cost to reinstall it in a different location but then an additional cost to install a berm. Cause if you look at the site map that I provided you'll see on there where the drain tile is installed. And it's currently in place per the contract for the construction of the ball field. So, if you see there you'll see the two existing little league fields, and you'll see that the drain tile hugs that property line pretty close in between Ms. Angus house and the park property. So, there is no room to put a berm in between that drain tile and the property. So, we would have to actually physically move that drain tile.

- Director how big is a berm? Because in walking over there I don't know there might be a couple

feet in between where that drain tile is in the property line. Do you need a . . .

- Yeah, and it's I mean you're looking at the fence, the fence is not on the city property, it's actually a couple of feet over I believe from what I've been told. I don't know the exact dimension. But our plan is to raise it as much as we can, and we will be able to raise it a few inches and still maintain and mow it, but it won't be a two- or three-foot-tall berm, it'll be a few inches tall that will help keep the water that gets past that drain tile and hold it for a little while. I will also say that the drain tile if you look at the original bid plans, we always had drain tile in the plans in between the ball fields. And they were supposed to be connected to the drain tile that connects that follows the property line to the north. If you look at the construction plans, it says on those plans existing drain tile. So, we had some historic records on our end that indicated there was a drain tile there. But all of our plans for draining that area hinged on us tying into that drain tile. As we found out when construction started there was no drain tile along that property line, we were not able to find it. So that's what the \$40- to \$50,000-dollar change order was to add that drain tile along the property line. So, I guess you know your question as far as whether or not what was installed is adequate, I would probably safely say that no it's not designed to a 100-year storm or preventing all water from exiting off the property. It wasn't designed to that capacity, nor do we design that in any other situation in our park system at all. But will it handle the drainage much, much better than it did in the past? Yes, it will, because the drain tile how it was installed is it's not only a drain tile around the entire perimeter of both fields, plus behind the one field that's existing behind Ms. Agnes' house, we also installed drains into that drain tile so that it can quickly get to the drain tile. We have drains every 50 feet. So we don't have to wait for the water to actually infiltrate into the drain tile system, it'll actually probably hit the drain inlets first and then enter the drain tiles. So what I'm what we're doing here is much better than what was there before from a drainage standpoint. If you look at the existing grades everything, she drained towards her house with no drain tile anywhere in sight. So now we've installed two ball fields and we've created high points which now divert that drainage off to the sides of the ball fields instead of directly towards the houses. Which then the drain tiles will then pick it up. So the other thing that I wanna mention is previously the parking lot, at least half of the original parking lot did not drain to the inlet in the parking lot. It actually drained onto the ball field and then towards the houses. And with this new parking lot configuration the storm water management plan that you see in this conceptual plan here will pick up all of the water off of that parking lot. So prior to us developing this we would've gotten run off of that large parking lot and now we're capturing it all. So I guess short answer we're doing a much better job handling the water on site. But no it is not designed to accommodate all waters or all storm events that could possibly happen out there.

- That's all I have for right now I'd be curious just to hear what the other committee members think on this.

- Any other thoughts? Alder Dorff?

- The only thing I would have to say about the flooding this year is that my district flooded incredibly this year. And there were some very, very unusual storms. We had waves in the streets, we had canoes going down one of the roads in the Red Smith area. It was a very unusual and that may have had some influence on the flooding that occurred. So you know I just wanna throw that out there after what Director Ditscheit said, 'cause it sounds like some steps have been taken to alleviate the flooding already. Thank you.

- I guess I do have a question Mr. Chairman. Dan, Director, if you had permission from the adjacent

homeowners to utilize perhaps some of their property if the fence is set back a little bit would you have enough room to put in a berm whether a foot tall or however it is, however tall it would be, two feet?

- Yeah, I mean if there is some sort of an easement that the property owners grant to the city and the city council would like to build a berm and fund it on private property to prevent flooding that possibly could occur I would be open to that. We don't have the funding currently in place for that, but we could look into that. I guess the property owners have not indicated that they would want to pursue that as an option.

- I was just spit balling it at the moment here I don't know if even it's an option.

- Just a second Alder Dorff, ballpark figure for a ballpark, how much would a berm like that cost roughly?

- It would depend because it could vary considerably there is fencing along that property line. So obviously the fence would have to be relocated. The question becomes do we contract it out or do we have our park crews do the work? Our park crews likely built the berm that was referred to early in the meeting. We've done that in the past in other locations. So it's not very costly if the city were to build the berm, but you would have to contract out the reinstallation of the fencing. It would become pretty pricey if we had to relocate the drain tile as part of that.

- Alder Dorff.

- I'm pretty excited about this possible precedent 'cause I've had at least three areas in which I would need berms in district one. So if we start setting a precedent of having berms even if it's on private property then just know that there's a lot of flooding that took place in this city this year. And my constituents probably will also want berms. Be careful, be careful about precedents. Thank you.

- Brunette then Alder Gerlach.

- Yeah thank you. I'm familiar with this property I'm familiar with the park. I lived within walking distance for well over a decade. So. It's got flooding issues in the past. And any time you move large amounts of dirt and dig and construct and engineer there could be unintended consequences. And that may be what we're dealing with here. You know we have someone who has lived in that neighborhood for many years, owned property there for many years saying that things just don't seem right. And it is true that it may be a really bad flood season and maybe that caused some of the issues, but maybe not. Maybe there is something deeper there. And I know that you know we are a public entity and Colburn is a public park which the City of Green Bay owns, but we still need to be mindful of other property owners along the park that we own. And it's a private property and because of work that we constructed or created we have affected property owners saying that there is concern for flooding. This has come up before, not necessarily in this area but in other parts of my district. When we contract and we create engineering in house or through a third party and once the shovels hit the dirt and dirt is relocated and pavement is installed there are issues that come up. And in my history the city whether in house or by contractors have gone out there and have rectified the situation. So just because engineering plans are secured and move forward with doesn't mean that there couldn't be problems that arise from that work. And so we're in a tough spot. I think Alderman Very had a very good you know compromise. Maybe I'm not in favor of ripping up the drain tile,

especially if we took on extra \$40- to \$50,000 of cost. But, because my familiarity with that area in that flooding has have been an issue there I think that that's a possible compromise. Of course the other fear, the other possibility is that the affected property owners if the flooding continues they could you know file some sort of suit against the city or issue a claim against the city. And perhaps we gotta get, we'll cross that bridge when we get there. But really conflicted on this. But I tend to, I don't wanna question the competence of our city staff or anyone we contract with, but I certainly don't wanna dismiss the claims of property owners who probably know that neighborhood much better than existing people within our staff and contractors. So that's all. It's tough.

- All right. Alder Gerlach.

- Question for Director Ditscheit. I know this is probably very a silly question and maybe I should've picked up on it as I was listening, but who is the engineer or are the engineers who make a final assessment that this is, of the integrity of this project?

- So for the storm water management plan which is the portion of the project that's handling the storm water in the parking lot portion where you see all that storm water feature in the middle of the parking lot that was contracted out to I believe Robert E Lee, which is a consulting firm that designs storm water management. They did engineer that to city standards. We did receive a storm water management permit from the city which allows us to build that to city ordinances. As it relates to the drainage and the construction of the fields and the drain tile that was installed, that was done by city engineers. One thing I do wanna comment on also is obviously I've been out to the site myself a number of times to look at these concerns, 'cause we take this very seriously also. And I do wanna mention that you know the flooding event that happened before any drain tile was installed at all. As I mentioned before that big event happened when all we did was strip topsoil. We didn't do any major grading beyond removing topsoil. And so the existing conditions dictated where that water was going to go in that particular event, storm event. Now that being said, we have had a number of downfalls or rain events since the drain tile's been installed. And I have been out to the site myself shortly after the rain falls. I live very close to this property. I went out literally when it was pouring out and watched where the rain was going, and I will tell you that the times that I've been out there and when I've talked to our engineers our city engineers there has not been a drainage concern since the drain tile's been installed. So at least that I have witnessed. Now if the homeowner has witnessed anything other than that I would love to hear that 'cause then we can address those concerns. But I guess what I'm saying is before I guess I would like you to at least consider the fact that you know this possibly was in fact engineered accordingly. And time will tell as we get more rain events whether or not the storm water is being handled appropriately versus just assuming that it isn't. So I just wanted to mention that.

- For myself I think it was the event of that time. I mean as Ms. Angus reported she's been living there a long time and she hasn't seen anything like it until that event. So that kinda tells me that what we're doing has been helpful, productive, and appropriate engineering is just that I mean, nobody I mean the extreme weather events, we're gonna get screwed, nobody we can't prepare for those. And we can't you know. So I would think that going forward we could just kinda keep an eye on things and getting a lot more extreme events and we may have to try to be a little creative and see what we can do to deal with those. I would be interested in looking into, seeing what could be done about partnering with property owners to build a berm perhaps. I would think they, of course we'd need easements, and we'd need to figure out the costs. And I think perhaps the property owners might need to help pick up some of that cost it shouldn't just all be on the city perhaps. But that's a

whole discussion that can happen when we decide to go forward with that we can figure out that policy. For now I'm fine with I think we just kinda wait and see how things go. And hopefully we're not gonna have any extreme weather for a while and the drainage tiles work and everything is good. And, if worse comes to worse we can start figuring out how to handle it then. Alder Wery.

- Thank you Mr. Chairman. Yeah this one, obviously you don't know how the drain tiles are gonna handle up tile you know everything's in place, and we get a good rain fall and maybe in the spring when there's ice still on the ground. If the committee doesn't mind indulging me, if we could hold this two weeks. I just wanted to flush out maybe some of the berm ideas and costs and maybe talk to some of the homeowners just see if it's even an option. There's really no rush on this, so I really just wanted to fully vet it before we make a decision at committee. So I'd make a motion to hold this until our next meeting.

- Second.

- A motion by Alder Wery to hold, seconded by Alder Brunette. Any further discussion on that? I'm withholding it if you wanna climb that hill.

- I just wanted to make sure we left no stone unturned.

- All in favor?

- Aye.

- Aye.

- Aye.

- Opposed? Okay that passes unanimously.

- I believe Alderman Brunette seconded it, correct?

- Yes.

- Yes okay. Once again technology and civic clerk so.

- Guess who's turn to sing?

- Alder Steuer we never heard ya.

- Might as well be "Jessie's Girl".

- Oh that's Jessie's song, he's gotta sing that.

- Yeah. Get your daughter in there and you can that's my daughter.

- Oh no.

- She'd sing.

- You can go onto the next item.

- All right. Item number. Four. Responsible action on request by Alder Wery to review the Park Departments public notification policy. Wery, staff, you wanna start Wery?

- Sure I think Director Ditscheit can take it off.

- Oh staff.

- Yes I've included a copy of our current policy in the agenda packet for your reference. That policy was discussed and approved at the parks committee on seven 10 of 19. And the council approved it the following week on seven 16 of 19. This was the first time that we had a written policy in place. Prior to that it was just general practice to the discretion of the park's director. So at this parks committee meeting we drafted this formal policy. And it says three different things that we would do to notify the public whenever there's a project being done at the parks department. So first is the city council of all city council approved park capital improvement projects would be listed on the website. And then there's information on that website specific to those projects just to give the public a little bit more detail about it versus just a list of the project. We have a brief description. Second one is per the discretion of the park's director, neighborhood input meetings would occur for projects on a case-by-case basis. And so in these situations park staff would reach out to alder persons, neighborhood associations and or affected property owners. So it could be one of those or all three of them, depending on the project. And then finally for all construction projects that are publicly bid out 72 hours prior to the start of construction the contractor would notify adjacent neighbors to in regard to the start of construction. So I guess that's the policy that was put in place. I know that the reason that it's on the agenda today is due to concerns that were just mentioned previously for Colburn Park. And the potential lack of notification to residents adjacent to the park. And we should and the request to review the policy due to that issue. So that's why it's on the agenda. I'd be happy to answer any questions anyone has. I will tell you that as it relates to Colburn Park in this one particular project, yes the first bullet point, the project is listed on the website along with all of our other capital improvement projects. As far as the third bullet point goes, yes I verified with public works that the letter was sent out to all adjacent property owners on a certain date. It was sent out on August second and construction started on August sixth. So that one was also met. In relation to the second bullet point, what we did in this instance is we reached out to the Colburn Neighborhood Association and the president. And I believe that she was also an adjacent property owner. And so we worked with her to schedule a public input meeting. How the public was notified in this situation is the neighborhood association, what we were told by them, is that they knocked on doors, they sent some emails, and anybody who answered the door and they spoke to, they shared the concept with. And talked about the project. Now after speaking to Ms. Angus, she obviously stated she was not notified for the public meeting we had. But we did in fact have a public meeting, it was a Zoom meeting. I've been told that, and I couldn't attend that meeting, so I wasn't there, but I've been told by our park planner that there were about 10 residents who in the neighborhood who attended that meeting. Lot of questions were asked, some of the same concerns that were brought up in the last topic were also discussed and at that neighborhood meeting. So there were concerns about drainage, there were concerns about how additional people in the park would affect their properties along with several other concerns that came up. And so we addressed those concerns at that public meeting. So in this situation we did meet all three of those bullet points. The question

becomes should we have sent letters to adjacent property owners in advance? That could be up for some discussion here. But I will tell you that shortly after that public input meeting, and I'd have to look at the dates, but several months, probably two to three months after that public input meeting Ms. Angus did hear about the project. And it was about one year ago nearly to this date where our public works engineers and park planner actually sat down with her to review the storm water management and the project in its entirety. And that was done about a year ago. So she was notified. Unfortunately, it wasn't a part of the policy as far as us notifying adjacent owners directly. In this situation we relied on the neighborhood association to do that. So that's a little bit of history.

- I'd request to open the--

- Any discussion and then we could possibly open the floor, is there any discussion first? I'll take a motion to open the floor.

- Moved.

- Second.

- Moved by Alder Wery.

- Oh before we vote, may I ask a question about this motion?

- Sure.

- Why are we opening the floor?

- The public input on the procedure--

- Oh okay.

- So there's a motion on the floor Brunette, all in favor?

- Aye.

- Aye.

- Aye.

- Opposed? Okay the floor is now open. Is there anybody here who wishes to speak on this?

- Janet Angus.

- Okay, please state your name and address again and then the floor is yours.

- Janet Angus, 1403 Shirley Street, Green Bay, Wisconsin. So I own over 325 lineal feet of property that bumps up against Colburn Park and I did not receive notice of the May 21, 2020, meeting that was done by Zoom with the neighborhood association. I found out about this; I don't even remember how. And yes I did meet with the engineers, but at that point I was told it was too late to

really change anything. The plans were going ahead, and that's the way it was. And when I looked at the storm water plan I informed them of the flooding issues that could you know happened at the 817, 819 Locust Street location. I was never informed of how high the land was going to be added. They added four to five of land on five acres. On five acres. I don't think I even weren't there at that meeting. But I did talk about my concerns with my property. And it's very unfortunate that they hadn't talked to me earlier because quite frankly they could've moved that drain tile over. The park's a very big park. They could've moved that drain tile over 10 or 20 feet. And then maybe they could've put the ditch to drain the park on the parks property instead of relying on my property for it. Because my property's at the low point because the parks property has been raised so much over the years. I mean I don't think any of you would like it if the City of Green Bay raised adjacent property five feet in your back yard. And then you have the potential of water and flooding. I just. If you keep communication open with adjacent landowners and you work with people and people have the ability to voice their opinions when projects are going ahead it would seem to be much better than this. This is a \$600- and what, \$785,000 project. \$658,000 project. And now they added another \$50,000 dollars to it for those drain tiles. You're up to \$700,000 project. And I, as an adjacent landowner was never given notice prior to my finding out about it somehow, I don't recall how. I know I was pretty upset because I hadn't been notified of it. And we could avoid this. And I think the city should be more open. You should notify adjacent landowners. What does the city have to lose by notifying people, and saying you know what you're gonna have a swamp in your back yard now? Or the land's gonna be five feet taller than what you have right here. And you know, oh and then the storm event, I've lived here for 55 years, trust me there have been storms and there has been ice melts and snow melt. We used to get what, 10 feet of snow. I've lived through that in this property. And you know what? You're making me feel like I'm a liar. You're making this sound like it was one storm event on August tenth and that is incorrect. I had a real mess. I was out there at 10:30 at night with pumps so that one of my buildings, 'cause my building was gonna be drenched. The foundation was full of water. And at 10:30 at night I was out there saving my building. And this all could've been avoided. And I will do something about it. I will. 'Cause I shouldn't.

- Claimed your 97.

- Oh.

- Thank you for your time.

- What was that?

- I don't know.

- That was an accident on my part, that was me, I take fault.

- It was a voice from above.

- Crazy, I was looking up something on my phone, I apologize.

- Motion to close the floor.

- You could mute yourself there.

- Before we close the floor let's make sure that Ms. Angus doesn't think that that was somebody telling her to be quiet.

- Yeah no.

- I'm serious, she stopped talking right after that.

- Oh.

- I think I've made my point.

- Okay.

- I think that you should actually treat citizens better when they come to you. I came to you two weeks ago and you wouldn't let me talk.

- May I--

- But it's not a democracy but a business, and I think honestly, I really have to have my say, because this is affecting me terribly. It's costing me a lot of money. I had to do a survey to find out where my lot line was, it wasn't in my plan for this summer. Why didn't the city survey the property and figure out where the lot line was? And why didn't they put the drain tile over further? I met with them on the 13th of August. I just don't understand it to be honest with you. I pay a lot of taxes; I've lived here a long time. And quite frankly I think I deserve better as a citizen of the City of Green Bay Wisconsin. And I just really feel that way. And to just dismiss this is a one-time event on August 10th after 55 years of flooding, rain, everything it's ridiculous.

- I have a question for you on that. Maybe I misunderstood you. I thought that that event was when you had all that flooding and that you had been there for 55 years, and you had other events and they weren't like that. I thought that, did I misunderstand you?

- I've never had flooding that flooding like that.

- Okay yeah that's--

- But I've had, there's been other events.

- Right--

- There have been many other events. There have been other events and I haven't had issues like that, that's why I'm mad! They came out there, they dug up five acres of land! The water's going over the silt fence. Big mess. I'm out there at 10:30 at night trying to clean it up. I just want it prevented from happening anymore. And I'm the only landowner at the bottom of the hill.

- Right but--

- And I'm the one that did not get notice. And I'm just saying it's a bad policy. It's a bad way to conduct. Business. That.

- Alder Gerlach.

- I was just wondering Mr. Chairman if you could clarify for all of us, Ms. Angus and the rest of us, why she was not invited to speak the last meeting?

- Well as I mentioned it last time, they were here to conduct business and we have to follow rules and procedures and this isn't the forum for just anything that has to do with city business or any complaints or anything, we have to follow procedures. And that's why I work with the Director and with Alder Wery and the three of us discuss a number of possible items to possibly bring forward, and we decided to bring these two forward as issues that were raised, that Mrs. Angus brought up as a concern and to be addressed. So. Wasn't any purpose to silence anyone it was just to follow good business procedures. We're doing city business. So I'm trying not to, I'm trying to keep us on the clean and narrow and run a clean ship here. And I believe that's what we've got going now. We've got the items on board, and we've got city, you know community input, and now we can discuss and figure out what we wanna do so.

- Thank you.

- I'll take a--

- Moved.

- Second.

- Moved from Alder Gerlach moved to call Brunette, all in favor?

- Aye.

- Aye.

- Opposed? Okay we have floor closed, first Alder Wery and then Alder Steuer.

- Thank you Mr. Chairman. Yeah it was two years ago that we had oh an in-depth discussion about maybe having a policy like this because of something that came for by Bay Beach. And it seemed like we had crafted a pretty good policy. However. Now it does spot if you have a neighborhood meeting, and you rely on that association or whoever's holding it to get the word out there's your weak point. Because if they don't do a good job or they don't get the word out you can see where it'll fall apart pretty quick. So I don't know if there's a way to shore that up. Maybe we do have to partner with them and have a city notice go out. Okay here's gonna be the meeting of you know what's going on. I don't know, I'd be interested to hear you know I thought we had it solved but the weak spot was 'cause I was at that neighborhood meeting, it was actually I think at the church on Ridge Road. And the comments were mainly a lot about the parking lot and some of the trees that were coming down, but they were glad there was gonna be more parking and the runoff was gonna go in the middle. They wanted to make sure that the playground was gonna be replaced, things like that. But you know if Ms. Angus had been there I'm sure that flooding issue would've come up the drainage issue, but it really my recollection wasn't a big deal. So it would've been good to have that input. So I don't know how we could fix that. We'll see. Thanks.

- Alder Steuer.

- Thank you chair. I'm gonna piggyback a little bit on what Alder Wery said as well. You know miss Angus mentioned that she has you know 320 feet of frontage along that area, and she was the only property owner in that area, so you would think it would be pretty easy to get a hold of one property owner as opposed to 10 or 15 in that area. So I guess I'm gonna ask Director Ditscheit, when these notices go out there must be some kind of a record that you know of the neighbors said you do contact for any type of issue. I know the planning department does it for re-zonings. You know they will put out a notice. And you would think you would keep track of that somehow, is that something that you normally do? Or you know to look back to see who was contacted?

- Well.

- That's.

- The director mentioned we did not contact anyone but the neighborhood association for this.

- Okay well then I'm clear--

- We would have no.

- All right. But you know with that being said, and I know it might be just off topic, but it might you know for Director Ditscheit I mean normally when you send out a notice to people you have a record of that as far as the people that you contact.

- Sure.

- And we do. When we do send out letters and notification for the public for whatever issue it is whether it's a project notification or some other issue we do keep record of that.

- Okay well then I you know I kinda figured you did. But it seems like in this instance it didn't quite work out. So you know I kinda piggyback on what Alder Wery said on that and there is some concern. I know neighborhood associations; some are very good, some aren't as active. And you might get the word out, but I think in this case you know some people heard about it and some people didn't. So I don't understand fully why you know the city citizens weren't notified by the city itself. So I guess that's my concern and my question there. And if you can answer that, great. That's all I have, thank you.

- Director?

- Yeah so--

- Why did we go through the neighborhood associations and not--

- Yeah so historically we have relied on neighborhood associations to get the word out, because then it goes out beyond even further than just the adjacent property owners. So in this case I know we've had a lot of success with the neighborhood association meetings when we were dealing with Colburn

Pool. Those were actually a very well attended meetings. So we felt that it was appropriate in this situation to follow the same course of action. And it is unfortunate that not all the property owners were notified with this process. But that was the reasoning behind it in this situation. But you know when there isn't an active neighborhood association we do reach out and handle it a different approach. As you'll look in the policy we do say on a case-by-case basis. So we do look at it each case individually. Now in this case as far as I know I believe the neighborhood association is no longer that active. So in the future coming up we wouldn't rely on them 'cause they're not a very active neighborhood association anymore. So we do kinda keep that and take that into account when we're looking at it. But like I said it's a case-by-case basis. It's how we've always done it and that's how this was drafted.

- I know things have changed even you know like years ago we had a rezoning issue up on Belview Street and East Mason and the issue was that not enough people knew about the rezoning. It was too close. So you know I think the plan department changed their policy to make sure that it went out further because there were so many properties that were involved in that area. So you know things can change. You know I think we need to really you know really keep an open mind to this. You know I don't have a property, or I don't have a neighborhood association in my area. Maybe that's my fault. But you know what I mean, some are active, some aren't, and I think in a case like this I think it's important that you know the property owners would've been notified. So that's it. Thank you.

- Anybody else? Alder Wery, then I got an idea.

- Sure thanks Mr. Chairman. Director Ditscheit, would it be too much to ask I guess or if there was a neighborhood meeting just for the city to send out notices just to the adjacent property owners? 'Cause I know we do rely on those neighborhood associations to get the word out but or they get kinda half the word out. That does make us look bad too so.

- And I am more than willing to update this policy to make it a little bit clearer. And in fact I think it's warranted. Because I don't think we can necessarily just make a blanket statement because there's a lot of different types of development within the park. You know sometimes they're just maintenance issues, sometimes it's just resurfacing the parking lot, other times you're completely changing the use of the park in its entirety. And so I think it does make some sense based on this situation and what happened here that we can tighten up the language a little bit more to give you and residents a little bit more understanding of when they can expect a letter from the city versus no letter from the city and relying on the neighborhood association. So I think we can tighten it up and clarify a few things. And I guess I would like to have a chance to take a look at the language and see how we could draft it a little bit differently to take care of some of these concerns, so it doesn't happen again. And so I would be fine with a motion to refer to staff for consideration to modify the policy or however you wanna word it.

- Before we get there I'd like to throw in an idea perhaps of working with the leadership of the neighborhood association council. I think it's just called the president and so on. And perhaps we could between staff and the neighborhood association leadership come up with a form that neighborhood associations could use so that we can have documentation and keep track better of who's been notified and who hasn't. That that it might help the neighborhood associations in their process of contacting people. And perhaps then we'd also have that documentation that we just don't have now. So if we could develop some kind of form procedures for working with the neighborhood association so they could be more effective and documentative I'm trademarking that word. What

do you think of that? And Alder Gerlach and then Alder Brunette.

- So as the secretary of a very active neighborhood association I am the person who has to do all of the communication. We have about 1,000 neighbors in our neighborhood. I have 135 email addresses. I manage a Facebook page that probably out to maybe 100 people. I have a postal mailing list of about 675 names. I have zero budget to print or mail anything. I raise the money through sponsorships to put out one required annual newsletter. There is not one single human being in our neighborhood who will help deliver flyers, not board members or anybody. There's no way our neighborhood association, and we're very active, we were the resilient neighborhood of the year last year and we were the neighborhood of the year the year before. We just can't do it we have in the park with James and Corey and whatever people, and they sent out letters to the immediate neighbors. We got together whatever people we could get together. Alder Stephens and I sent a mailing of, from paid for by ourselves, to every member of the neighborhood to let them know you know their input was welcome. Of the thousand people we probably heard from I think about 167. Even if you work with the neighborhood, Green Bay Neighborhoods that leadership group, it just I don't think it's realistic to believe the neighborhood associations can get this done.

- But we have used them in the past.

- But how effective were they really? I mean I'm telling you; you know I do my very, very best at this and I can't mail out letters without money to postage money and printing. And I have email addresses, we collect email addresses, we have every meeting, every event. It's just not realistic. Now some people maybe have been at it longer, they've got more. And there are neighborhood associations that have whole groups of people who are willing to go out and deliver flyers. But then there are some like ours that don't.

- Just one thing to mention here, we do have an individual from our law department who is raising her hand to speak, Lindsay Mather.

- Yep so who'd I call on after, okay Alder Brunette and then do you wanna speak now or--

- Okay 'cause it goes off of what Alder Gerlach said. I agree with your intent of your add on to the motion Alder Scannell. My concern with neighborhood associations is by the way it's Green Bay Neighborhoods was the organization you were kinda grasping to identify. But I like the idea of having neighborhood associations be our partners and to disseminate information, but to put too much expectation on them even on something like this, it's a heavy burden for them. Many of them are loosely organized, but you know they have a hard time getting active members distributing information. And I like the idea of keeping every neighborhood association's different obviously, but I like the idea of keeping it mostly social fun events, building community neighborhoods. This is a part of that, but I think we can't overly rely or put expectations on our neighborhood association. We are a city government. I think that really falls on us, but I also want this comment to be known that I put this plan together two years ago, I thought it was a very effective plan. With anything it needs tweaking from time to time. But he met the expectations that we put on him two years ago, developed a policy, for the most part, from what I've heard it worked. Maybe in this situation it probably may have had some gaps. So maybe we didn't identify. But I'm very much in the favor of back to staff to look at and not with the condition that we expect more from a neighborhood association than what we currently ask them to do. Thank you.

- Miss Mather?

- I was just going to point out that as a general rule we can't outsource our documentation requirements. So if we're going to require that you know adjacent property own that we have documentation that adjacent property owners be notified then we need to be the ones that are keeping that documentation rather than us asking the homeowners association to document their contacts with those property owners. So if we wanted to come up with a form or whatever just as kind of a guide for the homeowner's associations to use or whatever you know whatever you all decide might be most effective. That's fine to do but as far as you know if we want improved record keeping of who's been notified and that sort of thing that is something that we would have to do, we being the city, would have to do ourselves, rather than relying on any of the homeowner's associations to do that for us.

- Thank you. So a question Dan, in the past when we've used neighborhood associations, it sounds like it's been fairly effective generally, how has that I mean, every homeowner association is different. Has there been times where you went to a neighborhood association, and you felt they couldn't get the job done so then we took it on? Or how do you choose when to go through a neighborhood association and how does that process work?

- Well we reach out to the planning department to find out how active the associations are, and they give us some guidance there. And I would say we don't always go that route. Sometimes we just contact the property owners individually. So it's I don't wanna lead everyone to believe that that's you know our first course of action. So we do it on a case-by-case basis, but what I've found fairly consistently is when we have worked with these neighborhood associations for the most part it's been pretty beneficial. And we've had fairly good turnout. There is, you know, once or twice an exception to that, but I would say the vast majority of the time we go in there doing our homework and knowing which associations are gonna work better than others. And you know we've worked with some of the alders for specific projects in your districts. I know we recently went through the neighborhood association for the master planning for the old Preble Park discussion and that was very well attended. I was at that meeting and there had to have been at least 30 residents at that public meeting maybe more. So you know in general it's been successful. Does it get out to everybody? No, but it is hard in all instances to reach out to every single individual in the neighborhood. So that's why I would like to have a chance to kinda revisit this policy and set some parameters as far as when we actually send out letters and when it really makes sense to do it versus doing it in some other mechanism. So I'm fine with referring it to staff.

- Yeah that sounds good to me. Any other discussion? Okay I'll take a motion.

- Refer this back to staff.

- Second.

- Motioned by Alder Gerlach seconded by Alder Brunette. All in favor?

- Aye.

- Aye.

- Aye. Opposed? Okay staff it's all yours. We ready for the directors' reports?
- Yes you can go on.
- I believe that's its next right?
- Yes.
- Okay directors report.
- So I have nothing to add other than what's actually in the report. So we can keep this nice and brief.
- Anyone have any questions, comments about the report? Okay. Oh were you raising your hand Alder Steuer or were you?
- Actually I do have a quick question for Director Ditscheit. Just you know I know we'd talked recently you and I in the office about Perkins Park and the trees and the situation there. I just I wanna just find out if anything new has been added since then as far as coming up with a date for a meeting et cetera?
- Yeah so just real briefly, I don't think that that's mentioned in our directors' report, but we did meet as a staff on site earlier this week and I will contact you and we'll review options for a public meeting. But we do have some thoughts in mind in regards to that.
- All right, thank you.
- As a not necessarily any report director but for the first time in I haven't been to Beaver Dam in quite a few years, but I was there last night watching somebody play softball and that's a beautiful facility it looks really nice.
- Thank you.
- Did a nice job, a lot of people were really impressed with it so.
- Thank you.
- Yeah.
- They said Beaver Dam.
- Yep.
- Anything else? Excellent report. As always you do a great job there, appreciate it, I'll take a motion. Receive place on file.
- So moved.
- Second.

- Motioned by Alder Wery receive and place on file, seconded by Alder Brunette. All in favor?

- Aye.

- Aye.

- Aye, opposed, okay that is received and place it on file. Our next parks meeting is September 29, 2021. I'll take a motion to adjourn.

- So moved.

- Moved to adjourn.

- Motioned by Alder Gerlach, seconded by Alder Brunette.

- Yep.

- All in favor?

- Aye.

- Aye.

- Aye. Okay folks we're outta here. When are we gonna get together for say seven?

- Seven o'clock okay?

- Seven o'clock will work yep.

- Give us time to. Yep. Perfect.

- Okay. Thanks Dan.

- Thank you, bye.