



MINUTES OF THE IMPROVEMENT AND SERVICES COMMITTEE

WEDNESDAY, MARCH 1, 2023, 5:00 PM

In person at City Hall, Room 207

Virtual attendance also available via Zoom.

A. ZOOM MEETING INFORMATION.

I. This item contains Zoom information, instructions, and a link to the Virtual Comment Form.

B. ROLL CALL.

Voting: Chris Wery, Melinda Eck, Mark Steuer, Steven Campbell

Not Voting:

Excused:

C. APPROVAL OF THE AGENDA.

Moved by Ald. Chris Wery, seconded by Ald. Melinda Eck to approve the agenda for the March 1, 2023 Improvement & Services Committee meeting. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

D. APPROVAL OF MINUTES.

Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to approve the minutes of the February 15, 2023 Improvement & Services Committee meeting. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

E. REGULAR BUSINESS.

I. Consideration with possible action on a request by Alder Grant on behalf of Steven and Sheryll Lensinger, 2828 Sussex Rd, to install a yard drain at City cost on city parcel 22-1949-A.

Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to open the floor for discussion. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to close the floor. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None
Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to approve City staff to install a field drain, at City's sole cost, at the lowest point on City Parcel 22-1949-A based on a request by Alder Grant on behalf of Steven and Sheryll Lensinger, 2828 Sussex Road. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

2. Consideration with possible action on request by Downtown Green Bay Inc. to enter into an agreement for installation of ash butlers within the street right-of-way and attachment to City-owned poles.

Moved by Ald. Chris Wery, seconded by Ald. Melinda Eck to approve the request by Downtown Green Bay Inc. to enter into an agreement for installation of ash butlers within the street right-of-way and attachment to City-owned poles. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

3. Consideration with possible action on request by Department of Public Works to approve Amendment No.1 to the Professional Services Agreement for Country Club Road Reconstruction Design Services with Ayres Associates in the amount of \$26,228.

Moved by Ald. Melinda Eck, seconded by Ald. Chris Wery to approve the request by Department of Public Works to approve Amendment No. 1 to the Professional Services Agreement for Country Club Road Reconstruction Design Services with Ayres Associates in the amount of \$26,228.00 and authorize the Director to execute the agreement. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

4. Consideration with possible action on request by Department of Public Works to award the following contracts at a staff level and report the award at the next Improvement and Services Committee meeting:

- a. BRIDGE 1-23 (BRIDGE MAINTENANCE AND CONCRETE REPAIRS)
- b. RESURFACING 1-23 (INCLUDING SEWER AND WATER)
- c. RESURFACING 2-23 (INCLUDING SEWER AND WATER)
- d. RESURFACING 3-23 (INCLUDING SEWER AND WATER)

Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to approve the request by Department of Public Works to award the following contracts at a staff level and report the award at the next Improvement and Services Committee meeting:

- a. BRIDGE 1-23 (BRIDGE MAINTENANCE AND CONCRETE REPAIRS)
- b. RESURFACING 1-23 (INCLUDING SEWER AND WATER)
- c. RESURFACING 2-23 (INCLUDING SEWER AND WATER)
- d. RESURFACING 3-23 (INCLUDING SEWER AND WATER)

Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

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

- a. PARKS 2-23 PERKINS PARK BALLFIELD RENOVATIONS
- b. PARKS 3-23 FISK PARK TENNIS COURT RESURFACING

c. SIDEWALKS 2023

Moved by Ald. Chris Wery, seconded by Ald. Steven Campbell to approve the award of the following contracts:

- a. PARKS 2-23 PERKINS PARK BALLFIELD RENOVATIONS to Peters Concrete Co. in the amount of 4320,952.29
- b. PARKS 3-23 FISK PARK TENNIS COURT RESURFACING to Pro Track and Tennis, Inc. in the amount of \$108,157.00
- c. SIDEWALKS 2023 to Al Dix Concrete, Inc. in the amount of \$1,126,525.00

Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

6. Report the award of contract PARKS 1-23 EAST RIVER TRAIL AND CANOE/KAYAK LAUNCH.

Moved by Ald. Melinda Eck, seconded by Ald. Chris Wery to receive and place on file the award of contract PARKS 1-23 EAST RIVER TRAIL AND CANOE/KAYAK LAUNCH to Milbach Construction in the amount of \$591,439.90. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

7. Consideration with possible action on the list of Department of Public Works projects to be included in the 2023 City of Green Bay Capital Improvement Plan.

Moved by Ald. Chris Wery, seconded by Ald. Melinda Eck to hold the list of Department of Public Works projects to be included in the 2023 City of Green Bay Capital Improvement Plan until the next regularly scheduled Improvement and Services meeting. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

8. Report of actions taken by Department of Public Works.

A. Granting of Licenses

1. Sidewalk Builder

- a. Scott R. Weidner Concrete Construction, LLC
- b. J&S Concrete Services, LLC

2. Tree & Brush Trimmer

- a. Baywood Services, LLC
- b. Castro's Tree Services
- c. Conscioulsy Fresh Tree Service
- d. Ripley's Stump Grinding
- e. Treeo's Tree Service, Inc.

3. Underground Sprinkler System

- a. ADC Maintenance, LLC

Moved by Ald. Melinda Eck, seconded by Ald. Chris Wery to receive and place on file the actions taken by Department of Public Works.

A. Granting of Licenses

1. Sidewalk Builder

- a. Scott R. Weidner Concrete Construction, LLC
- b. J&S Concrete Services, LLC

2. Tree & Brush Trimmer

- a. Baywood Services, LLC
- b. Castro's Tree Services
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- d. Ripley's Stump Grinding
- e. Treeo's Tree Service, Inc.

3. Underground Sprinkler System

- a. ADC Maintenance, LLC

Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

F. INFORMATIONAL.

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

Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to receive and place on file the Director's Report on recent activities of the Public Works Department. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

2. The next Improvement and Services Committee meeting is scheduled for March 15, 2023.

G. PUBLIC HEARINGS.

1. Public Hearing 6:00 p.m.

ASPHALT RESURFACING

Brosig Street – Manitowoc Road to Pecan Street
Victoria Street – Amy Street to East Mason Street
Heyrman Street – Cass Street to East Mason Street
Heyrman Street – East Mason Street to Kimball Street
Nicolet Avenue – West Mason Street to St. Paul Street
George Street – Cass Street to East Mason Street

ASPHALT PAVEMENT

S. Maple Avenue – Ninth Street to North Termini

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

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

Moved by Ald. Chris Wery, seconded by Ald. Melinda Eck to close the floor. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

Moved by Ald. Chris Wery, seconded by Ald. Melinda Eck:

(a) to approve ordering the improvements and levying the assessments for asphalt resurfacing for Brosig Street, Victoria Street, Heyrman Street, Nicolet Avenue, and George Street.

Public Hearing 6:00 p.m.

ASPHALT RESURFACING

Brosig Street - Manitowoc Road to Pecan Street

Victoria Street - Amy Street to East Mason Street

Heyrman Street - Cass Street to East Mason Street

Heyrman Street - East Mason Street to Kimball Street

Nicolet Avenue - West Mason Street to St. Paul Street

George Street - Cass Street to East Mason Street

(b) To hold until the next regularly scheduled Improvement and Services Committee meeting for the following:

ASPHALT PAVEMENT

S. Maple Avenue - Ninth Street to North Termini

Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

H. ADJOURNMENT.

Moved by Ald. Melinda Eck, seconded by Ald. Steven Campbell to adjourn. Motion carried.

Yes- Steven Campbell, Melinda Eck, Chris Wery, Mark Steuer, No- None, Abstain- None

VERBATIM MINUTES

- Welcome to Improvement and Services Committee meeting for March 1st, 2023. I will take a roll call. Alder Steuer, I'm here. Alder Wery?

- Here.

- Alder Eck?

- Here.

- Alder Campbell?

- Present.

- All present and accounted for. I would entertain a motion for the approval of the agenda.

- Move to approve.

- Second.

- Moved by Wery, seconded by Eck. All in favor, please say aye.

- [All] Aye.

- Aye. That passes unanimously. Approval of the minutes.

- Motion to approve.

- Motion by Eck.

- Second.

- Second by Campbell. Any other discussion? All in favor, please say aye.

- [All] Aye.

- All opposed, that passes unanimously. Are we good here? Keep moving?

- Mm-hm.

- All right, regular business. Consideration with possible action on a request by Alder Grant on behalf of Steven and Sheryll Lensinger, 2828 Sussex Road, to install a yard drain at city cost on city parcel 22-1949-A. I see Alder Grant is here. Come on forward.

- Hello.

- Hello.

- So I am here, I'm representing my constituents and property owners. I was contacted in December due to some water issues that he was experiencing. Him and his wife have moved into the house in 2017, and this year is the first year that they're getting this water in the back. And the reason that I'm bringing it to you guys is a little bit in the packet is a map. So the property owners have their house right behind there is about 20 feet of city property where sewer drainage is. And then right behind that is the Kosmoskis, who are also here as well to hear from them. So we invited all parties out there, along with Steve Grenier with the city, to just kinda figure out where this water's coming from. And again, with the Kosmoskis owning property right behind it, at first we were thinking, behind their property is a big hill, and then it's farm field. So is it run off from the farm field now going into their yard? But what's interesting about this issue is the farm field is dry. It is coming

up with the Lensinger's property and the neighbor next to them. It is literally coming up and shooting to the street. I brought this to the city's attention too because with it being winter, it is actually freezing. It's going to the street because of the drain there, and because of the cold, it is freezing into the road. It has been, like, 20 feet out into the road. So I was worried about a car accident, someone slipping and falling. So we've been working, as the city, for a few months on this. Again, the Kosmoskis have been great. They have done water samples to try to figure out where this is coming from. The conclusion on that, and they can speak more to it if they wish, is that it's not coming from a broken drain under the ground, 'cause that was the initial thought. So looking into the history of this house, this property was built on top of a stream. So the stream is filled in, house is built. It seems as though nature is trying to find its path with the water still. But now there's a house there, and we blocked it. The reason I believe the city is responsible for this is the water is developing where it is city property. And I went out after work one day, and we all met out there, and was wearing my work shoes, and walked to the backyard, and they're like, "Wait, stop, stop!" And I stepped in the water. The water was warm. It was December. So the water, if it's warm, has to be coming from a warm source like the Earth. Then it freezes as it gets close to the road because you lost that source of warmth. So it kind of cancels out the thought that it's coming from the farm fields, 'cause why wouldn't it freeze there? And so yeah, it is a big problem. The residents are trying to sell their home. Nobody's gonna wanna buy a house when there is literally water going from their backyard between the two properties out into the road, icing over their driveway, making it unsafe for them to go get their mail, stuff like that. But I do believe the city has possibly a responsibility in this to ensure that we are providing or taking care of the nuisance that the property owners are dealing with. So, they are here to speak.

- All right, before I do that, oh, go ahead, Alder.

- Oh yes, I have questions.

- Go ahead.

- Well actually, it was a question more for staff.

- Yep.

- Go ahead.

- Okay, I just thought maybe you could give your input on it before we do hear from the property owners just to see what-

- Is there a way to put this on a screen, by any chance? More like looking over the air photo over the map. Is there a way we put that on the screen?

- And we did submit some videos too, of the water. It is literally running, like, streaming out to the road. So it's not just saturated, it is coming up at a pace that it is flowing out to the road. And Mr. Grenier does have that as well, so.

- All right, I was looking at the air photo, Alder Grant, and just trying to understand exactly where it's coming from too. So, you know. If we had it up there, for me, it would be easier for you to point it out. I mean, we need maps.

- Maps, yeah. It's a map.

- It's just me or is it?

- You need a pointer or no?

- Well, we can-

- Use your pointer.

- A little red pointer.

- I do got a question. So on the parcel 2840 opposite of yours, corner right. So is it flowing down that street there too? I mean, is it coming-

- Down Sixth Road?

- No.

- Yeah.

- They're right there.

- That's not Sixth Road.

- Pull it down a little bit.

- Oh, yeah.

- Where the seven was.

- Pull it down.

- Someone reach up there.

- There's the 7-11.

- This hill's where-

- Frame exactly what you're asking me to do.

- Would it be the intersection? Are we looking at the intersection or just the house?

- No, so where the water is coming from.

- I'm gonna point out where it's emerging from the ground. There's a little garden shed put in by Green Bay City property, not my deal, but coming out on this side. Right next to it. And if you go through some of the photos, you will see it's the most uphill part of it. And it flows down around collects in a big puddles.

- Oh, you're right.

- And it goes down.

- Hold on. Time out, our fault. We like to make a motion.

- Make a motion to open the floor.

- We have them do that before.

- Well.

- For questions.

- Yes.

- Or do you have questions? Sorry.

- Well, you were-

- Where the city property is is where that tan, this tan line is city property right here. This is Kosmoskis. The water's coming up between these two properties flowing between the house out to the road. So it's going that much force to flow out towards the drain that's across their driveway.

- The path behind, it looks like a path. That's the city owned property where it's coming up.

- Correct, yep. And that's where the sewer drain is.

- Okay.

- So between-

- Anybody else.

- Between Miquan and Schmidt? Or between Schmidt and Lensinger?

- Between Schmidt and Lensinger.

- Okay.

- Okay.

- Thank you. Thanks.

- All right.

- So specific it comes down that road there. So that's Sixth.

- It's not stemming from the road. It passes the road to get to the drain.

- It doesn't drain there.

- Folks, we gotta wait to open the floor.

- Oh.

- I know. It's just the way it is.

- So it's stemming from the back yard ultimately, but it's the Green Bay property that it's coming from. Sorry, I don't mean to put my hand in your face, cutting through the two properties and going to the road where the drain is. 'Cause it's trying to find a path.

- All right, let's make a motion to open the floor.

- Okay, I kinda wanted to hear from-

- All right.

- Does the-

- Go ahead.

- Does the city have like a thought on it, I guess? Where do you stand on this?

- Okay.

- You were out there?

- Yes, I have been. This is the 2020 aerial photo. And you can see a remnant drainage path right here that gets intercepted by this larger ditch, which comes down, discharges into an open-ended 24 inch storm sewer, which flows north along Spyglass. As you can see the house, pay attention to the property lines. What I'm about to show you is the 2000 aerial photo of the same property. In 2000, there was well-defined bed and bank of a stream course. This portion of that course is the remnant that's visible in the 2020 right here. So what we have is a situation where there at one time, historically, was a well-defined bed and bank drainage course. That subsequent development has blocked off that drainage course. Now this has been filled in, I don't know by whom. I don't know when. But any drainage, whether that was on the surface or if that drainage is now underground, the old path of drainage has been removed and is no longer available. That water's now finding its way to the surface and finding the shortest or easiest path, which happens to be this direction. Historically, city of Green Bay has viewed that as a backyard drainage issue just because the water's popping up on a piece of property that's owned by the city doesn't necessarily make it the city's problem. The problem exists because the prior drainage path no longer exists. So the city's position has been that it's a private property issue and it's a private property's responsibility.

- So when the CSM was done, this was before your time as far as being-

- Correct.

- When that plat came out, was there an idea when that plat was put together?

- Early 2000s.

- What's that?

- Early 2000s.

- Right, the home, we'll open it for shortly. The homes that were built were, you know, the years when they were built.

- Off-hand I don't know.

- I'll ask the citizens then. All right.

- Motion to open the floor.

- Yeah.

- Aye.

- Second by Campbell. All in favor, please say aye.

- [All] Aye.

- All opposed? The floor's now open. So if you wanna come forward, just state your name and address for the record and then we will ask questions and listen and all that good stuff.

- Steve Lensinger, 2828 Sussex Road.

- And I'm Sheryll Lensinger, 2828 Sussex Road. Our house was built, well, we bought our house in February of 2017. And it was a brand new build, so I assumed it was built in 2016.

- Okay.

- We knew nothing about a river going through our property. It was never disclosed to us. We knew nothing about it.

- I would have no idea when I buy a brand new home infrastructure wouldn't be improved enough. I would have no idea to look at a GIS map from 2001 before I bought my home. I would think and hope that the infrastructure is brought up.

- So the reason that we're here today has been brought to you. This problem actually started 117 days ago on November 4th, 2022. And we, at our best guess, think there's 10 gallons a minute and that equals 600 gallons per hour, which is 14,400 gallons per day, which then equals to date from the last 117 days 1,684,800 gallons of water has flown between my house and our neighbor's house. He is not impacted. We are impacted.

- Our lawn is saturated.

- A 15 by 36 foot deep pool takes 13,500 gallons to fill. We have more than one pool of water traveling through our property every single day.

- Just think about that. Emptying your pool right on the road in your backyard.

- And when the temperature freezes, it then finds a way to get to the road between our house and our neighbor's house. And it flows over the curb and it proceeds to freeze. And it just pools out into the water. Kids want to roller skate, ice skate, do all these things on the road and ice when there's an ice skating rink two blocks away at the school.

- Can you show it? I mean the picture.

- Oh, if you don't have it, we can-

- I have those two pictures. I just wanna make sure.

- We have thousands of pictures and hours and hours of video.

- So, you said it started on November 4th.

- Yes.

- Yes.

- But you bought the house in 2017.

- Yes.

- Yes.

- And you've only had problems now?

- Yes.

- With this issue.

- With this particular issue. We've had flash flooding in the past, but not from this particular spot.

- This is not why we're here.

- This happened after some rain event and we noticed that it has never stopped flowing. After the rain had stopped, it had been dragged. We're like, "Why is this happening?"

- How it becomes a private property issue is beyond me when it's not coming from my property. It's flowing over my property. To me it's a public health and safety concern. And it's a public nuisance. And it meets all the definitions in the city code for a public nuisance.

- Is there a way to show these pictures, Steve? I just have some questions. Those two photos that were included in the packet.

- Of the water.

- Yes.

- It's flowing-

- I just wanted to ask some question, okay.

- That's the square garden that we're referring to and city property. That's our neighbor's garden that he-

- So we're looking what direction?

- You are looking-

- Southeast.

- Southeast.

- Southeast.

- Up toward the hill, toward GB. Ish.

- Ish.

- That's the origination point by that garden shed.

- And you said that's a garden shed?

- Supposedly.

- It's on the city's property?

- Yes it is.

- Well, because it looks like it's somebody's property, you know what I mean?

- It's not.

- Then we know-

- The neighbors like to extend their property.

- It's not.

- Well, we've had that issue, but that's another-

- Yeah, we're on-

- That'll be addressed.

- Right.

- Even at 30 degree below zero temperatures that we had just a short time ago, this does not freeze until it reaches the street.

- Something else I'd like you to consider is we've made 17 calls of service to have ice removed from our apron and the street. And on, now I'm gonna jump up to-

- February 3rd.

- Yeah, February 3rd.

- It was a Friday.

- We made a request at six in the morning. I came out, crossed over the ice, crashed through it, bottomed my car out, got to work at six, made a request right away on the city website.

- The tracking number.

- We have the tracking number, but, so she got home at 1:15. She drives a pickup truck. She crashed through the ice, but was able to get up in the driveway.

- I thought I damaged the back, but I didn't.

- So I got home at 2:30, saw ice halfway across the street. No way, I'm gonna try it. I can see where she crashed through. I'd get stuck and I need to get towed out of the street. So she called the DPW, they hung up on her.

- Unbeknownst to me, he's on the phone with the DPW in the street while he is in his car. I did not know. Neither knew that either was making the phone call. The DPW proceeded to hang up on me. And then-

- I call the police.

- I went out to him, he called the police.

- The police actually got the DPW to come out. And on 2/27 we called for service and she got a hard no.

- Just two days ago. The guy said, "I'm gonna tell you a pretty much a hard no that you're not gonna get any additional service." And I said, "Well, wait a minute. Your supervisor Josh Brassfield had given me this emergency phone number to call if we have an emergency so that we could get the service we need 'cause we can't get in and out of our driveway. You can't with this situation. So Josh was able to get someone out there within 15 minutes. So, but on the 3rd of February, I wanna back up. They had three different vehicles there. One of them was a salt truck and he said, "Well, I'm putting \$800 worth of salt on today." I don't know if they do salt like that every time, but let's just say each service call, 17 times \$300. That comes out to be \$5,100 already. Just for the service to come out-

- For 17 calls.

- With front end loaders, with big, huge equipment. And then on the third, we also have a photo of the service truck that had to come out for the salt truck because it broke down. So how much is that service call to come out to get the salt truck running?

- Sounds pretty foolish.

- That's just ridiculous.

- Really.

- Does that show within the, there was one other picture too.

- That doesn't show nearly anything. It just shows the origination point.

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- What are we-

- Who's talking?

-.

- Oh.

- That's weird.

- Probably somebody on Zoom that I can't-

- Oh, okay.

- Is there something-

- I think also we hear someone talking.

- We have Zoom people.

- Everybody on Zoom is good.

- Okay. Alder Eck.

- So this is at the rear of our property. You can see the flag, stake with an orange flag, 'cause we had to have the property marked.

- Just hold on a second.

- Sorry.

- Just checking to make sure, see if there's anything else open.

- All right, just hold on a second.

- I think it's a playback from yesterday's party.

- Oh, boy. Boy, okay. Shots fired. Okay, I do think- That's called shots fired, right?

- I wanted to work it in somewhere.

- Oh my goodness.

- All right, let's get back. Okay, go ahead.

- Yeah, that's-

- We requested for a survey to be done so that it could be clearly defined that the origination point is not coming from private property. It is on city owned property. It is clearly defined. There's a flag in the middle of the photo sort of towards the top with an orange tape on it.

- Survey flag.

- And that's at the very corner of our lot. And if you go to the right, that's our neighbor's lot or to the left. And the origination point is behind that flag. And there's another flag behind there, which it's hard to see in this photo, the origination point is clearly defined coming from the city of Green Bay's property. It is not private property. If that's private property, then we should be able to do whatever we want on that property. But it's not our property, it's city property.

- If this was happening on my property and I was affecting somebody else's property, I'd be required to fix it.

- And in fact, when we all met on December 7th When we all met, we had our full property meeting. We were standing at a point and you had even asked Mr. Grenier, you said, "Well, then where are we standing right now?" And you said, "The city of Green Bay's property." And you were so mad. You asked Jennifer, you said, "We need to go take a walk." And you you did. You took the walk with him to put your boots to the ground, even though you had your shoes on, were wet, you couldn't actually get in the water. That water right there is halfway up Steve's calf. It's blooming algae.

- And it's flowing. It's flowing. It does not stop. It doesn't matter what time of day. Doesn't matter what the temperature is outside. It does not stop. It is at least 10 gallons per minute. That's what we just tried to guess.

- That's underestimated.

- I'm quite sure it's underestimated.

- Well-

- That is over 5 million, let me tell you, per year. This would equate 5,000,256 gallons per year flowing through our property.

- I'm trying to find-

- If it's warm, it sounds like a spring.

- It's a spring.

- Well, that's what we think it is, a spring sprung.

- Director Grenier.

- Yeah, go ahead Alder Grant.

- Excuse me.

- Can you play the video clips that I sent you? That might help.

- Well, I can only do one thing at a time. So I need to know what people want to see.

- Alder Grant, go ahead. You need something?

- There's email. He just, there we go.

- Just a couple second videos.

- Chris, it might help your questions.

- Director Grenier, is that okay?

- See the run.

- That's the second one.

- What was the date on those?

- Last week I think, when they were made. It was early last week.

- This is like-

- Are they all like two-

- On your side of the property?

- Yeah, it's all they could send.

- What?

- It's all they could send.

- Oh, okay, I suppose.

- Is it a pretty even from the one yard to the other yard? I mean naturally it isn't.

- Not anymore. It's been carved out.

- It's someone's stream for sure.

- Oh crap, can't find it. I'm trying to find a parcel map.

- How close is that to your dwelling?

- Well, within 10 feet at one spot.

- Yeah.

- By your garage there.

- Yeah, by the garage. My backyard is completely drenched and-

- It looks like you have some shrubbery in the back corner there that doesn't quite show in the picture. Must be awful close.

- Showing-

- I mean, like, right up to it I would think.

- I have a small berm put in just to keep the flash flooding away.

- It would just push it to their property, right?

- No.

- If you filled it or if they could fill it.

- That was done two years ago.

- Yeah.

- Which was-

- Alder Grant, do you have a second? Could you come up here? I'm sorry.

- So the city of Green Bay, Matt, had asked us why we didn't put a berm in yet when we went there two years ago after a flash flooding event. And he drew on this map and said, "Well, I know why it's flooding." He drew on this, it's a larger copy of the GIS map and he took it pen and goes, "Well, I know why it's flooding 'cause a river used to go right through your road." Here's his pen mark right here.

- Through your road or your yard?

- Through our through house.

- Your house.

- Through our yard.

- Through our yard.

- And Matt, I'm not sure.

- He put his card on here. Matt Heckenlabel or something like that.

- This corner.

- He's not here anymore.

- Can I see that?

- He laughed at us.

- Yeah, he did.

- I think that is a very unfair characterization. Matt would not have laughed at you.

- We were right in the office of the DPW and he laughed in our face. So that's not unfair. I would not lie about it. Why would I say that?

- His secretary-

- You also are making disparaging comments about one of my staff members, former staff members who's not here to defend himself.

- Okay.

- So I do consider that knowing Matt professionally for over 15 years-

- How is that disparaging?

- Wait, wait, we wouldn't have known-

- Hold on, let's hold on a second. Let's all calm down for a second.

- We wouldn't have known.

- Okay, I know.

- It's the pen mark.

- Just look at ya.

- Do you have, I don't know if-

- I guess the question I have is there's, I'm looking at the digital maps. So you have your property on the corner. The Schmitzer to the south of you. You got the rolls to the north of you, correct? Mr. Lensinger, you can come back.

- Great.

- I'm not yelling or anything. We just had to try to get a little control here, that's all. All right, so there is a city of Green Bay looks like a thin easement of sorts.

- Not an easement, it's a parcel.

- It's a parcel. So, and Director Grenier explain that parcel as far as what it's for.

- A parcel was dedicated to the public for the purposes of a pedestrian walkway when the subdivision was first recorded.

- Okay, all right.

- When was the sewer work put in and how does it run in that area? Does it run off the street, off the back of the street? Is it for the drain off the street or is it the drain that you knew existed there when it was put in?

- As I told you before-

- You said it was to the north.

- Alder Wery, do you have something?

- There is storm sewer underneath Sussex. There's an inlet right there to the northeast of Lensinger's driveway. There is a 24 inch storm main underneath Spyglass that is open-ended at the ditch at the southeast terminal end of Spyglass.

- So in that parcel, is it which way the sewer pipe runs then to hook up-

- On the parcel itself?

- Or is it running the street, hook up with the streets on the parcel the city owns in the back.

- There is no sewer under the parcel that the city owns.

- Oh, okay. I'm trying to figure where you said.

- So if you look at you're-

- I mean, we're talking about property here. I'm looking at where are the sewers.

- The water from the farm field is open-drain to the ditch.

- Sure.

- Along the ditch down to the open-end storm sewer underneath Spyglass and then flow north on Spyglass.

- I guess one of the questions I have is that okay, you folks don't have this trouble, you know, until just recently. So for whatever reason, you know, Director Grenier, you did mention that there was a drainage ditch or drainage way that is now compromised because it's been cut off because you have development there now. So looking at your property, looking at your property, there's, you know, you've got the area between there and the water is pooling in your backyard, correct?

- No, it's pooling in city owned property.

- Yes.

- Well, the city owned property that I see is just that one narrow easement.

- Yep. And that's the picture that you see with the little cage.

- It's just a small thing-

- Pooling back there.

- And above the ribbon. That's the corner of their lot.

- Yes. And then it comes through our property. to the road.

- Alder Wery, you had a suggestion maybe.

- Well, do we have any other questions or comments, otherwise, I'll-

- And we can open the floor again too. It's gonna go back and forth a little bit. I know it sounds frustrating, but, you know, we're just trying to gather-

- I mean, I can certainly do it in open session if you want to.

- Is there anybody else that would like to speak first and then we'll do that.

- Okay.

- Sure.

- I can speak.

- You wanna say something? Okay.

- I just want to finish my comment and say we are terrified to stay in our house. It's petrifying. We don't know what's gonna happen with that much saturation.

- Did say your house is for sale?

- We can't market it. Our realtor said we can't even put it on the market until this problem gets fixed. We also can't insure it because we don't live in a flood plain.

- So I just have another clarifying question. So you never, how long have you lived there in this habit?

- Six years this month.

- This fall.

- Six years this month. It just started November 4th of last year. This particular issue.

- I mean, we just got out of a very wet, how many years in the city of Green Bay? I think we all can agree with that in spotty over the state, but I think it was, we had a lot of water. I have drainage problems myself. This is-

- Do you have 5, 186, 000 gallons coming through your property in a year?

- I got ducks.

- Not that many.

- I got ducks. Yeah, so anyway, it just seems really odd. It seems like something broke loose underneath. If you've never had this problem before.

- We have never had this particular problem.

- There's something that's existing. This isn't just normal runoff water, it sounds like to me. I think that's what we have to figure out. I mean, it could be a combination thereof.

- I think Ryan might be able to shed some light.

- Sure, I can try. I'll point to the map if that's okay.

- No, that's fine.

- Can I do that?

- Your name and-

- Your name is?

- Sorry, Ryan Kosmoski. So we have-

- Your address?

- 2439 East Shore Drive.

- Okay, go ahead.

- So Moski Corporation along with another, owns the land that's up here that runs, it's 167 acres, runs east to west along the bluff. And then down toward the Lensinger's property. Steve has been great to work with from our end and I know there's a lot of back and forth of this, but the truth is I know you didn't 'cause this either. So it's a matter of figuring out how and why this water's coming. This right here is the little caged spot they're talking about where that water is starting to come in. That mark where the corner of their lot is, it kind of runs along. This is a swale, a natural swale, in between these houses that was created by the developer, which would've been Usea at that time. In order to get that water back out to the road, if there was water, that's gonna run in between properties. Steve found something that we didn't know that was there, which I thought was awesome. So right here-ish, Steve, you'd have to tell me exactly where this is, but there's a Metro sewer that's here.

- Metro is-

- Roughly. Somewhere there, we-

- No, Metro is on the south side of the bridge.

- This side?

- Yeah.

- Other side of that house, yeah. It's off the screens right there.

- Okay. Okay. So we walked over to where Metro Sewer has a manhole cover. What's interesting is right at this spot right here where that terminates, there is a corrugated pipe in the ground that is probably, Steve, would you say 10 to 12 inch?

- 10 inch.

- So there's a 10 inch corrugated pipe that somebody had laid that runs this entirety and that corrugated pipe is to take care of water that would be from some ground source somewhere. A homeowner probably could not lay that pipe just because it's gonna come on semis. In order to get that much pipe there, you're talking 300 plus feet of corrugated pipe that runs along here somewhere. I know Steve wasn't aware of what it was. We certainly aren't aware of what that is. But that constantly drains water. So I took a water sample from that pipe, I took a water sample at the road between the Lensingers. I took a water sample of the water that was flowing off a Spyglass. I brought it in to Al Chemical, I can't remember the name of the place. They tested that water and said that it is groundwater. There's no chlorine in it. There's nothing that would tell us that it's something broken under. That's what I was concerned with, that there's gotta be a broken pipe. This doesn't just happen, but we've had three extremely large rain events in the last five years in this area. So their home has flooded because of those large events. Not because of this, but because of those large events. If that much water is coming down and as Steve is saying, it's trying to find its way here, it's very possible that it gets underground at some point, you know, underneath the ditch that was created to run this water off and pops up somewhere else. And that is groundwater or spring as you would say. And that's what the person who tested the water thought it was and it's groundwater of some sort. So where it's starting, I can't really tell you. The only thing that I would say is that if we came up here and we were to dye this water, to actually put dye in the water, and see if that dye turns up on the other side of this, we would know where that water's coming from. If that's the source of it. If that's not the source of it, then obviously we have other issues.

- Good point.

- Okay, thank you, appreciate that. Committee, any questions or should we, anybody else? Then motion.

- Motion to close the floor.

- Okay, motion by-

- Second.

- Second by Wery.

- All in favor, please say aye.

- [All] Aye.

- Opposed? That passes, all right. Well, I'm glad that you mentioned, you know, that, you know, some of this happened before, you know, maybe public works was unaware of some of it. Maybe citizens weren't aware of it. It's a situation. We're just trying to figure out how to mitigate or solve it in some way. That's all. Alder Eck?

- I have a question. And maybe, I don't know if it's for an attorney at Kocher, is that how you say? Okay. Or Director Grenier, but if say a developer comes in and builds on a known drainage area or spring, stream, whatever, what legal ramifications are there for that?

- You wanna talk about the rules that were in place in time of development or?

- Well, we don't know what the rules that were, that were in place at the time of development. What it definitely appears is the drainage ditch that runs sort of parallel to the back property line between the field and the open ended 24, it looks like that ditch was put in to intercept the water that previously ran through what's now the Lensinger's property. So it looks like there was a definitive attempt by a developer to provide a relief source for that water.

- Okay.

- Does that answer your question?

- So they were aware of the water basically and tried to-

- It definitely appears that way based on the drainage improvements that were made. It looks like there was definitely an attempt to intercept that field water and redirect that to the new storm sewer underneath Spyglass.

- And that's Green Bay Metro, where that drain is?

- No.

- But you said Metro?

- No, what Mr. Kosmoski was talking about, he was just using the location of the Green Bay Metropolitan Service District interceptor for a reference point so that we knew where we were relative to the three properties out there.

- Okay.

- Alder Campbell.

- When that was developed, I don't know when, if and when that was developed there, and whoever decided and planned where to put those receptacles, maybe this problem didn't exist then why can't this, since it is looks like it's coming off of, over city property, what are the responsibilities of the city? Just the fact that it's flowing up in the property. Don't you care about that?

- Well, that's-

- It's not a function of whether I care. Okay.

- Well. If someone had little kids and it wasn't even flowing over their property, wouldn't that be a safety concern? Like for the city? Just by having open water there? I mean, you had to go and keep unclogging them sewers, I would assume that's a city problem. This is a city problem 'cause it's on the city property. In fact, it shares their property. I'm just asking what the responsibility of the city of standing water on city property?

- What I can tell you is historically this has been viewed as a backyard drainage issue. It's a private property issue and that's the way the city has dealt with it. If you choose to change that policy, if you choose to go a different direction, that's the council's purview. That's not staff's purview.

- The-

- Go ahead.

- The cost for extra salt and you know, maybe the services sounds like it's adding up.

- Yeah, it does.

- So I just wondered if, you know, we kind of do a cost comparison, but I'm wondering isn't this more of a claims issue?

- It can't turn into a claim until there's actually been a cost incurred and the property owners have not incurred cost.

- Okay.

- They could. Certainly a person can file a claim with the city if there's damages, costs. That hasn't been done. This was maybe a path Alder Grant can explain taking it first. In general, the city is not permitted to make improvements to private properties. So that's where the distinction or the message comes from about making the determination that it is the city's responsibility. And that's, I think Alder Eck, you're making the connection to a claim. That's how claims are often reviewed about what the responsibility of the city is. So in this situation, an improvement can be made on private property if it's viewed as the responsibility of the city.

- Is it okay if I continue?

- Yes, continue.

- So I guess what my struggle is, is it is the source is on the city's property. So I feel like, in my opinion, that the city has some liability because it starts on our property. Anybody else have any thoughts on that.

- It's kinda the way I'm leaning too.

- I'm already there.

- Sure. Thanks Mr. Chairman. Steve and nobody's looking to place blame, right? We're just trying to find solutions, I think as Mr. Kosmoski said, so. Who was the developer who was originally built the houses along there? Do we know?

- I don't know the-

- It was Usea. It was Usea at that time.

- Okay. When they submitted their plans for the plats, would the city have caught there was a stream running through here?

- Maybe not. It depends on what they would've submitted for plans. Now, in between the 2000 aerial that I showed you and when the house was ultimately built in 2017, the property had been regraded for quite some time. I believe the 2004 aerials, show the ditch gone by that time already. And the drainage way running

through the Lensinger, what's now the Lensinger's house was gone by, I believe 2004, and the ditch was in place. Somebody did that, did a grading. And prepped the site for a house back at least that far. I don't know who that is. Again, that predates my involvement here.

- So the ditch is not on our property, it's just outside of it.

- Well again, the ditch-

- The ditch is on our-

- The ditch runs through all the properties.

- Okay.

- Sometime between 2000 and 2004 this ditch disappears and the site is graded flat and there's a ditch here going down to the storm sewer because in 2000 that storm sewer doesn't exist. 2004 the street was in and that storm sewer exists.

- So we're trying to deviate to redirect the water.

- Correct.

- So the land behind there, is that just a field?

- Yeah, it's farm field.

- Is that just?

- It's a farm field.

- Okay, it's farm field.

- That's owned for residential, I believe.

- Are there any, I mean, I don't necessarily need to open the flood, but are there plans that you know of to develop that housing?

- We have been discussing, but there's nothing imminent.

- So this potential problem could pop up. I mean, when we're dealing with that, so. Now that we know about it. Well, yeah, I kind of view it too as it seems to be popping up on our walkway, flowing over somebody's property and going into the streets. It's kind of causing a double issue, right. Starts on our end and it ends up in our city street where it's icing over and even in summer it would be a water issue. So it's an issue. When we had the problem with Colburn Park and we had the flooding affecting the houses, remember, we referred it to staff to bring back some short and long-term solutions. That's something that, you know, and I know you always say it's the will of the council, right? But if we ask you to bring back some solutions.

- We already have.

- Oh, you have, okay.

- That's what I was gonna say.

- We had recommended that the property owner install the yard drain and connect that yard drain over to the 24 inch storm sewer in Spyglass. That we believe would reconcile or would remedy the issue.

- Alder Grant.

- So I see, that's where the-

- Director Grenier, do you know roughly how much of would cost, what was it about 10,000?

- We did not prepare the estimate. An estimate that had been given to us by Mau and Associates was about \$11,000.

- Okay.

- That was an accident.

- So that I guess is why I put it on the agenda. That's kind of what I'm asking us to cover.

- Now we got it, yeah.

- And again, if the ditch was filled actually in 2004, it took until now to become a problem. It wasn't when the house was built. I mean that was cut off in 2004.

- So if you were to put in a yard drain, would we want to put it on our property if we paid for it?

- I would think so.

- We would look for the lowest point. That's where the water's gathering and put it in at the lowest point to intercept it at the ultimate low.

- And we think that would handle the volume.

- Well, today is the first time I've heard 10 gallons a minute. When we asked before we were reported, the number reported to us was five. But we do believe that a yard drain would also be a thing.

- I know we're, so far, since we've been here since last year almost, all we've ever talked about in development is about how city water runoff is and it just seems like this one is being ignored a little bit. I'm not saying totally, but I think it needs as just as much attention as far as green space, drain off, Webster wildflowers, and all that stuff, you know what I mean. I mean, it seems like this doesn't seem to make a difference here and I think the return on investment here, if it's only that much money to get this problem solved for the city end-

- Was there a cost that was brought forward? I just wanna double check that.

- 10 or 11,000.

- 10 or 11. Is that what you said?

- For the storm drain.

- That was the estimate provided to us.

- And how much was all the salt? I mean, this seems like a pretty easy solution here. We need to try to resolve it.

- Okay.

- You know, Steve, if, and we could open the floor again, are the homeowners okay with putting it on their property if we paid for it?

- No.

- The last I heard we were instructed to put it on the city property.

- Okay.

- No 'cause that would then have to be put inside the home.

- We have to open the floor again.

- And that won't happen.

- Make a motion to open the floor.

- I'll make a motion open the floor.

- I'm sorry.

- Seconded by Campbell.

- I've never done this before so I don't know.

- We got rules of rights, all that good stuff.

- So

- No that I want to cut off discussion, but I do want remind-

- At 6 o'clock.

- At 6 o'clock.

- Okay.

- All right.

- We had put a berm in that does go around the perimeter of the back of our property and the south side of our property and it is on the edge of our property. If we were to put in a drain to catch the city water that berm was several thousand dollars to put in. You do not have permission to put that on our property. It's not coming from our property.

- What would you do? What's the alternative for you then?

- It would need to be going on Green Bay's property where the source is coming out.

- Out to Spyglass, but not on your property.

- No. They never had permission.

- Yes.

- When did you put the berm up?

- Two years ago.

- Two years ago.

- Okay. 'Cause I remember you saying, was it Matt, suggested a berm?

- Yep. You've got the map there. I don't know his last name.

- I just didn't it on the, well, it's hard to see 'cause of the snow that you have a berm there.

- Yeah. I did not know that Matt was not there and I did not mean to be-

- It's a general berm. It's just there for the flash flooding that was occurring.

- How high is it, the berm?

- About knee high.

- Couple feet. At the highest point, yeah.

- Okay.

- Alder Wery-

- Decision and close call.

- There is one quick point about the agenda item is that that parcel number is their property. So if the message, whatever decision vote you take, just know that that parcel number is their property. So if it's city property or it's lowest point or pursuant, whatever, just the modification of the, if it's not on their property, the item needs to be, the motion needs to be modified. So because that's their parcel number.

- Okay, you got that?

- Yes.

- I would make a motion to, oh, I'm sorry.

- Close the floor.

- I'll second it.

- Okay. Motion Mike Campbell to close. Second by Wery.

- What do we, oh, to close-

- We have to close the floor, so.

- Oh, okay.

- Well, I would make a motion that we-

- All in favor, aye.

- [All] Aye. All opposed? Alder Campbell.

- I don't know quite what the motion would be or where it would go if we could discuss that on how to resolve this and move forward with it instead of arguing about the situation where it's coming from. I think, it works good for the people, I think it works good for the city to resolve this.

- Well, we have to amend the motion according to the parcel here.

- What do we say?

- You can word your motion in accordance, but the issue is that the agenda item was put on as a yard drain for their property.

- Okay.

- So if that's gonna be a hard no, it would be city property. So that's the motion that I'm just saying you have to, that's gonna have to be part of the specific motion.

- And you just say city property or city walkway?

- City property. But then also Director Grenier said the most appropriate place is the lowest spot. So I don't know if there's a subsequent action that needs to take place or not. That's a technical-

- Well, the berm wouldn't be the lowest spot.

- Lowest spot would be the street.

- Can we just have a motion?

- 'Cause that's where it's going.

- For the city to install a storm sewer on city property at the appropriate location as determined by staff.

- And the homeowners.

- Well, it's gonna be at city property, so.

- Okay.

- It's gotta be.

- Is that your motion?

- That way you can figure out-

- Second.

- Yeah.

- Restate your motion again.

- Motion is for the city to install a storm sewer on city property and determine the best location.

- I think we wanna call it a drain.

- Drain.

- Says yard drain on here.

- That's fine.

- That's fine. You got it.

- Yeah.

- So that's the motion. Do I have a second?

- Campbell, are you seconding?

- Second.

- Second by Campbell. Any discussion?

- What? Court of council then?

- Yes.

- It always does.

- It goes to city council next Tuesday for final vote.

- That's what I did.

- Aye.

- Okay, all in favor.

- Aye.

- Aye.

- All opposed? Okay, that passes. Is it?

- Oh-

- We really gotta get going here.

- Tuesday.

- Tuesday at 6 o'clock.

- Number two.

- Mark.

- Yes.

- Remind me must be finalized, okay.

- Finalized next Tuesday.

- I'll let them out.

- You already call them.

- We'll discuss it further, but I think we're fine. All right, number two, consideration-

- Can we get the map?

- You have the map?

- Oh.

- Can't take it.

- Is it that one? I know you like maps, but I'm gonna have to take this one from you.

- Look who I-

- All right, let's continue. Number two, consideration with possible action on a request by Downtown Green Bay Inc. to enter into an agreement for installation of ash butlers within the right of way, street right of way and attachment to city owned poles. Director, we also have Alder Johnson here too. So I don't know where do you want to go? We'll start with you, Director.

- Well, I don't know that Alder Johnson even knew this was on the agenda to be honest with you.

- I think he's here for something else.

- He's here for something else.

- He is. He is.

- It'd be a good idea though.

- We've included in your packet the draft whole agreement or revocable occupancy permit or objects within the public right of way. For those of you unfamiliar with an ash butler, an ash butler is simply receptacle for somebody to put out smoking materials.

- Sure.

- Cigars, cigarettes, what have you.

- Ash trees.

- We believe that the installation of ash butlers in the downtown area helps with the cleanliness, keeping those types of things from being on the ground. DGBI has offered to install and maintain the ash butlers. All they're seeking is approval from us to mount them to city light poles, staff recommends approval.

- Motion to approve.

- Motion by Wery.

- Second

- Second by Eck.

- Get those ash butlers in.

- Any other discussion? All in favor say aye.

- Aye. Alder Campbell? Campbell?

- Aye.

- Earth to Campbell.

- We're voting.

- [All] Aye.

- All opposed? Okay, that passes unanimously. Number three, consideration with possible action on request by Department of Public Works, first to approve amendment number one to the professional services agreement for Country Club Road reconstruction design services with Ayres and Associates in the amount of \$26,228.

- Correct.

- Okay, Ayers and Associates is our design consultant who is handling the design of Country Club Road. There are changes in the scope of services that they are providing to us. Specifically they are doing a section 106 documentation for Safe Historical Society or tribal historical preservation. They're modifying some curb ramps in the design on the far south side of the West Mason Street intersection. Coordination of underground detention basin recommended for the project for stormwater management coordination with the Oneida Nation. That was inaccessible what was anticipated at the beginning of the project. TBS with their citywide fiber project, we now have an additional utility that was not anticipated at the time of design, so additional utility coordination for that. Additional costs above and beyond what the existing contract are \$26,228 and staff does recommend approval.

- Motion to approve.

- Motion by Eck. Second?

- Second.

- Second by Wery. Any other discussion? All in favor, please say aye.

- [All] Aye.

- Aye. All opposed? That passes unanimous. All right, we're doing good for time here. Number four, consideration with possible action on the request by Department of Public Works to award the following contracts at a staff level and report the award at the next Improvement Services Committee meeting. Take 'em all.

- Yes, please.

- All right. So A is bridge 1-23, bridge maintenance and concrete repairs. B is resurfacing 1-23 including sewer and water. C is resurfacing 2-23 including sewer and water. And D is resurfacing 3-23 including sewer and water.

- Correct.

- Okay, these projects are anticipated to bid in April during the time period where our schedule is gonna be off due to the primary election. So in order to keep the projects on task and moving forward, we're simply requesting authorization to be able to award at a staff level to the low responsive responsible bidder for each of the four projects and report that award out at the next regularly scheduled Improvement Services meeting.

- Motion to approve.

- Motion by Eck.

- Second.

- Second by Campbell.

- Any other discussion? All in favor, please say aye.

- [All] Aye.

- Aye. All opposed? That passes unanimously. Okay.

- Oh, there's finally something from your area.

- What's that?

- Yours.

- Oh yeah. Hey, well it's not Culbert.

- I had to point it out 'cause.

- Number five. Consideration with possible action on a review and award of the following contracts. A, is Parks 2-23 Perkins Park Ballfield renovations. B, Parks 3-23 Fisk Park Tennis Court resurfacing. C, sidewalks 2023. We take same kind of thing or go ahead, Director.

- Well, these were projects that were recently bid. I apologize, they did not appear in your package. So that is the handout that I gave you at the beginning of the meeting. 3-23, we had a sole bidder that was Pro Tracking Tennis Incorporated. However, they were responsive and responsible. Parks Department is recommending award of that Perkins Park contract or Fisk Park Tennis Court resurfacing to Pro Tracking Tennis Incorporated for the basement amount of \$108,157. We've also included a memo from Parks Department relative to the two parks, 2-23 Perkins Park Ballfield renovation. Four bids were received. There was a base bid and a base bid plus alternative. I wish I could tell you what the alternative is, but I don't. That was a Parks

decision. But Parks is recommending award of the base bid and the alternate to Peter's Concrete Company in the amount of \$320,952.29. And then the last one is our annual sidewalk contract. We received one bid from Al Dick's Concrete. Al Dick's has had the contract in the past. They are a responsible bidder. Contract amount was \$1,126,525 and staff recommends award of that. So all three of the responsible responsive bidders.

- The sidewalk amount, bottom line last year?

- It's a little bit higher, but we expected that. There was about a 27% increase in concrete costs that's been reported. And there's more sidewalk in this contract than was in the last year's contract. So the pricing that we received was definitely in line with what our expectation was.

- Motion to approve?

- Second.

- Motion by Wery. Seconded by- I'm gonna keep moving quickly.

- By Campbell.

- By Campbell. All in favor, please say aye.

- [All] Aye.

- That passes unanimously.

- Number six reports the award of contract Parks I-23 East River Trail and Canoe Kayak launch.

- Also included in your packet is a good summary for the Parks I-23 East River Trail Canoe and Kayak launch. This was discussed last year and at that time, again, because of the anticipated bidding schedule being contrary with our meeting schedule due to elections, council had previously given us that authorization to report at a staff level. Five bids were received. Mill Bott Construction Services was a low responsible responsive bidder at \$591,439.90. So staff did make that award with the concurrence of the Parks Department.

- Have we worked with them?

- Bring that out.

- Have we worked with them in the past?

- Yes, we have.

- Okay, all right. Good to see-

- Motion to approve.

- Motion by Eck.

- Second.

- Second.

- Second by.

- So that would actually be a receiving place.

- Oh, it does say a report, sorry. Motion to receive and place on file.

- Second.

- Okay.

- By Eck. Second by Wery. All in favor say aye.

- [All] Aye.

- All opposed? That passes unanimously. All right, we have time for going through the-

- We have four minutes.

- Yeah. Well, okay.

- A lot of it's gonna depend on how much discussion you want to have on it.

- Well, on this next plate-

- Take number eight next. That's right how it works, right? Three minutes. I think the next one will take a little longer.

- Yeah.

- Well, and I will tell you, unfortunately, as soon as the public hearing is done, I am going to have to leave both the city and here. Wysack and I have to be at a public hearing for the Brown County Planning Commission at 6:30 so.

- So what do you suggest? I mean, I would as soon not-

- Is the issue more time sensitive? Does that have to go to council next week?

- The CIB?

- Yeah.

- No, it was put on in your request.

- Okay.

- So, if the two of you wanna hold it for the next meeting, I'm perfectly fine with that.

- 'Cause it'll take-

- It'll give you more time to review it as well.

- That would be fine.

- All right, I'll make a motion to hold number seven.

- Okay, so we're next-

- 'Cause that deserves more time.

- Second.

- Do you wanna do, do you have a timeframe on that or?

- Just till our next meeting.

- Okay. All right, by Wery, seconded by Eck. All in favor, please say aye.

- [All] Aye.

- Aye. All opposed? That passes unanimously.

- Okay, so.

- Can we take these all at once?

- Yeah, let's do it.

- Okay.

- Yeah, we can because we're simply reporting out that we've already awarded these license.

- Okay, let me, number eight, report actions taken by the Department of Public Works granting of licenses for sidewalk builders and tree brush trimmers and underground sprinkler systems staff.

- Again, these are contractors that have billed licenses with us in the past. So staff has already awarded the licenses and we're simply reporting out that we've done so.

- Motion to receive and place on file.

- Motion by Eck.

- Second.

- Second by Wery. All in favor, please say aye.

- [All] Aye.

- Aye. All oppose? That passes unanimously. Director's report of recent activities.

- Yeah, and there's really only one thing that I want to bring up tonight. Obviously, we've been pretty busy here over the last week or so. It's been an active weather pattern we've been caught up in, so our staff has been responding. We are continuing to respond throughout the course of this week. So as that accumulated snow pack is starting to melt and turn into slush, we're going out daily and inflating that off. We don't want to go out and scrape everything down to bare pavement at once because with the snow that we received and then moving all that stuff out, number one, we get a lot of complaints from residents about these big snow boulders and there's wet, heavy snow we're laying on their driveway.

- Yes.

- Secondly, with the plow event we had on Monday, that wet, heavy snow is blocking the inlets. There's almost 15,000 stormwater inlets across the city. We have tractors out trying to get the inlets open. I don't want to place a whole bunch more additional precipitation over those inlets. We are expecting warm weather. The seven to 10 day forecast is showing in the thirties every day as much as we can believe that forecast. So what we're doing is we're blading off the loose stuff on the top and then the following day as traffic and heat causes that to slush and become loose again, we're going right back out and blading it off again. And we're hoping that over the next several days things will break up and we'll have the rest of that stuff off the pavement already. Most even our, unless we have streets that have heavy tree canopy, and I know people laugh at me, but it is a phenomenon. If you go take a look, you know, when the sun is out, take a look at where the shadows are. Even trees that have no leaves are blocking the sun. That's where you're seeing the snow on the road. So we do continue to work at it. The one item that I did have for you that we need to report out, typically I would bring this through as a request to expend money, but one of our graders had a transmission failure. I made the sole determination, so this is on me, I made a determination that was an emergency issue. So I issued emergency authorization to make that repair. That repair was in the amount of \$45,094.33. So we're reporting out that expenditure because it does exceed \$25,000 and I felt it was necessary to have that work done. As luck would have it, I got the grader back on the 24th of February and it's been in use almost constantly since. So I think you would concur that would be an emergency repair. So that's all I really have for director's report.

- Seems like a wise decision.

- Okay.

- Just motion to receive and place on file.

- Second.

- Second by Campbell. All in the favor please say aye.

- Aye.

- All opposed? All right, we have a public hearing.

- Okay, so-

- Jesse, public hearing.

- I'm sorry, Alder Brunette.

- Yeah, sorry. I was over here. Steve, thank you for that update. And obviously I'm not on the committee as an Alder, but when I was on the INS committee, you would often send us an email or just give us a heads up when those actions are taken.

- Yes.

- Is that like were you able to inform the committee?

- I did not.

- Okay.

- I definitely can try to do a better job. It's been a little hectic lately.

- Oh no, I understand. And you guys are doing a great job, but I'm saying, the council's a little sensitive right now about-

- No, I understand, that's why, that is exactly why we are reporting these things out.

- And you know, some of the snow events you have let us know too what was going on so we appreciate that. Just communicate.

- Absolutely.

- All right, public hearing.

- Public hearing.

- Okay. Public hearing engineer's report for the public hearing on March 1st, 2023. In accordance with state statute 66.0703, this public hearing is being held of the assessment for the proposed pavement improvements for included in the 2023 Capital Improvement Program. All the projects being considered tonight will be included in contracts administered by the city of Green Bay Department of Public Works Engineering Division. All of the proposed assessments are being levied in accordance with the city's assessment ordinance. During construction contractor is required to provide access to businesses at all times and residences as much as practical. When a residential driveway is inaccessible, the property owners or tenants can receive permission from the city police department to park on adjoining streets. Problem during construction should be brought to the attention of the Department of Public Works Engineering Division by calling 448-3100. Asphalt pavement, South Maple Avenue from Ninth Street to the north turnpike is classified as a local road in a light industrial zoned area with a few residential properties. The existing asphalt is a urban road section in poor condition and is in need of reconstruction. South Maple Avenue will be reconstructed with asphalt pavement with curb and gutter over gravel base and a typical clear width of 36 feet. The 2023 assessment rate for asphalt pavement reconstruction is \$56.90 per front foot for commercially zoned or used properties, the estimated cost of pavement construction is \$510,000. Sanitary sewer, storm sewer, water main rehabilitation and construction will be performed prior to the pavement reconstruction. Estimated cost for the sanitary sewer, storm sewer, and water main is 32,000, 240,000, and \$110,000 respectively. No assessments will be levied for the sanitary sewer, storm sewer, and water main improvements. Asphalt resurfacing, asphalt resurfacing on the streets being considered tonight will consist milling the existing pavement, eliminating depressions with a one on one half inch asphalt leveling force and placing a one on one half inch or more asphalt surface over the entire paved area. The objectives of resurfacing are to provide a smoother roadway surface, eliminate maintenance problems, and to extend the life of the street. Asphalt resurfacing can only be completed on an existing improved street where the base is still in good condition. Once base failure has occurred, the entire street usually has to be reconstructed. Prior to resurfacing any street, utilities will be reconstructed and or rehabilitated as needed. In addition preparation work consisting of the milling of the existing pavement spot base repair and curb and gutter repair will be completed. The following factors are considered when determining whether or not the curb and gutter should be mud jacked or replaced. One, the condition of the curb and gutter. Two, the amount of water retained in the curb and gutter. And three, the amount of funds available for curb repair work. All preparation work for asphalt resurfacing is provided at no cost to the property owner. The 2023 assessment rate for asphalt resurfacing is \$18 per front foot for commercially zoned used properties. The estimated cost to resurface all of the streets included in this year's resurfacing program is \$3,303,000. Personnel from the Department of Public Works Engineering have field inspected the streets included in this hearing and have determined that resurfacing is warranted at this time. The streets being considered tonight for asphalt resurfacing are as follows, Brosig Street from Manitowoc Road to Pecan Street, Victoria Street from Amy Street to East Mason Street, Heyrman Street from Cast Street to East Mason Street, Heyrman Street from East Mason Street to Kimball Street, Nikolai Avenue from West Mason Street to St. Paul Street, and George Street from Cast Street to East Mason Street. No assessments will be levied for the sanitary sewer, storm sewer, water main improvements.

- You have to ask if there's anybody-

- Is there anybody here?

- So on, okay.

- How do we do that? Come on up. Open the floor.

- Open the floor.

- Okay, motion.

- Second.

- Okay, motion by Wery. Second by Eck. All in favor, please say aye.

- [All] Aye.

- Aye. Come on up, state your name and address for the record and.

- On the South Maple Eighth Street area.

- What's your name? Name and address.

- James Nachtwey. 1141 South Maple Avenue.

- Okay, go ahead.

- On the Eighth and Maple area, there's the storm drain doesn't keep up. There's some pretty good flooding there. The park actually goes underwater. And I mean like a foot and a half of water. Is any of this gonna be addressed with this pavement resurfacing?

- [Staff] Yep. So we are looking at operating the storm sewer in that area as well. We are not gonna be expanding to the park, we're gonna be staying on Maple Street here as part of this, but we are looking at upgrading that storm sewer.

- Okay. It comes right through the man hole covers.

- [Staff] Yeah, we're aware

- And I think most of the problem that be on Eighth Street. I don't think it's Maple that's the problem.

- [Staff] And you're south of Eighth? Are you south of Eighth?

- [Resident] Mm-hm.

- Okay.

- Anybody else? Name and address for the records.

- I'm Joe Robert, do you want this property address or mine?

- Your address.

- 3094 Open Gate Trail.

- Okay.

- I just wonder how we, and I know there's all kinds of stuff about how long streets get used on, I've been at enough meetings, but why does Maple Street get picked when there's so many other worse streets?

- Combination of the pavement condition, years since it is been resurfaced or reconstructed, the condition of the sanitary sewer, storm sewer and watergate, all gets factored in. So we have a candidate listed streets across the city. We try to maximize the amount of return on investment when we're doing these streets.

- That's what I don't understand. The return on investment on Maple, it's hardly used. That particular chunk where Open Gates been a nightmare for 20 years from Green Ridge to double F. That road absolutely undrivable for 20 years and it just, nobody ever looks at it.

- Every segment of street in the city of Green Bay is looked at every two years.

- I've been enough meetings to know the speech. But the reality is Maple isn't that bad. When they just did Shirley Street, I was informed that right after that that it was gonna be no assessments for street repairs anymore. And suddenly there is again.

- That's not what has been said. What has been said is with the advent or the adoption of the local vehicle registration fee, residential zoned and used properties for single and two family residential do not have the assessments made by the property owner. And all of the zoning categories have had former assessment rate reduced by half. That is how things have been since 2019 when the local vehicle registration fee was adopted.

- When they took down the trees on Maple Street that caused the sidewalks to buckle a couple inches, those sidewalks don't get fixed.

- Sidewalks are exclusive of a road improvement project.

- But that doesn't get done and the alley between Maple and Chestnut that's been tore up and patched and patched and patched is terrible. But that doesn't get, I see. Why don't we fix the existing problems that have been there forever instead of finding a little hunk a street so we can say, "Well, we got this whole street done." But it's not a really necessary street to do. I just got clobbered on Shirley Street and I'm gonna take \$7,000 for a street that I don't use. I don't use Maple. The only time I parked there is when they're moving snow off the sidewalk that nobody walks on anyway. If I can beat whoever goes up and down it with a tractor of some sort and packs it down. I don't understand why Maple's getting picked on for this. Unless it's just because it needs sanitary or something. But that isn't my fault.

- Again, we have a process where we take a look at a list candidate streets.

- I understand you have a process, but we should have a different process that makes sense. Not confusing.

- I've got streets in my district that I'd like to see done too.

- You know, the hunk of I'm talking about. It's terrible. Your Griswalds down there. It's terrible. It's undrivable. And Maple, I said to Rodney, "What the hell's wrong with it?" You know, I never noticed it was bad.

- Well, to this gentleman here, it's important, so. Like I said, there are a lot of roads that are, you know, we put in requests as well. The Alders put in requests to public works. So we look for that. And they do rate the

roads. They have PACERS reports every two years. And there's a couple in my district that waited for some time. They're fixed now. You know, we're just hoping that things keep moving along. You know the wheel-

- Well, I can see one of those roads in your district get done and leave the one to this district alone 'cause it doesn't need doing.

- Well, they're reporting this out to us right now. This is just the report. You know, we can't go out and say, "Well, what about this? What about that?" I mean, we'd be here forever. You know, we're looking at the roads that are being resurfaced in the pavement, asphalt pavement. We're just looking at these roads right now. Next year we're hoping maybe, or next year or whenever we have this again, we'll talk about that as well for next time.

- I'm just looking at the map right now. This is from Ninth to the Terminus I guess, right?

- Ninth to the north end, yes.

- There was a map that we had last week, wasn't there? A couple weeks ago showing Maple as kind of dead.

- Correct. When we picked up the right of way that was necessary there.

- There we go. Right there.

- Yeah. So that's right there. And you have the railroad coming through, correct?

- Correct.

- So that'll be taken care of in that sense. You said there's to be-

- It's got nothing to do with the railroad.

- [Staff] We're working with the railroad, Alder, on right away issues related to the road.

- The railroad was near there, near.

- But it has nothing to do with that road.

- Couple residential houses-

- Stops it from going.

- Couple residential houses and businesses.

- Correct.

- My building's just a warehouse. I'm not using it for commercial.

- Well, so you're against this right now.

- Yeah, it's ridiculous. Fix Open Gate. I use that road. It's terrible.

- He has commercial property.

- Right, right.

- At the warehouse. It's not for manufacturing, not a business, just a no body.

- So the fact of the matter is you're not, I mean, so you're saying that you will have, are you saying that he'll have half?

- He'll have half-

- \$7,000 worth.

- Well, I don't know what committee, do you have any questions? Any answers on that? I don't know.

- Options at a hearing.

- Hmm?

- What are the committee's,-

- Your options are to either approve the street for reconstruction and order any assessments levied or to deny.

- Deny the report?

- No, 'cause what we're asking for is to order the improvements completed and any special assessments levied. And we would ask for all of the streets. If you want to pick streets that you do not want to do that, if you want to deny the improvements, that is your pleasure. You have that option.

- If you want to.

- [Staff] We had just received some complaints, but about two winters ago about how bad the street condition was. And I personally saw that there was deflection in pavement out there by six to eight inches. So as far as the condition that .

- I have two buildings on that street. I don't think it's in that bad condition.

- And I know it's, it's wildly unpopular, but it has been past practice. It's been the policy of the department for well over 30 years that if a street comes to the public hearing and is denied at the public hearing, then not only does it go to the end of the list, but because the street was recommended by staff for reconstruction and it was denied, then we also perform no maintenance on that street. So potholes develop, we just let it fall apart.

- I think we're at a point.

- Did you wanna speak too, sir? If you do, you'd have to come up and state-

- I don't think the street needs to be-

- Well, just come on up and state your name and address for the record.

- My home address?

- Yeah.

- Fine. Rodney Miller, 2934 Airport Road, Oconto.

- Okay, and you have property on Maple.

- I have two buildings there, yeah.

- Okay.

- And you have me paying almost \$16,000 after they just substantially raised my property taxes this year to boot. I don't think the street's in that bad a condition that it needs to be completely redone.

- Okay. Also we have two that are saying no and the gentleman that says that it needs help, so.

- Have we heard from any other property owners?

- Have you heard from any other property owners on Maple?

- [Staff] Like I mentioned, we had received a complaint, I think, two winters ago and actually believe actually there had been some posts and signs added to that because of the deterioration of the street at that time. The only other one that we've been working with is a property owner to acquire some land over there, from Thrill. We've been working with as well.

- Steve Thrill.

- How time sensitive is this? This doesn't happen tonight. We can do it at our next meeting. I mean, I know, are these spring contracts or?

- We would like to get things bid out so we can start giving contracts off the streets, but.

- I mean, I appreciate there are people here tonight, but there are other people on that road and they might really be in favor of this and we don't know. And so.

- Can we motion to close the floor?

- Yeah.

- Motion to close the floor unless.

- Okay, is there anything else you wanna state? Okay, motion. Can we have a motion to close the floor?

- Yes.

- Eck called to make a motion. Second by Wery. All in favor, please say aye.

- [All] Aye.

- We'll discuss it. All right, thank you.

- I think that-

- Go ahead.

- For us, we rely on the expertise of our city staff. You know, we haven't gone out and done the inspection on the street. So, you know, I struggle with overturning what the staff has recommended for these because I

know it takes a while to get those streets put on. And if you're looking at it, and you said it was two years ago that you received complaints, it's taken two years to get on. So that's my thoughts.

- And the statement of the fact is, you said that it goes to the bottom of the line and it may never get fixed, ever. I mean, who knows?

- It's not like never.

- Yeah.

- Thanks Mr. Chairman. I'm gonna defer to a certain someone who's in the audience today who may or may not be the Alderman of the area. Alder Brett Johnson.

- I mean, I'm just kind of bringing this up. I mean, maybe a couple of questions that I would have for staff. Obviously, we have had some chronic flooding in this area for many years, particularly that leads into that Seymour Park area. We've been working on for a number of years now, stormwater management over in Seymour Park as well as the greenway there. How much does this project, if at all, impact what's being done there?

- Not much on Seymour. We're south of Mason Street here.

- Right, right.

- So.

- I just didn't know, I mean, this is just a pavement, right? This is not-

- Well we're also, while we're doing the pavement, we're going to improve and upgrade the sanitary storm and water main as well while we're there so that we don't have to go back and dig up new pavement.

- Is it directly relate though to the efforts in Seymour?

- No.

- It totally isolated different drainage basis.

- I would say hydrologically disconnected.

- Yeah. And that's the answer I was looking for. Okay. I mean, this is really just, I'm kind of looking, this is Ninth to the Terminus.

- Ninth to the north Terminus.

- So is that a block?

- Several blocks.

- Two short blocks.

- North of Ninth.

- Okay.

- We have a map here if you need one.

- Yeah, I mean, I'm looking at it, it's mostly commercial. There's a couple residential in there, right? I assume you're with one of the residential properties or you're a commercial as well. So, I mean, I don't know. It'd be nice to get some perspective obviously the residential in the area. I haven't inspected that site, but I haven't gotten any complaints on it either. This is tricky situations, right? Nobody wants to pay a commercial assessment. I get it. Nobody wanted to pay the residential assessments either when you did 'em either and that's why the roads never got done. Now, to your point, Steve, that was past practice. I don't necessarily think that that has to dictate what future practice is. You know, and so if this committee said, "Hey, we don't wanna, we're gonna hold on this particular project because it is mostly commercial, but we also wanna make sure we maintain it." You know, I think we can reevaluate that future practice after having passed that will tax. Look, Alder Burnett had this same issue over in his district you may recall where it got put to the bottom of the list. And I don't recall anybody saying that they thought that was a good idea.

- Well, because.

- A good idea? They didn't say it was good idea? Okay.

- Well, would time help, and I don't mean to put this back on you, but what if we denied it and you get calls from a dozen people or businesses saying, "Hey, this was going through and it got killed."

- Yeah, look, I'll go knock the doors and talk to the folks in that area. But I don't know what that does from a timing perspective.

- That's the problem.

- It would be more of a defer because we're not-

- And that's what I'm getting at. If we have time to hold it. I'll go knock those doors in the next week. I'll talk to everybody.

- I would like and, you know, if everybody feels the same way. Well then that's easy. I mean, that's kind of what we got with Alder Brunette.

- When's your next, I mean, when's the-

- Well-

- Director Grenier, if this is the public hearing, if this group were to, is there actually a, there's not really an action item on a public hearing, is it?

- Yes, sir.

- Just taking.

- Yes there is.

- Yes.

- No, we have to agree or disagree.

- The action item will be to order the improvements constructed in levying instructional assessments.

- Okay, so if we hold this item until the next INS meeting.

- We would not be able to hold it until the next INS item or INS meeting because of the statutory requirements on notification of public hearing, we'd have to start the public hearing process over.

- How many days?

- Why would you have to start it over if you still have the public hearing today?

- Because the public hearing hasn't been concluded unless we conclude the public hearing and-

- That's my point. You can conclude the public hearing. We still heard from those that showed up. And we're gonna knock a few doors and I can come back and give you a report out on what the neighbors and property owners in that area said and.

- You can consider the public hearing concluded and put it on as just a regular agenda item for consideration with possible action.

- Okay.

- You can do that.

- Yes.

- And just that one point, that one street.

- Yes. Maple.

- Just on that one.

- Yeah, yeah, that's all I'm asking for. I'll talk to obviously the three individuals who are here today after the meeting's over. We've got three of those doors taken care of. I'll go hit the rest and.

- Okay.

- So.

- Okay.

- Does that help?

- Yes, it does. Thank-

- Okay.

- Thank you. Alder Wery you wanna?

- Sure, I'll make a motion to-

- To hold?

- So hold action on South Maple.

- Don't we have to close the hearing first?

- Do we need to close the hearing?

- We should agree to the ones that were done.

- As the chair, ask again if there's, ask two more times or if there's anybody else-

- Is there anybody else here to speak to these streets? Anybody else to speak to these streets? Anybody else to speak to these streets?

- And you can say the public hearing-

- The public hearing is now finished. All right, now we can vote on-

- Correct. So now we to entertain a motion to hold action on the South Maple asphalt reconstruction project and for the streets listed under asphalt resurfacing order the improvements constructed and levy any special assessments necessary.

- Took it right outta my mouth.

- So moved.

- That will be the motion by Wery and seconded by Eck. All in favor, please say aye.

- [All] Aye.

- All opposed? All right, this all goes to city council next Tuesday, six o'clock although that one item will be held. Okay, our next meeting will be when? Let me look.

- 15th.

- March 15th.

- And motion to adjourn?

- Motion to adjourn.

- Second.

- Second.

- Second by Campbell. All in favor, please say aye.

- [All] Aye.

- Thank you all. Now-

- Meeting.

- Parks will be in the next meeting. Next room over.

- Okay.