

September 28, 2018 (Village Board Meeting)

**ALLOUEZ VILLAGE BOARD MEETING
TUESDAY, SEPTEMBER 18, 2018
6:30 P.M., ALLOUEZ VILLAGE HALL**

CALL TO ORDER / ROLL CALL

President Rafter called the meeting to order at 6:30 p.m.

Present: Harris, Genrich, Atwood, Rafter, Dart, Green, Sampson
Also Present: Lauder, Clark, Gehin, Lange, DEO Vogel

MODIFY / ADOPT AGENDA

Dart / Sampson moved to adopt the agenda as presented. Motion carried.

ANNOUNCEMENTS

Lange

- Was informed by Assistant Fire Chief Goplin that Station 5 (on Finger Road) was flooded during the storm last night and operations have been temporarily moved to Station 8 in Allouez.

Clark

- The concession building at PH Martin Webster Park is complete and was utilized by the Buccaneers Football organization this past weekend.

PUBLIC APPEARANCES

Jim Orourke, 2339 Oakwood Avenue

- Would like someone to make sure the Arboretum Trail currently under construction on W. St. Joseph Street is in compliance with the Comprehensive Plan.
 - o doesn't appear to be wide enough
 - o is supposed to connect Webster Avenue with the Fox River Trail
- Would like all the property owners along the west side of Riverside Drive be made aware that the Village is rewriting the zoning code and get as much input from them as possible.

Judy Poh, 2375 Riverside Drive

- Is there a neighborhood association near the crosswalk on the south end of the village? (Rafter – don't believe so). Within one block each north and south she has seen people standing, waiting for traffic when they could walk one block further to the crosswalk, push the button and the signal light would allow them to cross. Are they not aware? If there is a neighborhood association that could send a notice out to the people in that area.

DISCUSSION WITH DOT REPRESENTATIVE RE: CONCERNS WITH CROSSWALK ON RIVERSIDE DRIVE AND ENGINE BRAKING ON 172 (from 05/01/18, 05/15/18, 06/05/18, 06/19/18, 07/03/18, 08/21/18, 09/04/18)

Randy Aspen, WDOT Senior Project Engineer was present and participated in discussion.

Discussion:

- Engine Braking on 172
 - o Per WDOT policy, signage prohibiting engine braking is not allowed on a freeway or expressway .
 - o Move the 55 mph sign east of Libal Street overpass to 172 to create the engine braking further back in a less residential area (will not change driver behavior) or remove the 55 mph sign to allow a continuous 65 mph across the bridge to reduce/eliminate engine braking in that residential area (contact Rod Hamilton for a speed study to determine what the appropriate speed to be posted).
- Riverside Drive Crosswalk
 - o Southbound motorists are encroaching / stopping within the crosswalk when the light is red causing pedestrians and bicyclists, at times, go out of the crosswalk to go around a vehicle.
 - o Signal timing is appropriate and changing it wouldn't impact where a person stops.
 - o Since the last meeting, signs have already been moved and brush trimmed to help the vision of the person waiting to cross and to be better seen by motorists.
 - o Could crosswalk be more detailed - wider strips, whether diagonal or larger bars so crosswalk is more prominent? Who maintains those markings?
 - o The stop bar is properly positioned.
 - o Enforcement.
 - o Could a "Stop Here" sign be installed in the median?
 - o A "Left Turn on Arrow Only" could help if traffic increases.

Atwood / Harris moved to open for public comment. Motion carried.

Becky Nyberg, 214 Simonet Street

- Brought the crosswalk issue to the attention of the Board and wanted to thank the Board for looking into it and the DOT for meeting with her and Gehin at the site to explain everything. She is completely satisfied that everything has been done, that needs to be done and doesn't think motorists are doing it intentionally.

Dart / Sampson moved to return to regular order of business. Motion carried.

REQUEST TO KEEP DUCKS (from 04/17/18 and 05/15/18)

Discussion:

- Per Lauder no other area communities allow ducks, caring for them requires a larger area and there is a neighbor with concerns. Therefore he recommended staying with what we have.

Genrich / Dart moved to open the meeting for public comment. Motion carried.

Tim Voelker, 1665 MacArthur Street

- The ducks (which belong to his son) are currently on his uncle's farm in Kewaunee. The only reason to bring the ducks back to his son's home would be if his uncle became sick again and couldn't care for them.

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Dan Whipp, 124 Woodview Lane

- Asked that the Board keep the rules as they are and not allow ducks. He feels ducks belong in the country on a farm and he didn't move into town to have them in the neighborhood.

Harris / Atwood moved to return to regular order of business. Motion carried.

Atwood / Genrich moved to keep the rule as is as there doesn't appear to be a request for change. Motion carried.

FINAL LAND EXCHANGE AGREEMENT WITH GREEN BAY PUBLIC SCHOOL DISTRICT AT PHM WEBSTER PARK/WEBSTER SCHOOL (from 09/04/18)

Discussion:

- On September 4th, the Village Board proposed two changes to the Agreement presented to them. The School District was fine with the addition of "village scheduled" under VIII.A.4 but did object to the change under VIII.A striking out "recreational". They are fine with the village using the school for park and rec programs but other uses should go through the facilities rental process (no cost).
- Staff recommended leaving that portion of the agreement as recreational dance programs for the ten year period.

Harris / Dart moved to approve the final Land Exchange Agreement with the one change from the last meeting as approved by both parties (addition of "village scheduled" under VIII.A.4). **Motion carried.**

RESOLUTION 2018-13, TREE PLANTING GRANT

Atwood / Green moved to adopt Resolution 2018-13, in support of acquiring funding for a Wisconsin Regional Planning Commission and Department of Natural Resources Great Lakes Basin Tree Planting Grant. Motion carried.

MARTHA STREET DEVELOPMENT (from Public Works Comm on 09/12/18)

Gehin

- Developer indicated the fate of the Martha Street development requires Village assistance financially and assistance with engineering, vetting and construction oversight.
- Developers Bill and Dean Johnson presented to the Public Works Committee the type of home they are proposing to build, square footage, improved value and their schedule.
- Prepared a cost estimate and explained the proposed cost sharing of development costs (Village portion - \$31,500)
 - o Construction Costs
 - o Engineering and Plan Preparation
 - o Construction Oversight
- The Public Works Committee recommended the Board consider the request.

Discussion:

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- Questioned the assessed value of \$330,000 each.
- Consider looking at a guarantee of assessed value, of when things will be completed and when it will hit the tax roll at that level.
- Where would the money come from (Gehin – street, storm, sanitary sewer and storm sewer funds).

Atwood / Dart moved to approve the dollars allocated in the split, to be funded by the Village because it is a public works project, with a Developers Agreement to spell out the reimbursement and cap. Motion carried.

FIRST BIBLE BAPTIST CHURCH DRAINAGE IMPROVEMENT PROJECT (from Public Works Comm on 09/12/18)

Public Works Committee recommended the Village Board proceed with doing the work if affected property owners agree to be assessed.

Gehin

- There is a recurring flooding issue at First Bible Baptist Church, 2605 Libal Street and the abutting properties along Bell Court and Greenbell Street whenever we get a significant rainfall.
- Studied the issue and talked to the single family homeowners, apartment complex owner and the church and determined the solution to be a swale that would run along the east property line. It would start at the southeast corner and drain north to the inlet installed last fall. A cost estimate was put together for construction of the swale, estimated at approximately \$9,000. He reached out to contractors and if we assisted with village equipment and staff the cost could be lowered closer to \$5,000.
- The drainage issue extends beyond the church property. It's a regional issue that includes multiple properties.
- The church is willing to provide the property to build it on and they will maintain it.
- Would like to resolve this and do as soon as possible.

Discussion:

- There are other areas in the village that have the same problem. Concern with the village fixing this one (Gehin – we are trying to facilitate).
- Could be precedence setting.
- Public Works Committee discussed the possibility of cost sharing – who is affected, who will benefit.

Sampson / Atwood moved to open the meeting for public comment. Motion carried.

Jerry Payette, 2622 Bell Court

- There is a drainage problem that wasn't created by him and his neighbors. The area has built up and above their elevation. They have put up with the flooding for a long time and have tried to help themselves. He recently had to replace a \$150 pump and now ask that the Village help take care of the problem before any more damage is done. Doesn't know if the swale will be the ultimate answer but it will help a lot to keep the water away from their properties.

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Discussion:

- Even though very little of the apartment complex contributes to the flooding, the owner is working to change the pitch of the gutters to direct roof leaders into the parking lot, away from the problem area.
- Soil underneath is clay so you don't get a lot of infiltration.
- The residential properties contribute to a portion of the flooding as their rooftops and backyards drain into the area.

Dick Madison, 2616 Bell Court

- Confirms what Payette had said and would like to see something get done.

Pastor Harley Keck, First Bible Baptist Church

- Has been working with neighbors and the Village to solve the problem. They are happy with the proposal and would like the Board to approve it. The Village has access to their property anytime they want to start.

Kathy Madison, 2616 Bell Court

- Would like help getting the water to the storm sewer.

Judy Poh, 2375 Riverside Drive

- Back when the neighboring lots were sold and built on they may not have realized the issue being created. With the new regulations this shouldn't happen now days. She feels the Village should be able to find the money to help these people.

Russell Rogers, Apartment Complex Owner

- Plans to re-pitch the downspouts to pitch toward their parking lot and existing manholes. He too would like to see something done to address the issue.

Jim Orourke, 2339 Oakwood Avenue

- A lot of neighborhoods have this issue. He would like to see the areas that are flooding have Neighborhood Drainage Plans.

Dart / Genrich moved to return to regular order of business. Motion carried.

Discussion:

- Village staff and machinery working on private property.
- Village out of pocket expense is approx. \$5,000.
- Should eliminate about 95% of the problem.

Atwood / Green moved to move forward to correct the problem and allocate the money to do so with a cap of \$5,000.

Discussion:

- Gehin advised not to include a cap in the event they get started and we get another 4' rainfall, the costs are going to go up.

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- Unique situation (in 70's they didn't know better, 6 properties are affected, clay soil) / A lot of different things within the village were built in the 60s or 70s and there are other areas that have water runoff from commercial properties that affect residents. Precedence setting?
- The Village would be taking on a large extent. Would like to see some kind of contribution or personal participation. Are the residents interested in helping financially?

Atwood / Dart moved to open the meeting for public comment. Motion carried.

Dick Madison, 2616 Bell Court

- How many would be contributing?

Discussion:

- Would have to be a voluntary donation since we can't assess a private improvement.
- Suggested a \$150 donation from affected property owners.
- The Madison's, the Church and Apartment owner stated they would be willing to donate \$150.
- Send notice to let all affected know these owners showed up to support their neighborhood and encourage all to help out with a donation since it will help them in the long run.

Atwood / Genrich moved to return to regular order of business. Motion carried.

An amended motion was made by Atwood / Green to approve construction of a swale to be funded by the Village with the recommendation to solicit a \$150 donation from the affected residents or whomever would like to contribute. Motion carried.

WARREN COURT WATERMAIN REPLACEMENT PROJECT BID RESULTS AND AWARD (from Public Works Comm on 09/12/18)

Gehin

- Project was previously bid in July. Due to contractor availability and the proposed project schedule only one bid was received. The excessive bid in the amount of \$149,840 was rejected. The Project was rebid with six bids being received. Public Works Committee recommended the Village Board accept the low bid from Feaker & Sons Co. Inc. in the amount of \$91,366.02.

Genrich / Sampson moved to accept the recommendation and approve the low bid from Feaker and Sons Co. Inc. in the amount of \$91,366.02. Motion carried.

VENDOR PERMIT APPROVAL FOR CHRISTMAS CRAFT SHOW, TWAS THE NIGHT BEFORE CHRISTMAS, AT GREEN ISLE PARK

Dart / Harris moved to approve the Twas the Night Before Christmas Vendor Permit for November 3, 2018. Motion carried.

FUTURE AGENDA ITEMS

- Continue discussions on how to enforce problem rental properties

ADJOURNMENT

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Harris / Genrich moved to adjourn at 8:33 p.m. Motion carried.

Minutes submitted by Debbie Baenen, Clerk-Treasurer