

May 21, 2019 (Village Board Meeting)

**ALLOUEZ VILLAGE BOARD MEETING
TUESDAY, MAY 21, 2019
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: Gehin, Lange, Fuller, Beauchamp, DEO Vogel, Attorney Gast

MODIFY / ADOPT AGENDA

Genrich / Harris moved to adopt the agenda as modified. Remove scheduling of a hearing (not required) from item #11, request for smaller than required parking stalls at 400 Broadview Drive, Langlade Elementary School. Motion carried.

ANNOUNCEMENTS

- a. St. Matthew's Church Picnic on June 2nd from 11 am – 3:30 pm
- b. Walk to Cure Arthritis on June 2nd at Green Isle Park (recurring event)
- c. National Public Works Week, May 19th – 25th

PUBLIC APPEARANCES

Jim Orourke, 2339 Oakwood Avenue

- Requested the next meeting agenda include discussion regarding oddities involved in the Capital Improvement Project and the budgeting and bonding on W St. Joseph Street.

Rafter

- Last meeting, Orourke was instructed to bring concerns to Administrator Lange to determine whether his request should be placed on a future agenda and that meeting has not yet happened.

Clarence Matuszek, 2680 S. Webster Avenue

- Requested permission to speak during agenda items #6, 10 and 11.
- Complimented Board and Staff / A can do, will do group with good support from the Board.
- Don't lose sight of basic services (example - changes to yard waste collection).
- Suggested reinstating Board/Staff meetings to be better informed.

POLICE SERVICE CONTRACT (from 11/20/18, 12/4/18, 01/15/19, 02/05/19)

Discussion:

- Staff has been working with the Sheriff and Brown County Corporate Counsel for the past several months on a Memorandum of Understanding (MOU) regarding the increased cost of investigative services resulting from calls to the Green Bay Correctional Institute (GBCI). (The

May 21, 2019 (Village Board Meeting)

Village of Allouez is the only municipality who contracts for police services that has a state owned correctional institution and is paying for those services.)

- Although an MOU has not been agreed upon, the County asked that the contract be signed and executed.
- Senator Cowles office took the lead on appropriating funds in the State budget to offset much of the increased costs incurred from GBCI (\$60,000)
- If the appropriation stays in budget it would be a direct payment to the Village, if not, a memorandum of understanding could still be needed.
- Will continue to work on.

Attorney Gast recommended approving the proposed contract through 2021 as there is some reluctance from the Sheriff's Department to continue providing police services with no contract in place. MOU could be reinstated if appropriation in the state budget fails to pass.

Genrich / Harris moved to approve the Police Service Contract as presented. Motion carried.

HILLCREST HOMES PDD FOR HAVEN WAY CONDOS EXPIRES / REQUEST FOR EXTENSION

Hillcrest Homes' Haven Way Condominium PDD project was first approved in 2005 and amended in 2015 to include a change from 2 story condos to single story condos. In 2016 an extension was requested and granted for an extension due to the passing of owner, Harry Macco.

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

Mark Macco, Hillcrest Homes

- Requested another extension of the PDD project as they are still working on settling the estate.
- Their intent is to continue the project as it was proposed in 2015.

Clarence Matuszek, 2680 S. Webster Avenue

- Spoke in support of the request.

Mary Sue Banks, 1999 Libal Street

- Clarified that if the property was sold to build apartments instead of condos there would be a new development request.

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

Harris / Green moved to grant a 1 year extension of the PDD project (rather than the 2 years requested) recognizing how complex it can be to settle an estate and allow for an annual update on where they are headed. Motion carried.

ADOPTION OF RESOLUTION 2019-19, AWARDING THE SALE OF \$5,665,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS SERIES 2019A

Greg Johnson, Ehlers

- Provided a copy of the sale report summarizing the bond sale to the Village.

May 21, 2019 (Village Board Meeting)

- Recapped the issuance of the bonds which were authorized by the Village Board to fund street improvement projects, sewerage projects, water system projects and project costs of TID No. 1.
 - o Number of Bidders: 6 / Low bidder: FTN Financial Capital Markets / True Interest Cost: 2.5867% / Rating: Moody's Investor's Service "Aa2" / Bond issue was reduced by \$70,000 to reflect bid results.

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

Jim Orourke, 2339 Oakwood Avenue

- W St. Joseph Street went from a \$200,000 road resurfacing project to a \$900,000 road reconstruction project creating emergency bonding for road reconstruction that wasn't budgeted for in the Capital Improvement Project until a very late date.
- Sidewalks were not included in the budgeting process.
- TID No. 1 revenues should be used to pay for TID No. 1 bonds and general revenue money should not be used to pay for TID projects.

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

Harris / Genrich moved to adopt Resolution 2019-19, awarding the sale of \$5,665,000 General Obligation Corporate Purpose Bonds Series 2019A. Roll call vote: Harris – aye, Genrich – aye, Atwood – aye, Rafter – aye, Dart – aye, Green – aye, Sampson – aye. Motion carried.

APPOINTMENT OF NEW AGENT FOR KWIK TRIP 1030 LOCATED AT 2203 S. WEBSTER AVENUE

Genrich / Green moved to approve appointment of Jay Young as agent for Kwik Trip 1030 at 2203 S. Webster Avenue. Motion carried.

APPOINTMENT OF BOARD OF REVIEW MEMBER

Sampson / Atwood moved to appoint Michael Borowski to the Board of Review. Motion carried.

REQUEST FOR SMALLER THAN REQUIRED PARKING STALLS AT 3200 RIVERSIDE DRIVE, WILLOWBROOK OFFICE BUILDING (from Plan Comm on 04/22/19)

Plan is to construct an additional 58 stalls at the Willowbrook Office Building at 3200 Riverside Drive to meet the market demand as the building was recently remodeled for additional tenants. Property owner requests permission to construct 9'x20' parking stalls instead of the required 10'x20' to minimize the hard surface coverage on the lot.

Plan Commission, at their meeting on April 22nd, recommended approval of the request.

Discussion:

- Limits impact on existing trees, allows for less impervious surface and is a cost savings
- Standard stall size in the area is 9'x18'
- Private parking lot for employees/clients not the general public

May 21, 2019 (Village Board Meeting)

- Million dollar renovation was done to accommodate additional employees (from 150-300) for Tree House Foods.
- Existing stalls would remain as they are. Request is only for the new stalls.

Green / Harris moved to open the meeting for public comment. Motion carried.

Clarence Matuszek, 2680 S. Webster Avenue

- Opposed to the request. Doesn't think anything should be done until the Zoning Code is updated to see what comes from that.

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

Green / Harris moved to approve construction of the new stalls only at the 9'x20' size and that they be used for employees only, not for public parking. Motion carried.

REQUEST FOR SMALLER THAN REQUIRED PARKING STALLS AT 400 BROADVIEW DRIVE, LANGLADE ELEMENTARY SCHOOL (from Plan Comm on 04/22/19)

Plan is to construct an additional 34 stalls at Langlade Elementary School located at 400 Broadview Drive. The Green Bay Area Public System is requesting permission to construct 9'x19' and 9'x20' parking stalls instead of the required 10' x20' to maximize parking on the existing developed site.

Plan Commission, at their meeting on April 22nd, recommended approval of the request.

Correspondence was received from Marian Koss, 547 Karen Street opposed to the request.

Discussion:

- There is no known easement with the YMCA although they share parking.
- Auditorium requires more parking than they are able to provide (grandfathered in)
- Attempting to meet their needs the best they can.
- Additional number of stalls gained and width of driveway required with angled parking versus 90° parking.
- What is the need for additional parking?
 - o Eliminate school drop off and pickup on and across the street.

Sampson / Dart moved to approve construction of 9'x19' and 9'x20' parking stalls as requested. Motion carried 5-2 (Green and Harris voted nay).

PETITION FROM ANDREA LYNN BURKEL – REQUESTING THE REZONING OF PARCEL AL-1233-1, LOCATED AT 120 E ALLOUEZ AVENUE AND LEGALLY DESCRIBED AS: LIBAL'S ADD'N W 82.5 FT OF LOTS 17 & 18 BLK 1, FROM "C" PROFESSIONAL OFFICE AND RESIDENCE DISTRICT TO COMMERCIAL DISTRICT / SCHEDULE HEARING (formerly Brien's Barber Shop) (from Plan Comm on 05/20/19)

A request to rezone parcel AL-1233-1, located at 120 E. Allouez Avenue from "C" Professional Office and Residence District to Commercial District. The existing building is a current mixed-use structure which was formerly a barber shop and apartment. Plans are to convert the barber shop

May 21, 2019 (Village Board Meeting)

area into a dog grooming area and maintain the residential space which is not allowed in "C" Professional Office and Residence District zoning.

Staff recommends approval of the request contingent on receiving a parking plan that meets the zoning requirements prior to business occupancy.

Plan Commission reviewed the request at their May 20th meeting and recommended approval.

Green / Dart moved to schedule a public hearing. Motion carried.

PETITION FROM ANDREA LYNN BURKEL – REQUESTING CONDITIONAL USE PERMIT APPROVAL FOR RESIDENTIAL AND RETAIL TRADE/SERVICE MIXED-USE ON PARCEL AL-1233-1, LOCATED AT 120 E ALLOUEZ AVENUE (formerly Brien’s Barber Shop) / SCHEDULE HEARING (from Plan Comm on 05/20/19)

A Conditional Use Permit was requested to allow for a residential and retail trade/service mixed-use in an existing building at 120 E Allouez Avenue. They also petitioned to have the property rezoned Commercial which allows for select mixed-uses as a conditional use and the residential component could not proceed without being granted a conditional use.

Staff recommends approval of the request contingent on receiving a parking plan that meets the zoning requirements prior to business occupancy.

Plan Commission reviewed the request at their May 20th meeting and recommended approval.

Green / Harris moved to schedule a public hearing. Motion carried.

PETITION FROM THOMAS M. O’ROURKE – REQUESTING THE REZONING OF PARCEL AL-1038, LOCATED AT 535 GREENE AVENUE AND LEGALLY DESCRIBED AS: 21,613 SQ FT GREENE & VROMAN'S SUBD #1 E 100 FT OF S 188 FT OF LOT 23 & WLY 15 FT OF S 188 FT OF LOT 22, FROM VILLAGE OWNED TO COMMERCIAL DISTRICT (formerly Village of Allouez Water Works Pump House) / SCHEDULE HEARING (from Plan Comm on 05/20/19)

A request to rezone parcel AL-1038, located at 535 Greene Avenue from Village Owned to Commercial District to allow for "retail trade and service" uses in our current zoning code. Plans are to convert a portion of the existing building into a tool library, pop-up art gallery and residences over several phases.

Plan Commission reviewed the request at their May 20th meeting and recommended approval.

Green / Dart moved to schedule a public hearing. Motion carried.

PETITION FROM THOMAS M. O’ROURKE – REQUESTING CONDITIONAL USE PERMIT APPROVAL FOR RESIDENTIAL AND RETAIL TRADE/SERVICE MIXED-USE ON PARCEL AL-1038, LOCATED AT 535 GREENE AVENUE (formerly Village of Allouez Water Works Pump House) / SCHEDULE HEARING (from Plan Comm on 05/20/19)

A Conditional Use Permit was requested to allow for a residential and retail trade/service mixed-

May 21, 2019 (Village Board Meeting)

use in an existing building on parcel AL-1038 located at 535 Greene Avenue. Owner intends to use one side of the building as a tool library and the other as a pop-up art gallery and residence. The residential component cannot proceed without being granted a conditional use permit.

Plan Commission reviewed the request at their May 20th meeting and recommended approval.

Dart / Green moved to schedule a public hearing. Motion carried.

PETITION FROM MCDONALD'S USA LLC – REQUESTING FINAL APPROVAL OF A PLANNED DEVELOPMENT DISTRICT TO RENOVATE THE EXISTING DRIVE-THRU RESTAURANT ON PARCEL AL-50-8, LOCATED AT 1903 S WEBSTER AVENUE AND LEGALLY DESCRIBED AS PRT OF PC 14E DESC AS PCL B IN 2 CSM 195 EX SLY 95 FT OF WLY 173 FT & PRT IN 2139800/ SCHEDULE HEARING (from Plan Comm on 05/20/19)

Petition requesting final approval of a PDD to renovate the existing drive-thru restaurant on parcel AL-50-8 located at 1903 S Webster Avenue. Property is an existing non-conforming use as the property is zoned Commercial District which does not allow for drive-thru restaurants and the proposed renovations exceed the amount allowed by code.

Plan Commission reviewed the request at their May 20th meeting and recommended approval.

Green / Sampson moved to schedule a public hearing. Motion carried.

PUBLIC WORKS COMMITTEE MINUTES DATED MAY 15, 2019

a. Nulund Group/Dairy Queen Sanitary Sewer Agreement Amendment

Public Works Committee at their meeting on May 15th recommended the Village Board approve the Amended Agreement between the City of DePere, the Town (now Village) of Allouez and the Green Bay Metropolitan Sewerage District regarding Connection to Facilities.

Genrich / Green moved to approve the Amended Agreement as recommended by the Public Works Committee. Motion carried.

b. Purchase of multi-purpose truck chassis

Public Works Committee at their meeting on May 15th recommended the Village Board approve purchase of truck chassis from low bidder Quality Truck Care Center, Inc in the amount of \$99,116 and the truck equipment from low bidder Truck Equipment Inc in the amount of \$98,060.

Dart / Atwood moved to approve the purchase of truck chassis and equipment as recommended by the Public Works Committee. Motion carried.

c. 2019 Street Reconstruction Construction Inspection and Staking Services

Public Works Committee at their meeting on May 15th recommended the Village Board approve of JT Engineering for construction inspection of project AL-2019-01 at a cost of \$70,650 and Robert E.

May 21, 2019 (Village Board Meeting)

Lee for construction inspection of project AL-2019-02 at a cost of \$67,500 and construction staking for both projects at a cost of \$38,200.

Green / Atwood moved to approve construction inspection and staking services as recommended by the Public Works Committee. Motion carried 6-1 (Sampson abstained).

d. Doty Elementary SRTS Professional Services Contract

Public Works Committee at their meeting on May 15th recommended the Village Board approve the Engineering Services Contract between the Wisconsin Department of Transportation, Village of Allouez and JT Engineering, Inc. for Doty Elementary Safe Routes to School Project.

Genrich/ Green moved to approve the Engineering Services Contract as recommended by the Public Works Committee. Motion carried 6-1 (Sampson abstained).

e. Recycling Program Annual Report to WDNR

Report fulfills the mandatory annual reporting requirement for continued approval of our recycling program and retention of the DNR recycling grant.

Sampson / Harris moved to accept the Recycling Program Annual Report and place on file. Motion carried.

f. Brush Collection and Disposal

No action required (was discussed as part of agenda item #18, update on continuous improvement program)

g. Bethel Baptist Professional Services

McMahon Engineers and Architects put together a Professional Services Agreement to finalize the design to bid and to provide and assist with construction inspections at a cost of \$24,500 with an option to fully inspect construction project at an additional cost of \$8,500.

Genrich / Green moved to approve the Professional Services Agreement. Motion carried.

UPDATE ON CONTINUOUS IMPROVEMENT PROGRAM

Lange provided an overview of the Continuous Improvement Program (identifying processes and how to improve them). The process selected by the group was brush collection and disposal, how it had been done in the past and exploring methods to improve the process.

Discussion:

- How to better educate and explain the need for the change.
- Goal is to find efficiencies allowing us to be able to provide the services residents have long received or free up time to do other projects currently contracted out (street patching)

May 21, 2019 (Village Board Meeting)

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

Clarence Matuszek, 2680 S. Webster Avenue

- Happy to see us working on this. Do we envision someday going back to year round collection of brush?

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

No action required.

FUTURE AGENDA ITEMS

Harris

- Months ago we discussed the intersection of Riverside and 172 and a Representative from the WDOT was going to get back to us about the thicker lined crosswalk and whether or not that was an option. Request for an update.

Rafter

- Prepare a Resolution with a letter to the Governor regarding Senator Cowles authoring a motion accepted by the Joint Committee on Finance that would provide \$60,000 per year to Allouez to offset costs by the Village for police services rendered to the Green Bay Correctional Institution (GBCI).

CONVENE INTO CLOSED SESSION

Sampson / Atwood moved to convene into closed session pursuant to Wis. Statute 19.85(1)(e), deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Roll call vote: Harris – aye, Genrich – aye, Atwood – aye, Rafter – aye, Dart – aye, Green – aye, Sampson – aye. Motion carried.

Discussion:

- TIF Development proposal for 1905-1927 S. Webster Avenue

RECONVENE INTO OPEN SESSION

Genrich / Harris moved to reconvene into open session. Motion carried.

No action taken.

ADJOURNMENT

Dart / Harris moved to adjourn at 9:05 p.m. Motion carried.

Minutes submitted by Debbie Baenen, Clerk-Treasurer