

**ALLOUEZ VILLAGE BOARD MEETING
TUESDAY, AUGUST 16, 2022
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: Atwood, Genrich, Harris, Rafter, Sampson

Excused: Deutsch, Green

Also Present: Beauchamp, Clark, Gehin, Lange, Fuller, Attorney Peterson (arrived at 6:45 p.m.)

MODIFY / ADOPT AGENDA

Genrich / Harris moved to adopt the agenda as presented. Motion carried.

ANNOUNCEMENTS

a. Hiring of Cole Erickson, Engineering Technician

b. Pooches & Pints Barktoberfest on September 10th from 11am-3pm at Green Isle Park

President Rafter recognized the Village of Ashwaubenon 150th Anniversary last week.

PUBLIC COMMENT

Clarence Matuszek, 2680 S. Webster Avenue

- Complimented the Board for their Village of Allouez employee appreciation, but was disappointed administrator Lange was not included.
- Disappointed in the speed and intensity of redevelopment. Strongly urge to have a Village wide survey. Believes we are changing the character of the Village and all residents should have a say.
- Not happy with the job that TDS is doing in the Village.
- Request to take a closer look regarding the subsidiary of public transportation due to the cost of \$8.00 per resident.

PRESENTATION

Mike Mushinski, Brown County Land and Water Conservation, East River Project and Brad Lange, Village of Allouez Administrator

- B. Lange began by stating how fast things can move forward when someone with an interest and a small group of people get together to start a project.
- M. Mushinski presented before the Brown County Planning Development and was able to receive a half million dollars in funding.
- Interested in creating a habitat project and water trail from Ledgeview Park north, or downstream three miles to Hoffman Rd. This is the area that has the worst bank erosion, most invasive plants, and the worst water navigability.
- Part of the project would be taking the trees out of the river and using them to recreate natural habitat, must control the bank sluffing problems; more than likely with rock, and get all of the invasive plants pulled out of that area and planting pollinators.
- From Hoffman Rd. to the City of Green Bay is seven additional miles that can be opened up for kayaking. The project is covering approximately ten miles of the East River.
- Proposing 4 kayak launches along the route.
- The approximate cost for the habitat project and the kayak launches is \$900,000, which he believes we may be a little shy on the amount that will be needed, but was successful in getting a half million through the County Board with the ARPA Fund.

- Next step will be meeting with Trustee Council of the Fox River Paper Mill Funds. This could be a second round of funds. The Community Foundation is also going to be putting some money towards this project.
- One of the partners, WELLO, put together what they are trying to accomplish. Turn the water from brown to clear and provide recreational opportunities that are there, but have been neglected and not utilized.
- Taking action to make the East River an asset to our community.
- Hoping to have activity by 2024.

HEARING RE: ABATEMENT PLAN BY STEVE MILLER REGARDING NUISANCE BRIDGE STRUCTURE LOCATED AT 832 DAUPHIN STREET

President Rafter opened the public hearing at 7:02 p.m.

Steve Miller, 847 Brookridge St.

- Stated there was an agreement between the property owner and the Village of Allouez to put up a fence in front of bridge. It is a walkway bridge that he spent three years building. Would like to get permit to cut the curb.
- Questioned the agreement stating that he complied and whether any complaints have been received.

Public Hearing closed at 7:06 p.m.

ABATEMENT PLAN BY STEVE MILLER REGARDING NUISANCE BRIDGE STRUCTURE LOCATED AT 832 DAUPHIN STREET

T. Fuller

- Essentially staff came across the bridge earlier this year by following up on an adjacent property.
- Village attempted to make contact with the property owner and eventually did have a meeting.
- Property owner agreed to put up rope closing off the bridge structure as a temporary fix while a solution was being discussed.
- Village went back to verify that the rope had been put up and found that some string had been strewn across the opening of the bridge.
- Village spoke with Counsel and it was stated that it was not adequate and the Village should put up some barricades and clean up some of the brush at the entrance of the bridge due to a hole. Did not hear anything from the property owner. A letter was sent to the property owner stating that the bridge was a nuisance issue and to invite him to this Board meeting.
- Last week, staff went back out to the site and did notice that a gate/fence structure was erected on one side of the bridge, but no contact has been made to the Village. The giant hole is still in front of the bridge structure that does continue under the bridge. The Village is hoping to get permission from the property owner to inspect the bridge structure. The other side of the bridge should also be closed off.
- The intent of the letter that was sent to the property owner was to take some action/change on the bridge structure.

President Rafter

- Questioned why the bridge is a nuisance?

T. Fuller

- A permit was issued by the DNR back in 1997, but the permit expired prior to the bridge being completed. The building permit expired prior to the bridge completion; which meant no final inspection was ever completed.
- The bridge has deteriorated over the past 22 years to the point that there are loose boards and holes in front of the bridge which makes the bridge unsafe and a safety hazard.
- It is on private property, but the structure is close to the road where there is the possibility that kids may explore.
- The Village is looking for the safety issues to be addressed.

- According to the Village records there was a letter sent from the DNR in 1999 or 2000 notifying the property owner that the permit expired; which therefore the building permit from the Village expired.

President Rafter

- Village is ultimately trying to secure the bridge so it is not a hazard or safety concern to the property owners or the public.
- Some effort has been made by putting up a fence. Ultimately, the Village wants the bridge to be safe and to have good communication with the property owner.

T. Fuller

- Board questioned the term attractive nuisance.
- Nuisance is defined in our ordinance which our Counsel reviewed.
- The Village has the right to intervene even though it is on private property because it is considered a nuisance effecting health and safety.

C. Sampson

- The bridge is considered an attractive nuisance and the Village does have the right to intervene due to it not being in a fenced enclosure.

M. Harris

- Section 307-4(G) in our code states "all buildings or structures so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, or otherwise fit for human use". The structure of the bridge would fit into this category.
- Hoping an immediate action be taken that a similar structure be put up on the east side of the bridge that reflects the structure on the west side.

Rafter / Sampson moved to refer back to staff and to have a resolution or agreement in place to make all of the corrections by the next Village Board Meeting. Motion carried.

Sampson / Genrich moved to suspend the rules. Motion carried.

Steve Miller, 847 Brookridge St.

- Barb was the inspector at the time the project began. Once it was finished a new inspector was with the Village.
- Met with the new inspector to see if they could cut the curb and the new inspector did not like the design and refused to provide a permit to cut the curb.
- The hole in front of the bridge exists because he is not allowed to cut the curb to fill in the hole. Wants to get a permit to cut the curb and is not aware of how else he will be able to fix it.
- Was not aware of the permits expiring when bridge was initially built. The bridge was built exactly to plan.

M. Harris

- Questioned if there were other options provided when the property owner was refused of receiving the permit to cut the curb.

Steve Miller, 847 Brookridge St.

- The inspector wanted 5' high I beams for the walkway. The bridge as it is built has 8' tall quarter inch thick I beams and has the capacity of 72,000 lbs.
- There are plans and the supplies to put another structure on the other side of the fence, was out of town and has not had the time to put it up.
- Asked for all further correspondence be in writing.

President Rafter

- The Board strongly recommends sitting down with Fuller and working together to resolve the issue.
- Encouraged correspondence be in person, but any decision be in writing. A report will come back to the Board.

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

CONTINUATION OF .5% BROWN COUNTY SALES TAX

President Rafter

- The Brown County Board of Supervisors are meeting tomorrow night on whether to continue the .5% sales tax that began with the stadium district. The Administrative Committee has made the recommendation to do so.
- President Rafter has brought it forward in hopes fellow Board members will support the continuation of the sales tax.

Rafter / Sampson moved that the Village Board of Allouez support the continuation of the .5% sales tax in Brown County.

- Board consensus is that more information is needed before moving forward in support of the continuation of the .5% sales tax in Brown County.

Rafter / Sampson moved to rescind the previous motion until more information is provided on the continuation of the .5% sales tax. Motion carried.

ENGINEERING SERVICES FOR 2023 STREET AND UTILITY RECONSTRUCTION PROJECT (from VB 8/2/22)

S. Gehin

- Proposals from consultants that had interest in the design and preparation of planning for 2023 street reconstruction projects were brought forward at the last Board meeting. The Board selected raSmith.
- RaSmith has put together a contract, which includes the survey, design, preparation of plans, assistance with writing of the specs, putting together the cost estimate, bid tab, and meetings for all four streets.
- Looking for approval to move ahead with raSmith

Genrich / Atwood moved to approve the engineering services of raSmith for the 2023 Street & Utility reconstruction projects. Motion carried.

NOISE VARIANCE PERMIT REQUEST FROM AUSTIN LEMBERGER TO ALLOW MUSIC AT 337 COOLIDGE STREET FOR A BIRTHDAY/END OF SUMMER CELEBRATION FROM 5:00 P.M.-10:00 P.M. ON SEPTEMBER 16, 2022

Atwood / Harris moved to approve the noise variance request from Austin Lemberger to allow music at 337 Coolidge St for a Birthday/End of Summer celebration from 5:00 p.m. to 10:00 pm on September 16, 2022. Motion carried.

2022 CONSTRUCTION PROJECT UPDATE (S. Gehin)

S. Gehin

- Street resurfacing projects and the 14 inch watermain project north of 172 have been completed.
- Doty safe routes to school sidewalk is well on its way and should be completed in the next couple of weeks.
- September 2nd is the completion date for the Longview Ave sidewalk and September 9th for the East River Drive sidewalk. Landscape restoration has been started.

GREENE AVENUE LOCAL ROAD IMPROVEMENT GRANT AGREEMENT (S. Gehin)

S. Gehin

- The Village has received a WDOT local road improvement grant in the amount of \$400,000 to improve Greene Ave from Libal to East River Drive.
- The timeframe that will work best for Greene Ave to be reconstructed will be 2025. This will include a rapid flashing beacon at Greene Avenue and Webster Avenue.
- The sunset date for the grant is June of 2027.

FUTURE AGENDA ITEMS

- None

CONVENE INTO CLOSED SESSION

Sampson / Genrich 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.

(Developer's Agreement- 2222 Riverside Drive)

Roll call vote: Harris – aye, Genrich – aye, Atwood – aye, Sampson – aye, Rafter – aye, Motion carried.

RECONVENE INTO OPEN SESSION

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

No action taken.

ADJOURNMENT

Genrich / Sampson moved to adjourn at 8:35 p.m. Motion carried.

Minutes submitted by Kim Wayte, Deputy Clerk