

**PROCEEDINGS OF THE BROWN COUNTY
PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Planning, Development & Transportation Committee** was held on Monday, July 24, 2017 in Room 200, 305 E. Walnut St., Green Bay, WI

Present: Supervisors Bernie Erickson, Dave Kaster, Dave Landwehr, Norbert Dantine, Tom Sieber
Also Present: Airport Director Tom Miller, Airport Attorney Gary Wickert, UW-Extension Judy Knudsen, Public Works Director Paul Fontecchio, and other interested parties.

**Audio of the meeting is available by contacting the County Board office (920) 448-4015.*

I. **Call Meeting to Order.**

The meeting was called to order by Chair Bernie Erickson at 7:57 p.m.

II. **Approve/Modify Agenda.**

Motion made by Supervisor Sieber, seconded by Supervisor Dantine to approve with the modification to take Item 12 after Comments from the Public. Vote taken. MOTION CARRIED UNANIMOUSLY

III. **Approve/Modify Minutes of June 26, 2017 and Special July 19, 2017.**

Motion made by Supervisor Dantine, seconded by Supervisor Landwehr to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public None

Although shown in proper format, Item 12 was taken at this time.

1. **Review Minutes of:**

- a. **Harbor Commission (May 8, 2017).**

Motion made by Supervisor Dantine, seconded by Supervisor Landwehr to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

- b. **Solid Waste Board (April 17, 2017).**

Motion made by Supervisor Landwehr, seconded by Supervisor Kaster to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications None.

Planning and Land Services

Land Information – No agenda items.

2. **Planning Commission** – No agenda items.

3. **Property Listing** – Budget Status Financial Report for June 2017.

Motion made by Supervisor Landwehr, seconded by Supervisor Dantine to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

4. **Zoning** – Budget Status Financial Report for June 2017.

**Motion made by Supervisor Kaster, seconded by Supervisor Dantine to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

UW-Extension

5. UW-Extension Budget Status Financial Report for June 2017.

Judy Knudsen informed they were pretty much on course. They did lose some time because of the move.

**Motion made by Supervisor Dantine, seconded by Supervisor Landwehr to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

6. Director's Report.

Knudsen informed they had a good 'Breakfast on the Farm'; they had just a few under 5,000 people. They did not have great weather, it poured at 4:30am and again at 1:15pm. They bused everyone in but it worked. Dantine felt bussing worked better for serving food purposes; it was a constant flow and no lines.

A brochure regarding the Brown County Fair was provided.

Life at the Museum and UW-Green Bay was going well. Neville staff had been very kind. To show their thanks to them, they were working on landscaping projects. Next week they were going to plant shrubs behind the dinosaurs. They were able to get plants at a very low wholesale cost saving the Museum about \$400 with their contacts. The large bed of flowers will hopefully disappear next year, they want to do a native prairie planting and the Museum had an anchor and propeller from the Huron ship that sailed the Great Lakes that they'd like to get out of storage. They settled into the Museum, it took about a month before very many people came to visit them.

In regard to Horticulture, there were all indications that they will have late blight on tomatoes again this year which will pretty much destroy the tomato crop for a home gardener and Japanese beetles are a huge issue. Their Horticulture Education was at the county golf course last week and did a segment for one of the TV stations on that.

Knudsen provided a brochure re: Planting for a Purpose, which they were doing with the Green Bay Packer Give Back Program. The purpose was to increase donations to food pantries of fresh produce. They also did a new vet garden this year with the program at the Vet Center. It was doing very well and their produce looked great. She was there a couple weeks ago to a TV segment with Fox 11. Veterans were thrilled to have a quiet place to garden and they were gardening together rather than having separate plots and it seemed to be going very well. Veterans really benefit in a quiet place where they could garden and interact with each other.

They had 11 community gardens, in the past the City of Green Bay had funded part of the salary for the Community Garden Coordinator and the county funded the remaining portion. She didn't think the city was going to contribute in 2018 so she did a lot of adjusting of her budget to come up with the remaining portion of the salary and provided an information sheet in regard to the proposed change. They will look at doing more urban gardening and restructuring the position since they won't have as many community gardens next year. Really looking at suburban farming and lots of interest in bees and other things so they probably will be changing the position to some degree.

**Motion made by Supervisor Landwehr, seconded by Supervisor Dantine to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Public Works

7. CTH G and Spirit Way Traffic Study.

Public Works Director Paul Fontecchio spoke to the traffic study in the packet material; he informed the recommendation was to increase the radius to accommodate the semis. He informed that with the study they looked at the traffic signal warrants in which he highlighted in his report. In talking with Ashwaubenon, they'd like to do the

radius improvements next year and put in conduit and pole boxes for future signals. Ashwaubenon asked that they hold off a year or two to install signals for financial reasons. He stated it shouldn't be a problem.

Motion made by Supervisor Sieber, seconded by Supervisor Landwehr to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

8. **CTH PP Speed Study Report.**

Fontecchio informed they found a lot of speeding in this area; the recommendation was to have the Brown County Sheriff's Department monitor the area and to watch the development. Right now their recommendation would be to keep it at 55 mph.

Motion made by Supervisor Sieber, seconded by Supervisor Landwehr to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

A discussion ensued with regard to using OMNI rather than have the engineers do studies in-house, Fontecchio informed they bundled a bunch together with OMNI and one of his engineers that did traffic studies was out on maternity leave for a few months. Landwehr agreed that it would be nice to do in-house and if they had to wait a couple months, he didn't see a huge deal with that. It seemed like these always went to OMNI and questioned if they are ever put out for competitive bid? Fontecchio stated they did for the bigger projects. It had been awhile since they put one out for bid. Landwehr felt maybe it was something they needed to discuss these policies at a future meeting.

9. **Discussion Regarding Brown County Supervisor Coordination during Highway Projects – Design & Construction.**

Landwehr informed he was not sure if he was ever notified of the CTH D project, he would like to be informed of meetings that were going to happen for projects in his area so he could attend or at least know to expect phone calls. He questioned if there was a policy on notifying county supervisors. If a letter was sent out to residents as he would like to be copied. It was decided to put this on the agenda to see if they should turn this into a written policy. Erickson suggested having Fontecchio look into this and report back with something reasonable. Landwehr questioned if they should base it on a dollar amount. Erickson felt they should be notified if there were public hearings as he usually tried to attend. Fontecchio felt they should be copied on public informational meetings and letters to landowners. He will talk with his staff and bring something back next month. Sieber suggested updating his Director's Report to include public meetings, etc.

10. **Summary of Operations.**

Fontecchio spoke to the CTH D Project; he outlined why they were significantly over budget on this project, what they had done to address it and how they will handle it moving forward.

Motion made by Supervisor Sieber, seconded by Supervisor Kaster to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

11. **Director's Report.**

Fontecchio spoke to his Director's Report in the packet material. One update on CTH HS, Escanaba Lake Superior redid 3 of their rail crossings this year already, Lineville was closed today and they had plans to mill it out but the next couple of days they will be replacing it. On Friday Fontecchio received an email from CN stating they will come in while the closure was up and will redo the whole rail crossing, which was good news.

Fontecchio briefly highlighted 3 of his 2018 Budget Initiatives: County Roadway Safety Plan, Facility Reorganization and Highway Fleet/Route Improvement. He spoke to the County Roadway Safety Plan (CRSP) Process presentation within the packet material.

Sieber questioned the Highway Crew turnover; he would like reasons for resignations added to the August agenda.

Fontecchio stated that one commonality was these were all 1 to 5 year guys. In the spring they saw some movement, people had opportunity for other jobs. He added a couple were pay issues and some were hour issues. They had some disciplinary issues and they decided to leave and that was their choice.

**Motion made by Supervisor Kaster, seconded by Supervisor Sieber to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Airport

12. **An Ordinance to Amend Section 25.09 of Chapter 25 of the Brown County Code of Ordinances Entitled “Conveyors of Public Transportation” – Amended.**

Miller stated a couple months ago this committee had asked that several changes to the ordinance be made and he felt they did those. He briefly detailed the changes made to the ordinance, which was provided in the packet.

Motion made by Supervisor Landwehr, seconded by Supervisor Dantine to open the floor to allow interested parties to speak. Vote taken. MOTION CARRIED UNANIMOUSLY

Julie Arnoldi – 511 Clover Ln., Allouez

Arnoldi represented Yellow Cab and they were asking that the \$1,600 or \$2,000 cap get lifted, which the Uber and Lyft corporations were going to come in and pay. She felt if each driver had to pay their own separate \$200 they would be more inclined to follow the rules. Packer games were coming pretty soon and the Airport would have more of a handle on the people. Arnoldi felt that if they had to have a set price listed on their cabs, TNCs should too.

Kurt Wipperfurth – 2084 Spring Creek Cir., Bellevue

Wipperfurth represented Able Taxi and Tours, LLC. He went through the revised ordinance and noted that they did make the changes that were delineated but there was still nothing in there about enforcement and who was going to review the required background checks. Why can't they accept the same standards that Green Bay had been using for years, they already have a system through the GB police. He expressed opposition to displaying taxi prices on the outside of a vehicle. He questioned what circumstances would displaying a permit be waived by an Airport Director? With TNCs, that would be the only markings they were required. Taxis had to be seen up to 50'. They were supposed to be treated equally. They needed to define what easily identifiable signage was for the TNC vehicles. How were they going to monitor permit only holders when cab companies from outside the area did a pickup? He was glad they had conduct and appearance out there however it should also apply to TNC drivers. Geofence was required and should be in place and operational before they had official access to the airport, otherwise they will continue to cheat. Enforcement was key. He questioned where they were staging TNC vehicles? Who was going to do on schedule inspections for compliance and why aren't they on the TNCs as well? They had to get proof of insurance. Insurance lapsed, was the airport going to be notified by TNC insurance companies? If cabs changed their coverage, their insurance companies had to tell the airport that they changed. Equal treatment was equal treatment. Requirement to giving a pre-estimate of every fare before the ride was an exchange that would take a long time. How were they going to monitor and enforce it? If they were requiring everyone to comply by the state and federal laws, who was going to do that and what will they do if it's reported, what was the mechanism for that enforcement and monitoring. He supported lifting of the limit on top. He believed this still needed work.

Mike Hartman - 17023 Cty Rd F., Kiel

Hartmann represented the Wisconsin Limo Association and his company, Stardust Limousine. He questioned when this was going to start and suggested that it start next year sometime. He knew they could work with the airport as far as limos parked, they used to have a nice parking area for them. They had two entities with cabs and TNCs, they were basically on demand and limos were booked in advance. He informed limo companies were controlled by the DOT and they went through DOT inspections.

Howard Utter – 2126 Harold, Green Bay

Utter represented Yellow Cab. His concern was how they were going to monitor the cabs going into the airport, whether legal or not legal. All Green Bay cabs were required to have a sticker in back where they had been inspected by the police department and paid their fees to run in the City of Green Bay. There were cabs going in the airport now

that didn't have a sticker. They work the airport, downtown and all over Green Bay and no one seemed to care but yet their company had to pay all their fees, do background checks, etc.

Motion made by Supervisor Landwehr, seconded by Supervisor Sieber to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY

Miller informed the permit display was made optional for companies who were paying the maximum fee for the year. Any cab from that company could operate out at the airport; it was an administrative thing similar with Uber and Lyft who would have more than 10 vehicles. Some cab companies may choose not to register all of their vehicles at the airport so only those vehicles for which they registered would be issued a decal to operate at the airport, similar to limousines and shuttles. There was currently only one cab company that had over 10 cabs.

Airport Attorney Gary Wickert informed they had a separate agreement with Lamers for the Packer Sunday pick-up, it's been in place for 3-years. They pay the airport a percentage of a ticket for running their shuttlebuses on Packer Sunday. At that point in time they weren't looking at the Ground Transportation Ordinance; that came up as a result of the advent of the TNC. It was simply a matter of which one occurred first.

Miller informed their Public Safety Department was primarily for compliance with federal regulations responding to aircraft rescue and firefighting and respond to the security checkpoint in the event of an issue. Periodically they do have inspections throughout the airport at which time they had on occasion spot checked the taxicab operators in which they kept a log. They used them to the very best of their ability. They were also trying to improve up in front of the terminal building in the 2018 budget to get a better view of the taxicab lane as well as where the TNCs were parked. Landwehr felt all of this really didn't mean much if there wasn't enforcement behind it. If they got complaints it would be nice to go back and look at those logs.

Erickson felt if they had already been through the GB Police for background checks and were approved, they should be good. Wickert informed the driver qualification and disqualification criteria in the ordinance was the same as what was in the state statute for the TNCs. They don't do a check; it was up to the cab companies to verify unless they found out that they were not in compliance by running a spot check.

Erickson felt if they only had one company that had over 10 cabs, they should issue stickers to everyone. Wickert stated the major pushback they got at one of the stakeholder meetings was from the limo companies and TNC companies on the decal requirement, a lot of times they didn't know who they were sending and when. If that company knew that through the course of the year they were going to have more than 10 vehicles, they will pay the \$2,000 and didn't need a decal for the vehicle because the company was covered fleet wide, same with Uber and Lyft. If there was a company not on the list sitting without a sticker they would have to be removed or given a citation. Their Public Safety Officers can issue a citation against county ordinance. With regard to inspection and enforcement, Erickson felt if they were going to have this out there, they should have someone to monitor this.

Erickson stated he was skeptical of Uber and felt they had sneaky things with regard to their rates. He knew people who got caught in it. These rates don't apply to everyone. The people that this happened to weren't even told about upfront charges, he didn't feel that was fair. Uber was a company but anyone could be a driver, hundreds were coming in bringing the \$2,000 fee to nothing. He felt they should look at charging each Uber vehicle and make them have a sticker. Miller felt the provision to require every Uber operator to have a sticker, even after the company paid the \$2,000 max fee would make it unwieldy to manage. They were not full time operators, average 18-24 hours a week according to the TNCs, the average longevity of an Uber driver was less than a couple of years. As for the rate, unless this changed, it was his understanding that when you hail an Uber or Lyft with your smartphone, you tell them where you want to go and they tell you what it's going to cost. That's what the law required them to do. They had to treat the companies equally, everything they did had to be the same, and they could not have a different fee arrangement for TNCs than they had for cabs, shuttles and limos.

Erickson felt if a vehicle needed to be replaced, they should be able to transfer that sticker or be issued a new sticker and the old one scraped off and turned in at no additional charge. Landwehr felt it was commonsense, if one got destroyed for whatever reason, they should have some sort of quick and easy process to replace. Miller stated if they

were going to do this, they would have to return the original sticker. Landwehr felt the Director had the ability to set the rule on that. Wickert informed he would have to change the language for that section of the ordinance to reflect what was stated.

Landwehr understood where they were coming from with enforcement but he felt it was completely unenforceable when there are big events; companies tend to draw in a lot of extra drivers. Policing that would be impossible. Personally he felt they were doing okay here, he felt they were trying to overregulate and over micromanage it. The enforcement had to be a part of it and if they made it too tough to enforce, it will be meaningless. There was no way they would be able to get Uber drivers in to each pay the fee.

A discussion ensued with regard to self-policing with an enforcement mechanism that ATW used called cellphone with a camera. Sieber stated that enforcement at Outagamie Airport was self-regulated/policed and questioned if it was something that would work at the airport. Miller felt it sounded like a reasonable possibility as long as they got it in a timely manner.

With regard to the cap Sieber felt they needed a cap and supported raising the cap.

Motion made by Supervisor Sieber, seconded by Supervisor Landwehr to strike the second and third sentence of 5(d) stating, "The fares charged by the Taxicab Company, which shall include the base fare and any and all surcharges or other amount that the passenger will be required to pay, shall be clearly displayed on both sides of the vehicle. The means or method of display shall be subject to approval by the Airport Director or his/her designee." No vote taken.

Motion made by Supervisor Landwehr, seconded by Supervisor Erickson that with the changes spoken of, that they move this on to full County Board. Vote taken. MOTION CARRIED UNANIMOUSLY

The committee moved back to Item 1 at this time.

13. Airport Budget Status Financial Report for June 2017.

Airport Director Tom Miller informed they were trending similar to 2016. Expenses through the end of June were below budget. Despite the harsh winter, savings had been realized in building repairs, fuel and supplies. Revenue side, Congress delayed full FAA Airport Improvement Program funding. A taxiway rehabilitation project won't be bud until next month. Most work will take place in 2018.

Motion made by Supervisor Dantine, seconded by Supervisor Kaster to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

14. Airport Departmental Opening Summary.

Motion made by Supervisor Dantine, seconded by Supervisor Sieber to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

15. Employee working more than 12 hours Report.

Motion made by Supervisor Dantine, seconded by Supervisor Sieber to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

16. Director's Report.

Miller informed the precipitation and timing of it had been awful this year when it came to road or aircraft ramp, parking projects, etc. at the Airport. The road project which was barely half finished should have been finished last week.

Miller spoke to bid work on the Taxiway D project. The state and FAA was finally going to let it be bid on August 10th and will hopefully have a grant agreement in place before the end of the federal fiscal year. A majority of the project was paid for with FAA Airport Improvement Program dollars, 90% paid by feds, 5% by state, 5% county which was included in their budget.

TSA pre-check and mass enrollment started this morning and went the rest of the week. They had over 250 people sign up on the last enrollment done by the TSA and was offered by carrier. No cost to the county but they provided a place for them to do it. It's good for 5-years and cost \$85.

They had a VIP visit scheduled this Wednesday, the daughter-in-law of the President, Laura Trump. She was going to Metal Craft Mint on W. Mason for an appearance. Very low key, secret service presence and was flying commercial.

With regard to the announcement of additional flights out of Outagamie County, Landwehr questioned what the comparison was on the average number of flights coming into Austin Straubel. Miller stated it was pretty close, he believed they still had a couple of additional flights by Delta as far as frequency. American was only into Appleton with 2 trips a day, 4 at Austin Straubel. The number of United was the same. Appleton had Allegiant, which had seasonal flights. Landwehr stated they saw some growth in the industry in the area and questioned how they could capitalize and grab that business. Miller stated they had to understand the reasoning that American went into Appleton, there was a war going on philosophically between American and United. United went to a bunch of cities that American was the only provider of service to Chicago. The announcement that American was going into Appleton and a dozen other cities was their response for what United did, American went into cities where only United served the Chicago market. It was a strategic move to tell United they couldn't do that without repercussions. The airport made an effort to talk with American about the possibilities to attract folks from the Valley back to Green Bay and they said no, they wanted to go head to head with United at the same airport. The fares at Green Bay and Appleton are virtually identical for business travel and for leisure. However because of the timing of Appleton reservations, they tend to pay a slightly higher fare. They were paying about 27.4 cents per available seat mile to fly on Delta out of Appleton but the fares out of Green Bay, people tend to plan ahead a little more so they end up getting a bit of a cheaper fare. They were only paying 23.5 cents per available seat mile out of Green Bay. When you have 23 million seat miles a quarter and that added up. That's why they saw their capacity being increased, the airline could make more money and that's what they were attempting to do. It had nothing to do with the cost of operating at Green Bay verses Appleton or the cost of parking, etc. It just had to do with the way the fares were structured and the willingness on the part of the folks in the Valley to pay a little more.

**Motion made by Supervisor Sieber, seconded by Supervisor Dantine to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

17. **Register of Deeds - Budget Status Financial Report for June 2017.**

**Motion made by Supervisor Kaster, seconded by Supervisor Landwehr to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Other

18. **Acknowledging the bills.**

Motion made by Supervisor Sieber, seconded by Supervisor Erickson to acknowledge the receipt of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

19. **Such other matters as authorized by law.**

20. **Adjourn.**

**Motion made by Supervisor Kaster, seconded by Supervisor Dantine to adjourn at 10:11 pm. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Alicia A. Loehlein,
Recording Secretary