



Board of Public Works

335 South Broadway

Regular Meeting

De Pere, WI 54115
<http://www.de-pere.org>

Agenda

Monday, September 8, 2014	7:30 PM	De Pere City Hall Council Chambers
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Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a Regular Meeting of the **Board of Public Works** of the City of De Pere will be held on **September 8, 2014** at **7:30 PM** in the **De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI 54115.**

This meeting can be viewed LIVE at www.depere.tv. This meeting is also rebroadcast on TW Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at www.depere.tv.

- I. Call to Order
 - 1. Roll Call
- II. Public Comment
- III. Items
 - 1. Approval of the Minutes of the August 11, 2014 Board of Public Works Meeting.
 - 2. Consider Rejection of Bids for Project 14-06 De Pere Dam Liner Repair*
 - 3. Consider Quote for Lawrence Drive Acquisition Appraisal Services*
 - 4. Consider Quote for Lawrence Drive Right of Way Acquisition Legal Descriptions*
 - 5. Consider Eliminating Commercial Use of City's Compost Facility*
 - 6. Consider Recommendations from City Engineer for Parking and Traffic Action Items*
- IV. Future Agenda Items
- V. Adjournment

***Items with an asterisk require City Council approval.**

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk-Treasurer's office at 339-4050 by Noon, Monday September 8, 2014 so that arrangements can be made.

Agenda Sent To:

Mayor
Alderpersons
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce

Joel Ehrfurth, Mach IV Engineering & Surveying
Eric Pitz, McMullen & Pitz
David J. Swette, Appraisers, Inc. of Green Bay

Notice is hereby given that a majority of the members of the Common Council of the City of De Pere may attend this meeting to gather information about a subject (s) over which they have decision-making responsibility.

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: September 8, 2014

DEPARTMENT: Public Works

FROM: Pam Denis

SUBJECT: Approval of the Minutes of the August 11, 2014 Board of Public Works Meeting.

ATTACHMENTS:

- CE_Board of Public Works August 11, 2014 DRAFT Meeting Minutes (PDF)



Board of Public Works

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

Regular Meeting

Draft Minutes

Monday, August 11, 2014
7:30 PM
De Pere City Hall Council Chambers

I. Call to Order

The meeting was called to order at 7:30 PM by Mayor Michael J. Walsh

Attendee Name	Title	Status	Arrived
Dean Raasch	Aldersperson	Present	
Kevin Bauer	Aldersperson	Present	
James Boyd	Aldersperson	Excused	
Jim Kneiszel	Aldersperson	Present	
Michael J. Walsh	Mayor	Present	

Others present were Scott Thoresen, Director of Public Works, Al Luberd, Street Superintendent, and Pam Denis, Recording Secretary.

II. Public Comment

None.

III. Items

- Approval of the Minutes of the July 14, 2014 Board of Public Works Meeting
Aldersperson Kneiszel moved to approve the Board of Public Works July 7, 2014 meeting minutes, Aldersperson Bauer seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Kneiszel, Aldersperson
SECONDER:	Kevin Bauer, Aldersperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

- Consider Quote for Pedestrian Crossing Signal*
Scott Thoresen, Public Works Director, stated that this work includes installing a flashing beacon pedestrian signal on Third Street at the intersection of Marsh Street for St. Norbert College. Mayor Walsh moved to accept the quote from Bodart Electric for \$500, to be reimbursed by St. Norbert College, Aldersperson Raasch seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Dean Raasch, Aldersperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

- Consider Award of Project 14-16 Clearing, Grubbing, and Ditching*
Public Works Director Thoresen stated that bids were received to clear, grub, and ditch City-owned property on the southeast corner of American Boulevard and Red Maple. He explained that the goal was to clean up the site in order to maintain drainage and ensure that illegal dumping doesn't occur, as well as making the site marketable for the City to sell for development. The project also includes ditching of a City swale off of Richco

Road where debris buildup has occurred. Mayor Walsh moved to approve the staff recommendation to award the bid to Relyco, Inc. in the amount of \$37,325.00, Alderperson Kneiszel seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Jim Kneiszel, Alderperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

4. Consider WPS Street Lighting Contract for CTH PP*
 Scott Thoresen, Public Works Director, presented the staff recommendation to approve the contract with WPS for installation of street lighting on CTH PP. He stated that the cost of \$84,829.00 will be budgeted in the City's 2015 budget. Mayor Walsh moved to approve the contract with WPS for \$84,829.00 for street lighting on CTH PP, Alderperson Raasch seconded the motion. Upon vote the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Dean Raasch, Alderperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

5. Consider Driveway to 1300 Lost Dauphin Road
 Scott Thoresen, Public Works Director, stated that staff had reviewed the proposed plan for the Mel Nicks Field Improvements at 1300 Lost Dauphin Road. He stated that because the plans include relocating the existing driveway and the average daily traffic on Lost Dauphin Road exceeds 3500 vehicles per day a curb cut permit and approval is required from the Board of Public Works. Alderperson Bauer moved to approve the driveway curb cut as shown on the plan, Alderperson Kneiszel seconded the motion. Upon vote the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Bauer, Alderperson
SECONDER:	Jim Kneiszel, Alderperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

6. Consider Modifications to Storm Sewer Connection Fee*
 Director of Public Works, Scott Thoresen, presented ordinance modifications to the storm water connection fee approved at the June Board of Public Works. Director Thoresen explained that the first modification pertains to a property owner who connects after the year in which the lateral was installed. Discussion followed. Alderperson Bauer moved to approve the staff recommendations which were:
1. The connection fee would be based on the fee established when installed plus an interest charge. The interest would be based on the rate the City pays to borrow funds plus 1%. The interest rate would be charged yearly up to 10 years. After 10 years, the connection fee would be capped.
 2. The Board will follow state special assessment procedures and act on a resolution for special assessment and have a public hearing for the proposed storm connection fees

inviting property owners to the meeting.

Aldersperson Raasch seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Bauer, Aldersperson
SECONDER:	Dean Raasch, Aldersperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

7. Consider State Municipal Agreement - STP-U Grant Fund*
 Director of Public Works, Scott Thoresen, stated that the City has obtained grants for five streets under the STP-U grant program. He explained that these grants provide funding for up to 80% of the eligible project costs. Because the projects bid through the Wisconsin Department of Transportation (WisDOT), a State Municipal Agreement (SMA) is required between the City and WisDOT. Director Thoresen presented a summary of the street projects and costs scheduled to occur in 2018 and 2019. Aldersperson Kneiszel moved to approve this SMA agreement, Aldersperson Bauer seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Kneiszel, Aldersperson
SECONDER:	Kevin Bauer, Aldersperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

8. Consider Revocable Occupancy Permit for Front Street Behind 301 N. Broadway*
 Scott Thoresen, Public Works Director, presented the request for a revocable occupancy permit for Front Street behind 301 N. Broadway for parking lot and refuse container storage. Mayor Walsh moved to open the meeting at 7:50pm to allow Adam Kersten to address the request. Aldersperson Raasch seconded the motion. Upon vote the motion passed. Discussion followed. Mayor Walsh moved to return to regular session at 7:53pm, Aldersperson Raasch seconded the motion. Upon vote, the motion passed. Aldersperson Raasch moved to approve the revocable occupancy permit for Front Street behind 301 N. Broadway, Aldersperson Bauer seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Aldersperson
SECONDER:	Kevin Bauer, Aldersperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

9. Approval of Board of Public Works Meeting Date for September 2015
 Director of Public Works Scott Thoresen explained that the regularly scheduled Board of Public Works meeting in September falls on Labor Day September 7, 2015. He stated that the staff recommendation was to reschedule the Board of Public Works meeting to Tuesday, September 8, 2015 at 5:30pm to meet prior to the Finance/Personnel committee meeting. This would assure that action items from the Board of Public Works meeting could be added to the council meeting agenda for the following week. Aldersperson Bauer moved to reschedule the Board of Public Works in September meeting to Tuesday, September 8, 2015 at 5:30pm, Aldersperson Kneiszel seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin Bauer, Alderperson
SECONDER:	Jim Kneiszel, Alderperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

10. Discussion of Compost Facility
- Scott Thoresen, Director of Public Works presented statistics showing the increase in commercial usage of the City of De Pere Compost Facility. He explained that communities in the surrounding areas have banned contractors from using their compost facilities and the result has been a record number of contractors using the De Pere's facility, thus increasing the City's operating expenses. Director Thoresen introduced two options to consider for the 2015 Budget. Option #1 was to increase annual permit fees for all contractors to \$1,000 in an effort to offset the \$30,000 projected increase in operating costs. Option # 2 was to eliminate contractors' usage of the City's compost facility, reserving it for residents' usage only. Discussion followed. Al Luberd, Street Superintendent, explained that changes in the Department of Natural Resources (DNR) regulations for composting made it cost prohibitive for the City to continue composting. He stated that the current cost to haul brush has been \$20,000 and grass clippings cost \$50/ton. Discussion followed, including whether the increase in fees for permits could be applied to the outside contractors only, the means of monitoring, the available dump sites for contractors, cost of staffing the site full time and what other communities do with green grass collection. Director Thoresen also stated that video cameras would be needed for either option. Mayor Walsh moved to approve Option 2, to eliminate contractors' usage of the City's compost facility, Alderperson Bauer seconded the motion. Upon vote, the motion passed. Director of Public Works, Scott Thoresen, stated that this would move on to the Common Council for approval, which would also require an ordinance change.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael J. Walsh, Mayor
SECONDER:	Kevin Bauer, Alderperson
AYES:	Dean Raasch, Kevin Bauer, Jim Kneiszel, Michael J. Walsh
EXCUSED:	James Boyd

11. Update on Commercial Garbage & Recycling Collection
- Scott Thoresen, Director of Public Works, gave a recap of the Board discussion in November which looked at eliminating garbage and recycle commercial collections. At that time he had presented a survey done of adjacent communities which showed that the majority of municipalities had phased out commercial collection. Director Thoresen reviewed the issues of unsightliness of numerous carts in business areas and the fact that businesses could contract for more timely collections than what the City could provide. Discussion at that time included the cost being prohibitive for the City to pick dumpsters and discussion of building enclosures for dumpsters. Since November, Director Thoresen stated that the Common Council hired a firm to improve the parking lot at Nicolet Mall; the master plan includes two centralized dumpsters. The Director of Public Works stated that the implementation that was originally thought to be a 12-15 month undertaking will probably take longer. Staff is suggesting Phase I for January 1, 2016 would be for the outlying commercial/manufacturing/industrial sites and Phase II for January 1, 2017 for businesses in the downtown areas. Garbage and Recycle collection

would also be eliminated for institutions such as churches and schools. The next steps in the process would be to work with the City Attorney for ordinance changes and to host Public Information Meetings for all the commercial entities that we now provide collection service.

IV. Future Agenda Items

None

V. Adjournment

Mayor Walsh moved to adjourn the Board of Public Works meeting at 8:36 pm and Alderperson Raasch seconded the motion. Upon vote the motion passed and the meeting was adjourned.

Respectfully submitted,
Pam Denis

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: September 8, 2014

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Consider Rejection of Bids for Project 14-06 De Pere Dam Liner Repair*

The Engineering Department received bids on Project 14-06 De Pere Dam Liner Repair on August 28, 2014. This project involves repairing the liner on the upstream side of the dam. This was taken to the Board in June for funding.

Background

The City owns a small portion of the dam on the Fox River. The section is located off the end of James Street and extends to the Fox River Navigational Authority property at the locks. In 2010, the City and Wisconsin Department of Natural Resources (WDNR) completed a field review. Seepage was identified at several points through the dam. City staff began monitoring the seepage depth and upstream elevations of the reservoir. Based on these observations, it was determined that the seepage through the dam decreases as the reservoir depth decreases and actually reaches a point where the main seepage points completely stop.

The City contracted with the Army Corps of Engineers (ACOE) to complete an analysis of the dam to determine the source/location of the leak. The report was completed in July of 2013. ACOE completed a survey and ran several tests to determine the point of the leak. Through the use of a dye test, ACOE identified the location of the leak near the west end of the dam. ACOE is recommending a repair be made to the liner on the upstream side and a seepage filter be constructed on the downstream side.

Last October the City attempted to have the dam liner repaired when the reservoir was lowered by ACOE for the repairs being completed by Expera (formerly Thilmany) on the west side of the river. Unfortunately, the water elevation was not low enough to complete the repair.

City staff removed the riprap over the top of the liner to expose the area in question and placed a blue tarp at the area. This tarp is visible.

The Wisconsin Department of Natural Resources requested that the City repair the upstream liner in 2014.

Summary

The City received two bids on the project. Staff sent out two separate e-mails to potential contractors in the area that may have interest in the project. The bids received were as follows:

Bidder	Amount
McMullen & Pitz	\$48,550.00
Advance Construction, Inc.	\$77,000.00

Staff is recommending rejection of the bids and carrying the funds over until 2015. The budgeted amount for the project from TID #7 was \$30,000. The Army Corps estimate for this work was \$7,400. Staff has discussed the project with the WDNR. The City will be completing a larger repair on the downstream side of the dam in 2015. Combining the two projects should improve the price for the liner repair. The WDNR will allow the City to delay the repair until 2015 with the downstream project.

ATTACHMENTS:

- 14-06 Bid Tab(PDF)

PROJECT 14-06 DEPERE DAM LINER REPAIR

3.2.a

BID TAB



				BIDDER NO. 1		BIDDER NO. 2	
				MCMULLEN & PITZ CONSTRUCTION CO.		ADVANCE CONSTRUCTION, INC.	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT BID	UNIT PRICE	AMOUNT BID
STREET AND DRAINAGE							
SD-1	Provide Crushed Aggregate Base Course Class A-8 or Approved Equal Bedding Material	LS	1	\$ 6,650.00	\$ 6,650.00	\$ 8,000.00	\$ 8,000.00
SPECIAL CONSTRUCTION							
SP-01	Provide Sediment Box/Basket	LS	1	\$ 2,600.00	\$ 2,600.00	\$ 4,500.00	\$ 4,500.00
SP-02	Provide Turbidity Barrier	LS	1	\$ 12,000.00	\$ 12,000.00	\$ 4,500.00	\$ 4,500.00
SP-03	Remove and Re-install Rip Rap	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 15,000.00	\$ 15,000.00
SP-04	Provide Fabric/Membrane Liner Repair	LS	1	\$ 15,800.00	\$ 15,800.00	\$ 30,000.00	\$ 30,000.00
SP-05	Provide Cofferdam	LS	1	\$ 6,500.00	\$ 6,500.00	\$ 15,000.00	\$ 15,000.00
TOTAL AMOUNT BID					\$48,550.00		\$77,000.00

Attachment: 14-06 Bid Tab (2549 : Consider Rejection of Bids for Project 14-06 De Pere Dam Liner

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: September 8, 2014

DEPARTMENT: Engineering

FROM: Eric Rakers

SUBJECT: Consider Quote for Lawrence Drive Acquisition Appraisal Services*

In July of this year, the Board of Public Works and Council approved the project approach for installing sidewalk on Lawrence Drive. The proposed timeline for this project is as follows:

- (1) The City negotiates acquisition of required right-of-way in 2014.
- (2) Property owners are given the opportunity to construct sidewalk with a licensed contractor through May 31, 2015.
- (3) Sidewalks not installed by property owners by May 31, 2015 will be included in a City bid project in 2015. The cost for sidewalk will be assessed against benefitting properties.

Staff has received quotes for the following professional services:

- (1) Providing full narrative appraisals for acquisition of right of way from thirteen parcels along Lawrence Drive.
- (2) Meet with the City to review the appraisals.

The total cost for this work is as follows:

Sanitary Sewer Easement Descriptions	Estimate
Appraiser's Inc of Green Bay	\$7,150.00
Vogels Buckman Appraisal Group	\$9,750.00
Steiro Appraisal Services	\$14,950.00

Funds for this work and the associated right of way acquisition have been budgeted in TID #6 and #8. The staff recommendation is to accept the quote from Appraiser's Inc of Green Bay for Lawrence Drive Right of Way Acquisition Appraisal Services estimated at \$7,150.00.

ATTACHMENTS:

- CI-Attachment-Acquisition (PDF)

**Request for Proposals
For
Lawrence Drive Right of Way Acquisition Appraisal Services**

The City of De Pere would like to invite your firm to submit a proposal for appraisal services for right of way acquisition along Lawrence Drive.

GENERAL INFORMATION:

The City of De Pere is proposing to construct sidewalk along Lawrence Drive from the Southwest Park to Scheuring Road. In order to construct the sidewalk, the right of way acquisition is required from thirteen different parcels.

Your proposal must be submitted to our office by August 28, 2014 at 1pm. Electronic submittals are acceptable.

SCOPE OF WORK TO BE PERFORMED:

The scope of work includes:

1. Providing full narrative appraisals for acquisition of right of way from thirteen parcels along Lawrence Drive (see attached information).
2. Meet with the City to review the appraisals.

The scope of work shall be completed to conform to the requirements of Wisconsin Statute §32.05(a) and (b).

SCHEDULING:

The proposals are to be reviewed at 1 pm on August 28, 2014.

The City will approve services for the work at the Board of Public Works on September 9, 2014 and the Common Council on September 16, 2014.

The City will be working on the right of way descriptions and area to be acquired in late September and early October. The area of acquisition by parcel is anticipated to be ready by mid-October.

The City will provide a map with the right of way acquisition in October.

Appraisals for the property are to be completed by November 15, 2014.

INSURANCE:

Your company shall keep and maintain general liability insurance covering claims for damages arising because of injury to or destruction of tangible property including loss of use resulting there from; and from claims arising out of the performance of professional services caused by any errors, omissions or negligent acts for which the company is legally liable.

FEE:

The proposed fee schedule shall be submitted.

DELIVERY:

The selected firm will:

- 1). Contact the property owner to schedule a time for the site visit;
- 2) Confer with the property owner if reasonably possible;
- 3). Present the City appraisals for the properties.

ADDITIONAL INFORMATION:

A sample consultant agreement is attached.

INVOICING:

Invoices will be accepted monthly and should include a breakdown of charges.

ITEMS TO BE PROVIDED BY THE CITY:

The following items will be provided by the City:

- 1) Legal descriptions and the amount of area to be acquired.
- 2) Advance notifications of Appraiser contact to the property owners.
- 3) Negotiations with the property owners.

Proposed Fee Schedule

Company Name: _____

Company Address: _____

Company Address: _____

Company Representative: _____

Signature: _____

Item	Unit	Quantity	Unit Price	Total
Appraisal for Partial Parcel Acquisition	EACH	13	\$ _____	\$ _____

Lawrence Drive Right of Way
Acquisition Appraisal Services

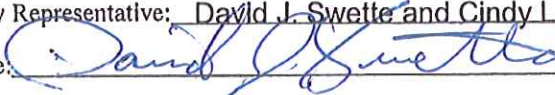
Proposed Fee Schedule

Company Name: Appraisers Inc. of Green Bay

Company Address: 801 E. Walnut Street, Suite 1

Company Address: Green Bay, WI 54301

Company Representative: David J. Swette and Cindy L. Heise-Eye

Signature: 

Item	Unit	Quantity	Unit Price	Total
Appraisal for Partial Parcel Acquisition	EACH	13	\$ <u>550.00</u>	\$ <u>7,150.00</u>

**Vogels
Buckman**

APPRAISAL GROUP, INC.

August 26, 2014

Mr. Eric P. Rakers, P.E.
City Engineer
City of De Pere
925 S. Sixth Street
De Pere, WI 54115-1199

RE: Fee quote for 13 appraisals along Lawrence Drive for the City of De Pere

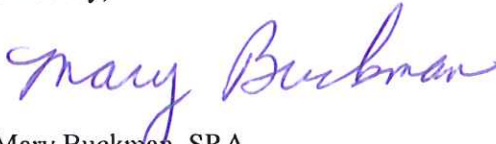
Dear Mr. Rakers:

It is my understanding that the City will be acquiring right of way for sidewalk construction from 13 properties fronting Lawrence Drive. The appraisals will be for the purpose of forming a market value opinion of the fee simple interest in the land to be acquired from each property owner.

The reports will meet the requirements of the Uniform Standards of Professional Appraisal Practice and the appropriate requirements under Eminent Domain. My fee to complete the appraisals will be \$750.00 each or \$9,750 total with an anticipated completion date by November 15, 2014 or before.

Thank you for the opportunity to bid on this project. I look forward to hearing from you.

Sincerely,



Mary Buckman, SRA
Wisconsin Certified
General Appraiser # 46

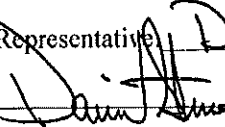
Attachment: Proposed Fee Schedule

Proposed Fee Schedule

Company Name: Vogels Buckman Appraisal Group, Inc.
 Company Address: 2005 S. Webster Ave
 Company Address: Green Bay, WI 54301
 Company Representative: Mary Buckman, SRA
 Signature: Mary Buckman

Item	Unit	Quantity	Unit Price	Total
Appraisal for Partial Parcel Acquisition	EACH	13	\$ <u>750⁰⁰</u>	\$ <u>9750⁰⁰</u>

Proposed Fee Schedule

Company Name: Steiro Appraisal Service Inc
 Company Address: 2244 Fox Heights Lane, Suite 101
 Company Address: Green Bay, WI 54304
 Company Representative: David Steiro
 Signature: 

Item	Unit	Quantity	Unit Price	Total
Appraisal for Partial Parcel Acquisition	EACH	13	\$ <u>1,150.00</u>	\$ <u>14,950.00</u>

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: September 8, 2014

DEPARTMENT: Engineering

FROM: Eric Rakers

SUBJECT: Consider Quote for Lawrence Drive Right of Way Acquisition Legal Descriptions*

In July of this year, the Board of Public Works and Council approved the project approach for installing sidewalk on Lawrence Drive. The proposed timeline for this project is as follows:

- (1) The City negotiates acquisition of required right-of-way in 2014.
- (2) Property owners are given the opportunity to construct sidewalk with a licensed contractor through May 31, 2015.
- (3) Sidewalks not installed by property owners by May 31, 2015 will be included in a City bid project in 2015. The cost for sidewalk will be assessed against benefitting properties.

Staff has received quotes for the following professional services:

- (1) Complete research and any required field work to verify the location of the existing right of way and property lines.
- (2) Create legal descriptions, area calculations, and exhibits for the right of way acquisition.
- (3) Meet with the City to review the descriptions, calculations, and exhibits.
- (4) Provide monumentation for the new right of way after the area has been acquired.

The total cost for this work is as follows:

Sanitary Sewer Easement Descriptions	Estimate
Mach IV Engineering & Surveying	\$3,329.95
Mau & Associates	\$5,950.00
Robert E. Lee & Associates	\$9,100.00

Funds for this work and the associated right of way acquisition have been budgeted in TID #6 and #8. The staff recommendation is to accept the quote from Mach IV for Lawrence Drive Right of Way Acquisition for Legal Descriptions estimated at \$3,329.95.

ATTACHMENTS:

- CI-Attachment-LegalDescription (PDF)

Request for Proposals For Lawrence Drive Right of Way Acquisition Legal Descriptions

The City of De Pere would like to invite your firm to submit a proposal for the creation of legal descriptions associated with the City's right of way acquisition along Lawrence Drive. This work will include field monumentation after the right of way is acquired.

GENERAL INFORMATION:

The City of De Pere is proposing to construct sidewalk along Lawrence Drive from the Southwest Park to Scheuring Road. In order to construct the sidewalk, the right of way acquisition is required from thirteen different parcels.

Your proposal must be submitted to our office by August 28, 2014 at 1pm. Electronic submittals are acceptable.

SCOPE OF WORK TO BE PERFORMED:

The scope of work includes:

1. Complete research and any required field work to verify the location of the existing right of way and property lines.
2. Create legal descriptions, area calculations, and exhibits for the right of way acquisition.
3. Meet with the City to review the descriptions, calculations, and exhibits.
4. Provide monumentation for the new right of way after the area has been acquired.

SCHEDULING:

The proposals are to be reviewed at 1 pm on August 28, 2014.

The City will approve services for the work at the Board of Public Works on September 9, 2014 and the Common Council on September 16, 2014.

Complete the research and office work after the agreements have been signed. Descriptions, exhibits and area calculations are to be completed by mid-October for use in appraising the value of the property.

Complete field monumentation prior to May 31st, 2015. This work cannot progress until after the right of way is acquired.

INSURANCE:

Your company shall keep and maintain general liability insurance covering claims for damages arising because of injury to or destruction of tangible property including loss of use resulting there from; and from claims arising out of the performance of professional services caused by any errors, omissions or negligent acts for which the company is legally liable.

The company shall indemnify and save harmless the City of De Pere and their representatives from all suits, actions, or claims of any character brought for or on account of any injuries or damages received by any person, persons or property resulting from the negligent acts of the company or of any of their subconsultants in prosecuting the work.

FEE:

The proposed fee schedule shall be submitted.

A company fee schedule shall be attached for additional services offered.

DELIVERY:

The selected firm will provide the following to the City:

- 1) Descriptions for property to be acquired in MS Word.
- 2) Area to be acquired in MS Word
- 3) Exhibits in Adobe and AutoCAD Civil 3D format.
- 4) Overall drawing showing the new right of way for inclusion in City CAD drawings.

ADDITIONAL INFORMATION:

A sample consultant agreement is attached.

INVOICING:

Invoices will be accepted monthly and should include a breakdown of charges for each project.

ITEMS TO BE PROVIDED BY THE CITY:

The following items will be provided by the City:

- 1) Notification letter to Residents.
- 2) Existing right of way and parcel lines based on Brown County data in AutoCAD Civil 3D.
- 3) Meetings with residents. The consultant is not required to attend.

Proposed Fee Schedule

Company Name: _____

Company Address: _____

Company Address: _____

Company Representative: _____

Signature: _____

Item	Unit	Quantity	Unit Price	Total
Research, Field Work, Descriptions, Monumentation for Right of Way Acquisition	EACH	13	\$ _____	\$ _____

Mach IV

Engineering & Surveying LLC

August 28, 2014

Mr. Eric Rakers, PE
City of DePere
925 South Sixth Street
DePere, WI 54115-1199

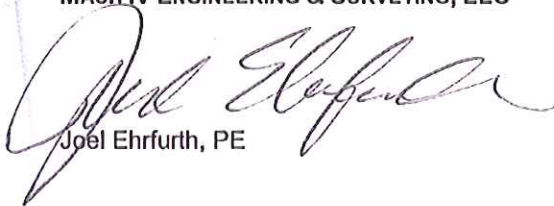
Re: Proposal for Lawrence Drive Right of Way Acquisition Legal Descriptions
City of DePere

Dear Mr. Rakers,

In response to your invitation to bid, attached is our proposal for Lawrence Drive Right of Way Acquisition Legal Descriptions. In addition to the Proposed Fee Schedule, we have enclosed our Rates for Professional Services as well as a summary of services offered by Mach IV Engineering & Surveying. The summary of services include Civil Engineering, Land Surveying, and Environmental Services.

Thank you for the opportunity to provide this proposal. Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,
MACH IV ENGINEERING & SURVEYING, LLC



Joel Ehrfurth, PE

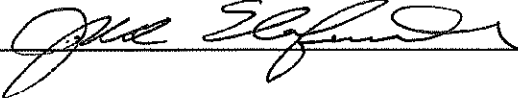
Proposed Fee Schedule

Company Name: MACH IV ENGINEERING & SURVEYING LLC

Company Address: 211 N. BROADWAY SUITE 114

Company Address: GREEN BAY, WI 54303

Company Representative: JOEL EHRFURTH, PE

Signature: 

Item	Unit	Quantity	Unit Price	Total
Research, Field Work, Descriptions, Monumentation for Right of Way Acquisition	EACH	13	\$ <u>256.15</u>	\$ <u>3,329.95</u> ¹

(1) TOTAL AND UNIT PRICES ARE BASED ON AND CONTINGENT ON MACH IV PROVIDING LEGAL DESCRIPTIONS OF ALL 13 PROPERTIES. PER 08.26.2014 EMAIL, SCOPE OF SERVICES INCLUDES A RIGHT-OF-WAY PLAT. R-O-W PLAT WILL BE PER CHAPTER 84.095 OF WISCONSIN STATUTES.

Mach IV

Engineering & Surveying LLC

CIVIL ENGINEERING SERVICES

- Construction Inspection Services
- Erosion Control Plans
- Feasibility Studies
- Flood Plain Analysis
- Residential Subdivision Engineering
- Commercial Site Engineering
- Land Use Planning
- Earthwork Operation Analysis
- Natural Resource Management
- Environmental Permitting
- Stormwater Management Plans
- Utility Design
- Retention Pond Design

LAND SURVEYING SERVICES

- Boundary Surveys
- ALTA Surveys
- Subdivision Plat
- Certified Survey Maps
- Condominium Plats
- Construction Surveying and Staking
- Legal Descriptions
- Topographic Surveys
- Site Surveys
- As-built Surveys
- Wetland Delineation Mapping
- Land Use Planning
- Area Development Plans
- Elevation Certificates
- Easement Surveys

ENVIRONMENTAL SERVICES

- Environmental Site Assessment Transaction Screen
- Phase I/Phase II Environmental Site Assessment
- Site Investigation/Remediation
- Remedial Action Plan Development
- Remedial Project Management
- Asbestos Inspection
- Wetlands
 - Wetland Delineation
 - Alternatives Analysis and Mitigation/Restoration Planning
 - Artificial Wetlands

- Regulatory Permitting
 - NPDES/WPDES
 - Storm Water
 - Industrial Facilities
 - Construction Sites
 - Municipalities
 - Animal Waste Permits
 - General Discharge Permits
 - Pretreatment Permits
 - Facilities Planning
 - Toxic Pollutant Protection
 - Wastewater Volume/Stream Flow
 - Public Health Impacts
- Water Quality Factor
- Storm Water Pollution Prevention Plan (SWPPP)
- Laboratory Support Services
- Industrial Monitoring
- Toxic Substances Monitoring
 - Bio-monitoring
 - Compliance Monitoring
 - Storm Water Discharge Monitoring
 - Emergency Release Notification
 - Hazardous Chemical Reporting
- Nonmetallic Mining Services
 - Conditional/Special Use Permitting
 - Reclamation Planning
 - Air Permits/Reporting
 - Storm/Waste Water Planning & Permitting
 - Wetland Delineation & Restoration
 - Chapter 30 Permitting
- Air Management Services
 - New source and construction permits
 - Air emission inventories and annual reports
 - Ambient air quality monitoring

Mach IV

Engineering & Surveying LLC

Mach IV Engineering & Surveying LLC 2014 Hourly Rates for Professional Services

Office Services

Professional Engineer, Principal.....	\$150/hour
Professional Engineer.....	\$115/hour
Staff Engineer.....	\$95/hour
Environmental Scientist.....	\$100/hour
Registered Land Surveyor.....	\$95/hour
Staff Land Surveyor.....	\$80/hour
Engineering/Environmental Technician I.....	\$60/hour
Engineering/Environmental Technician II.....	\$70/hour
Engineering/Environmental Technician III.....	\$80/hour
Senior G.I.S. Specialist.....	\$115/hour
G.I.S. Technician.....	\$90/hour

Field Services

1-Man Survey Crew.....	\$110/hour
2-Man Survey Crew.....	\$150/hour

Mileage..... \$0.65/mile

Subcontracted Services, Fees and Expenses..... Actual Cost

MAU & ASSOCIATES-LLP**LAND SURVEYING & PLANNING****CIVIL & WATER RESOURCE ENGINEERING****400 SECURITY BOULEVARD ♦ GREEN BAY, WI 54313 ♦ PHONE (920) 434-9670 ♦ FAX (920) 434-9672**

August 27, 2014

Mr. Eric P. Rakers, P.E.
City Engineer
City of De Pere
925 S. Sixth Street
De Pere, WI 54115
P: 920-339-4072 ext. 2239

Re: RFP for Lawrence Drive Right-of Way Acquisitions and Legal descriptions
Location: City of DePere.

Dear Mr. Rakers,

Thank you for the opportunity to provide this estimate for the Lawrence Drive Right-of Way Acquisitions and Legal descriptions. Mau & Associates has a lot of experience preparing mapping and associated documents for this exact type of project.

This project will be prepared as a Transportation Project Plat and follow the Wisconsin Department of Transportation Guidelines for preparation, submittal and approval.

Our plan for the project will be to survey the entire length of the corridor and determine the right-of-ways that will need additional takings. A Transportation Project Plat will be prepared depicting each of the 13 areas that need additional right of way. The Plat will define the size and ownership of the taking. A description will be prepared for each of the takings and provided to the City in the required format. It will be the responsibility of the City to prepare the actual deed for recording, collect necessary signatures and record the deed.

The Plat will be prepared, approved and recorded and will become the exhibit for the deeds and takings. The Deeds get filed after the platting is done and recorded. The descriptions will reference the recorded plat by the associated parcel and recording information from the plat. The descriptions and deeds can all be prepared ahead of time but need to have the recorded plat information inserted into each deed after the recording of the plat.

The cost to prepare the Transportation Project Plat and associated descriptions as described will be \$5950.00.

MAU & ASSOCIATES-LLP

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

400 SECURITY BOULEVARD ♦ GREEN BAY, WI 54313 ♦ PHONE (920) 434-9670 ♦ FAX (920) 434-9672

The fee includes all the research, field work, computations, mapping, setting new property corners, preparing legal descriptions, area calculations, submittals, meetings and recording the final Transportation Project Plat.

Sincerely,

Steven M. Bieda

MAU & ASSOCIATES-LLP**LAND SURVEYING & PLANNING****CIVIL & WATER RESOURCE ENGINEERING****400 SECURITY BOULEVARD ♦ GREEN BAY, WI 54313 ♦ PHONE (920) 434-9670 ♦ FAX (920) 434-9672****MAU & ASSOCIATES-LLP****LAND SURVEYING & PLANNING****CIVIL & WATER RESOURCE ENGINEERING****400 SECURITY BOULEVARD ♦ GREEN BAY, WI 54313 ♦ PHONE (920) 434-9670 ♦ FAX (920) 434-9672****2013 RATE SCHEDULE****Field:**

2 Person Crew (Conventional)	\$105/hr
3 Person Crew (Conventional)	\$135/hr
G.P.S./(2 Person Crew)	\$150/hr
G.P.S. / Robot (1 Person Crew)	\$105/hr
Robotic Total Station (2 Person Crew)	\$150/hr

Office:

Senior Licensed Land Surveyor	\$80/hr
Licensed Land Surveyor	\$70/hr
Land Surveyor II	\$60/hr
Land Surveyor I	\$50/hr
Senior Licensed Civil Engineer	\$105/hr
Licensed Civil Engineer	\$95/hr
Civil Engineer II	\$88/hr
Civil Engineer I	\$76/hr
Construction Management	\$125/hr
Expert witness	\$175/hr
Representation at after hour's meetings	\$100/hr
Mileage	\$0.565/mi

Revised January 2013

MAU & ASSOCIATES-LLP**LAND SURVEYING & PLANNING****CIVIL & WATER RESOURCE ENGINEERING****400 SECURITY BOULEVARD ♦ GREEN BAY, WI 54313 ♦ PHONE (920) 434-9670 ♦ FAX (920) 434-9672****STANDARD TERMS AND CONDITIONS:**

- A. Consulting fees and work items will be billed monthly as incurred. Payments are due within 30 days of invoice date. Amounts unpaid at due date are subject to a service charge of 1.5% per month until paid.
- B. Mau & Associates LLP shall exercise due care in performing professional services, but Mau & Associates LLP makes no warranty, express or implied, with respect to any services performed by Mau & Associates LLP. Mau & Associates LLP shall not be liable for any claim, damage, cost or expense (including attorney's fees) or any other liability, loss or damage to the Client not directly and solely caused by acts, errors, or omissions by Mau & Associates LLP. In no event shall Mau & Associates LLP's liability for incidental or consequential loss to the Client in connection with performance of this Agreement exceed the aggregate of all fees paid to Mau & Associates LLP by Client for these services.
- C. Mau & Associates LLP reserves the right to suspend or terminate this contract, should any invoice not be paid in full within 30 days of the date of the invoice. Should collection litigation be necessary, client acknowledges Mau & Associates LLP will include attorney's fees and all related costs as a part of the legal action.
- D. The Client shall indemnify and hold harmless Mau & Associates LLP, Mau & Associates LLP's officers, directors, partners, employees and agents from any and all costs, losses and damages caused solely by the negligent acts or omissions of the Client, Client's officers, directors, partners, employees and agents in the performance and furnishing of the Client's services under this Agreement.
- Mau & Associates LLP shall indemnify and hold harmless the Client, the Client's officers, directors, partners, employees and agents from and against any and all costs, losses and damages caused solely by the negligent acts or omissions of Mau & Associates LLP, Mau & Associates LLP's officers, directors, partners, employees and agents with respect to this Agreements or the associated Project.
- Mau & Associates LLP's total liability to the Client and any party claiming by, through or under the Client for any cost, loss or damages caused in part by the negligence of Mau & Associates LLP and in part by the negligence of the Client or any other negligent entity or individual shall not exceed the percentage share that Mau & Associates LLP's negligence bears to the total negligence of Mau & Associates LLP, the Client, and all other negligent entities and individuals.
- E. By acceptance of this Agreement, it is agreed that Mau & Associates LLP has permission to go on site and can perform any reasonable and necessary investigation in the course of completing the services described in this agreement. Client is solely responsible for site security and for obtaining permission from any affected third party property owners for use of their lands.
- F. The work performed by Mau & Associates LLP is the confidential property of Mau & Associates LLP and will not be released to any other party without the client's permission. Mau & Associates LLP alone retains all ownership, copyright, and other intellectual property interest in the data. Any changes, alterations or reuse of this data shall not be made without the written consent of Mau & Associates LLP.
- G. For the purpose of this contract, digital files will be released in PDF format only.
- H. All regulatory determinations are subject to review and concurrence by the Wisconsin Department of Natural Resources and/or the U.S. Corps of Engineers, or other agency as appropriate.
- I. This Agreement shall be administered and interpreted under the laws of the state of Wisconsin. Jurisdiction of litigation arising from the Agreement shall be in the state of Wisconsin. If any part of the Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it in conflict with said laws, but the remainder of the Agreement shall be in full force and effect.
- J. Upon execution of the Agreement, the services described herein shall begin as soon as possible and site investigation (if required) will be completed as weather and scheduling permit.
- K. This Agreement must be executed by the Client within 30 days of the day and year first above written.



Robert E. Lee & Associates, Inc.
Engineering, Surveying, Environmental Services

1250 Centennial Centre Boulevard, Hobart, WI 54155
PH 920-662-9641 FAX 920-662-9141 E-Mail rel@releeinc.com

August 28, 2014

ERIC RAKERS, P.E.
CITY OF DE PERE
925 S SIXTH STREET
DE PERE, WI 54115

RE: Lawrence Drive
Right of way acquisition

Dear Eric:

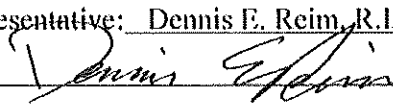
Thank you for allowing Robert E. Lee & Associates, Inc. the opportunity to provide you with this proposal for surveying services to create a Transportation Project Plat (TPP) on 13 parcels along Lawrence Drive. As part of the TPP we will research and acquire copies of all existing subdivision plats, Certified Survey Maps, right of way maps and surveys of record that were used to create the right of way of Lawrence Drive as it exists today. We will search for and field locate found survey monuments that will help determine the location of the existing right of way. Center line alignment will be computed based on the survey data and each of the 13 parcels will be computed based on the information you have provided. Each of the 13 parcels will be surveyed, setting survey monuments at the limits of acquisition. The plat will show the location and size of each parcel.

The TPP will be prepared as per guide lines stated in Chapter 12, Section 10, Wisconsin Department of Transportation (WDOT) Facilities Manual and Wisconsin Statutes 84.095. As part of these requirements utilities should be included in the "Schedule of Interest Table" for each parcel. I have provided a separate fee within our attached fee schedule to provide this service if you so desire. Also within our attached fee schedule I have included a line item for title searches on each of the 13 parcels. It is my recommendation that title searches are completed for each parcel.

Sincerely,

ROBERT E. LEE & ASSOCIATES, INC.

Dennis E. Reim, PLS, V.P.
Director of Surveying and Technical Services

Proposed Fee ScheduleCompany Name: Robert E. Lee & Associates, Inc.Company Address: 1250 Centennial Centre BoulevardCompany Address: Hobart, WI 54155Company Representative: Dennis E. Reim, R.L.S., V.P.Signature: 

Item	Unit	Quantity	Unit Price	Total
Research, Field Work, Descriptions, Monumentation for Right of Way Acquisition	EACH	13	\$ <u>700</u>	\$ <u>9,100</u>

Additional Services

Title Search	EACH	13	\$ <u>230</u>	\$ <u>2,990</u>
Locate Utilities	EACH	13	\$ <u>80</u>	\$ <u>1,040</u>

Add Schedule of Interest Table

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: September 8, 2014

DEPARTMENT: Public Works

FROM: Scott Thoresen

SUBJECT: Consider Eliminating Commercial Use of City's Compost Facility*

At the August BOPW meeting, staff presented to the Board concerns with increased use of contractors using the facility due to other communities around the area not allowing contractors to use their facilities any longer. As a result, the City's expenses for operating the compost facility increased due to the volume of material hauled in by contractors. The Board recommended eliminating contractor use of the City's compost facility. Staff is now bringing forward the ordinance changes drafted by the City Attorney to reflect this recommendation.

Staff is recommending approving the ordinance changes drafted by the City Attorney that would eliminate commercial use of the compost facility.

ATTACHMENTS:

- Amending Compost Site Regulations pdf - Adobe Acrobat Professional (PDF)
- §82-11 current ordinance redlined (PDF)
- Ord14-compost (PDF)

CITY OF DE PERE

MEMO

To: Michael J. Walsh, Mayor
 Board of Public Works Members
 From: Judith Schmidt-Lehman, City Attorney 
 RE: Compost Facility Contractor Permit
 Date: August 20, 2014

This memo is in response to the action of the Board on August 11, 2014 on the request of the Director of Public Works to amend the City's Solid Waste Ordinance [§82-11(b) De Pere Municipal Code (DPMC)] by eliminating commercial contractor use of the compost facility. Attached is a copy of the draft of that ordinance amendment for your review.

The Board, in approving the request to amend the ordinance, posed the following questions:

1. May the City limit the compost facility to City* commercial contractors; and
2. May the permit fee for City commercial contractors be different than the permit fee for non-City commercial contractors?

**For purposes of this memo, references to City also includes Ledgeview contractors since the City and the Town share compost facility expenses under a 1998 Intergovernmental Agreement.*

The purpose of this memo is to provide you with information concerning those questions.

May the City limit the compost facility to City commercial contractors?

Yes; the City may limit access to the facility to residents. The City is not obligated to open up services it provides to nonresidents. If the City decides to limit the facility to city contractors, the ordinance should clearly define what is meant by "city commercial contractor". For example, a "city commercial contractor" could be broadly defined as a contractor whose principal place of business is within the corporate limits of De Pere or could narrowly be defined as a Contractor whose principal place of business is within the corporate limits of De Pere and who uses the facility to dispose of yard waste collected solely within the corporate limits of the City. Additionally, an effective enforcement mechanism would be a necessary part of the ordinance.

May the permit fee for City commercial contractors be different than the permit fee for non-City commercial contractors?

Generally no; the City may not charge a different permit fee for residents than nonresidents. The Wisconsin Supreme Court will invalidate ordinances which either requires licenses of only nonresident merchants or which establish exorbitant fees. See *Whipple v. South Milwaukee*, 218 Wis. 395, 261 N.W. 235 (1935); *Racine v. Weyhe*, 241 Wis. 133, 5 N.W.2d 747 (1942).

Permit fees, like license fees, are fees established for purposes of exercising the City's police power to regulate a certain activity and are not imposed primarily for revenue raising purposes. See, e.g., *Milwaukee v. Hoffmann*, 29 Wis. 2d 193, 199-200, 138 N.W.2d 233 (1965). Since permit fees reflect the costs of overseeing and administering a program, all permit holders which require the same amount of oversight and are entitled to like fees. If there is a cost reasonably necessary to regulate a special class of permittee, a different fee can be reasonably imposed upon everyone in that special group. However, an increased fee must be justified as necessary because of a specific characteristic of that class of permittee. Here, I have not been told of any additional administrative or regulatory activity or cost associated with nonresident contractors that would justify a different fee.

Finally, permit fees, since they are regulatory, are not like user fees, which are imposed as a means of generating revenue. Under a user fee system, the City can (and does in the case of ambulance and other fees) distinguish between resident and nonresident in fee setting. Since city residents already pay for some of the costs of the service through property tax, it is reasonable to take that into consideration when revenue generation is the purpose of the fee. The City could theoretically establish a user fee sort of system for the compost facility. However, to do so would probably require substantial changes to the facility and an increase in costs. It does not appear that adding a user fee for compost site use would run up against the levy limit expansion in the 2013-2015 state budget.

I will be out of the office at a conference and unable to attend the September 8, 2014 Board meeting at which these issues will be discussed. Therefore, if you have any questions regarding these issues, please call me at 339-4042 prior to September 5, 2014.

JSL:jld

Attachment

H:\jdupont\Memos\2014\Mayor & BPW-compost site-8-14-148-008-14.docx

PART II - MUNICIPAL CODE

Chapter 82 SOLID WASTE/CURBSIDE RECYCLABLE COLLECTION

Sec. 82-11. Compost site regulations.~~(a) Regulations.~~

- ~~(1a)~~ No bags or reusable containers may be disposed of at the compost site.
- ~~(2b)~~ Persons transporting yard waste shall cover or otherwise contain the waste in such a manner as to prevent scattering or dumping of yard waste in transport.
- ~~(3c)~~ The hours of operation of the compost site shall be published by the department of public works.

~~(d) Yard waste from commercial operations is prohibited.~~~~(b) Special regulations for landscape/lawn care operations.~~

- ~~(1) Permit required. All landscape/lawn care operations shall obtain a permit allowing such operations to utilize the compost site to dispose of yard waste generated by such operation. Permits shall be valid January 1 through December 31 of each year.~~
- ~~(2) Permit fee. The fee for such permit shall be established by resolution of the common council.~~
- ~~(3) Penalty for no permit. In addition to other penalties provided under these ordinances, the permit fee required under this provision may be doubled for landscape/lawn care operations which fail to obtain a permit before using the compost site.~~
- ~~(4) Removal prohibited. The permit shall not operate to allow any landscape/lawn care operation to remove any compost, yard waste, or other materials from the compost site.~~

ORDINANCE #14-

AMENDING §82-11, DE PERE MUNICIPAL CODE
RELATING TO COMPOST SITE

THE COMMON COUNCIL OF THE CITY OF DE PERE DO ORDAIN AS
FOLLOWS:

Section 1: **§82-11, Compost site**, is hereby repealed and recreated as follows:

Sec. 82-11. Compost site regulations.

- (a) No bags or reusable containers may be disposed of at the compost site.
- (b) Persons transporting yard waste shall cover or otherwise contain the waste in such a manner as to prevent scattering or dumping of yard waste in transport.
- (c) The hours of operation of the compost site shall be published by the department of public works.
- (d) Yard waste from commercial operations is prohibited.

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3: This ordinance shall take effect on and after passage and publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this ____ day of
_____, 2014.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

Publication Date: _____

Effective Date: _____

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: September 8, 2014

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Consider Recommendations from City Engineer for Parking and Traffic Action Items*

Action Items for the Board of Public Works:

1. **Parking Front Street Annex (north of Fulton):** The street is not wide enough to support parking on the street and the City has received complaints from residents that they cannot get through. The street width is only 19 feet.

Recommendation: That parking on both sides of the street is prohibited and signed.

2. **Safety issue on curve on Fort Howard:** The property owner has provided documentation of when cars have not been able to handle the curve when heading south on Fort Howard. We have a request to at least place a yellow arrow as an advanced warning of the curving.

Recommendation: That a yellow curve sign is installed as an advanced warning for the curve.

3. **Speed concern on 10th Street near Cedar Street.** A concern was raised to Alderperson Crevier regarding speed on 10th Street. A request was made to install a speed limit sign. Staff completed a speed review at this location. The average speed was approximately 25 mph. The 85th percentile speed varied on a daily basis from 30 to 32 mph. Speed limit signs are not recommended. City ordinance is that all City streets are 25 mph unless otherwise posted. This is a local, urban street. Staff does not feel that the sign would improve the minor speeding issue at this location. Based on subsequent discussions a playground sign could be placed at this location to remind drivers of the playground at this location.

Recommendation: Staff supports the placement of a playground sign for Kelly Danen Park.

ATTACHMENTS:

- CI-BOPW-PTTeam_July_2014_Recommendations (DOCX)
- CI-BOPW-PTTeam_July_2014_Discussion (DOCX)

CITY OF DE PERE

335 South Broadway
De Pere, WI 54115
Fax No.: 920/339-4049
Web: <http://www.de-pere.org>



City Engineer Recommendations - Parking and Traffic Issues July 29, 2014 Minutes

Items for the Board of Public Works:

1. Parking Front Street Annex (north of Fulton): The street is not wide enough to support parking on the street and the City has received complaints from residents that they cannot get through. The street width is only 19 feet.

Recommendation: That parking on both sides of the street is prohibited and signed.

2. Safety issue on curve on Fort Howard: The property owner has provided documentation of when cars have not been able to handle the curve when heading south on Fort Howard. We have a request to at least place a yellow arrow as an advanced warning of the curving.

Recommendation: That a yellow curve sign is installed as an advanced warning for the curve.

3. Speed concern on 10th Street near Cedar Street. A concern was raised to Alderperson Crevier regarding speed on 10th Street. A request was made to install a speed limit sign. Staff completed a speed review at this location. The average speed was approximately 25 mph. The 85th percentile speed varied on a daily basis from 30 to 32 mph. Speed limit signs are not recommended. City ordinance is that all City streets are 25 mph unless otherwise posted. This is a local, urban street. Staff does not feel that the sign would improve the minor speeding issue at this location. Based on subsequent discussions a playground sign could be placed at this location to remind drivers of the playground at this location.

Recommendation: Staff supports the placement of a playground sign for Kelly Danen Park.

Respectfully Submitted:
Eric Rakers

De Pere Engineering

CITY OF DE PERE

335 South Broadway
De Pere, WI 54115
Fax No.: 920/339-4049
Web: <http://www.de-pere.org>



City Engineer Discussion - Parking and Traffic Issues

July 29, 2014 Minutes

Items that were reviewed (No action needed):

1. Safety issue at Webster and Charles. A concern was raised with the safety of crossing at the crosswalk at this intersection. In 2011, it was recommended that the intersection be equipped with advance pedestrian crossing signals. The signals were not installed due to budgeting.

Next Steps: A traffic count and pedestrian study was completed on May 21st, 2014. There is significant pedestrian traffic at this location. There were 52 pedestrians crossing Webster in the morning peak hour and 62 in the afternoon peak hour. This is a route used for pedestrians going to school. In addition to being a school route, this route is used for pedestrians accessing Legion Park. Staff will be budgeting for bumpouts and advance pedestrian crossing signals in the 2015 budget. There was an accident between a pedestrian and motorist at this intersection during the Pink Flamingo Softball Tournament this year. Improvements to this intersection will require approval from the Brown County Highway Department.

2. Safety issue at 9th and Westwood. A concern was raised with the safety of crossing Ninth Street at this intersection. Staff completed a study of the crossings. A pedestrian count was completed in the morning and afternoon on May 20th, 2014. The morning count was completed from an hour before school to the start of school, and the afternoon from end of school to one hour after the end of school. There were no pedestrian crossings of Ninth Street at Westwood. Additionally, the crosswalk policy states that the site distance should be ten times the posted speed limit. There is a curve at this location. Due to the curve, there is not adequate site distance. The numbers do not support the need for the crosswalk and may even create more safety concerns.

Next Steps: No further action.

3. Safety issue at 10th and Cedar. A concern was raised with the safety of crossing 10th and Cedar. Staff reviewed the intersection and currently sidewalks are not installed on the west side of 10th (south west corner). Once sidewalks are ordered in the City can determine if a crosswalk should be installed at this location.

Next Steps: No further action.

4. Safety issue at 3rd and Grant. A SNC staff member was hit crossing 3rd Street and staff was request to analyze the safety of the intersection.

Next Steps: Engineering will review the intersection and determine if modifications need to be made to the intersection.

5. Safety issue on Huron (George and Lewis). The school request that this block of Huron be made into a one way street. Staff understands the issue during the drop off and pick up times; however

converting this section of Huron to a one way street is not safe. It creates a difficult traffic pattern and it would create unsafe conditions during the times this is not an issue.

Next Steps: No further action; however staff will try to work with the school to address drop off and pick up periods.

6. Safety issue on Lawrence (north Menards entrance). Lawrence is not properly stripped at this location and we have received complaints.

Next Steps: Engineering will review stripping and entrance. Staff will analyze the north bound merge stripping and also the south bound left turn into Menards. Based on this review, the striping will be redone.

7. Safety issue by 1154 Meadowview Lane: The sidewalk coming from the school does not have a curb ramp and a resident asked if it could be added. The resident is concerned that pedestrians are using their driveway. If a curb ramp is added at this location, an additional curb ramp would be needed on the opposite side of the street. Adding a curb ramp would create a mid-block crossing that does not meet warrants. Staff performed a pedestrian count on June 3rd, 2014. There were three vehicles that dropped off children in the morning that used the path and five pedestrians that came from the trail in the afternoon that crossed to the south side of Meadowview east of the trail that may have utilized the driveway in the winter. Staff does not support the addition of the crosswalk.

Next Steps: No further action.

8. Safety issue on Main by 4th: A request was made it add one way signage to Main Ave. Each year we have individuals turning the wrong direction off 4th and heading east on Main. Staff reviewed the signage and there adequate signage warning drivers of the proper directions.

Next Steps: No further action.

9. Signage on STH 32/57: The City has been receiving complaints with trucks and compression braking on STH 32/57, south of CTH X. Residents in the Scotchwood, Hardwood, and Briarwood area have provided detailed information on when the compression braking has occurred. Compression braking is prohibited by the City Code. A sign can be placed at the entrance to the City stating the compressing braking is prohibited. Staff will be working with Brown County for approval to place the sign.

Next Steps: No further action.

10. Signage on W Vista Circle for Children at Play: The City received a request for a “Children at Play” sign. There is no justification for the sign in terms of incidents or being adjacent to a park. In addition, there are children at play through the entire City so that signage could be warranted everywhere. Staff feels the signage is not necessary.

Next Steps: No further action.

11. Signage on Lawrence for truck traffic in residential areas: The City does have signage for limiting trucks on Lawrence; however we consistently receive complaints.

Next Steps: Engineering will review the existing signage for location and will also look at installing larger signage.

12. Wrong way drivers on Washington Street. The City received a complaint about wrong way drivers on Washington Street. Washington Street is a one-way northbound street from Merrill Street to Chicago Street. Traffic counters were placed on Chicago Street on June 11th through June 18th, 2014. During that time, there were several wrong way drivers going on Washington Street each day. Some appear to be residents on the street (there were more turning onto Washington Street at Chicago than continued through to Merrill). Staff will review signage at this location and send a letter to residents on Washington Street.
13. Speed on Redtail Glen: The City received a complaint for speeds during the morning and evening commuting times. There was a request to install a speed limit sign. The City did complete a study and the speeds and found that speeds are high. The average speed was 30 mph and the 85th percentile was 35 mph. Speeds were highest during the morning and evening commutes. Staff does not recommend installing a speed limit sign. The majority of speeders are likely from the neighborhood and already know the speed limit is 25 mph.

Next Steps: The Police Department will place the flashing speed sign and will also rotate enforcement on Redtail Glen.

Respectfully Submitted:
Eric Rakers

De Pere Engineering