



Board of Public Works

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Final Minutes

Monday, August 7, 2023

7:30 PM

Council Chambers and Virtual

I. Call to Order

The meeting was called to order at 7:30 PM by Mayor James Boyd

Attendee Name	Title	Status	Arrived
James Boyd	Mayor	Present	
Dan Carpenter	Alderman	Present	
Jonathon Hansen	Alderman	Present	
Shana Defnet Ledvina	Alderman	Present	
Dean Raasch	Alderman	Present	

Others present:

Scott Thoresen, Public Works Director

Chase Kuffel, Assistant City Engineer

Tony Fietzer, Street Superintendent

Tom Blohowiak, Maintenance Supervisor

Eric Zygarlicke, Water Department Supervisor (Remote)

Eric Erdman, Assistant City Attorney

Betty Sellenheim, Recording Secretary

II. Public comment upon matters not on the agenda. Comments made during the public comment period shall pertain only to matters under the jurisdiction of the Board of Public Works. Section 6-3(f) DPMC

None

III. Items

1. Approval of the July 10, 2023 Board of Public Works Meeting Minutes

Mayor Boyd moved to approve the July 10, 2023 Board of Public Works Meeting Minutes, seconded by Alderman Carpenter. Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Mayor
SECONDER:	Dan Carpenter, Alderman
AYES:	Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

2. Consideration and Possible Action on Tower Lease Agreement with Verizon Wireless for Merrill Water Tower

Alderman Raasch moved to approve the Tower Lease Agreement with Verizon Wireless for Merrill Water Tower, seconded by Alderman Ledvina.

Alderman Hansen questioned the rent and allowed equipment. Eric Erdman, Assistant City Attorney, explained the requests from Verizon and content of lease agreement that staff and Verizon agreed upon including rent and allowed equipment. Alderman Hansen questioned the length of lease. Mr. Erdman explained the lease could be renewed for up to 15 years past the original term.

Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

3. Consideration and possible action on Cleaning Contracts for City Buildings*

Alderperson Carpenter moved to approve Cleaning Contract with Cleaning Service Solutions for City Buildings, seconded by Alderperson Hansen.

Alderperson Hansen questioned which buildings were currently being cleaned by Cleaning Service Solutions. Tom Blohowiak, Maintenance Supervisor, stated they were currently cleaning City Hall, Community Center, and Police Department. Alderperson Hansen asked which company was currently cleaning the Municipal Service Center (MSC) and if they provided a quote for services. Mr. Blohowiak stated the MSC was currently being cleaned by Pro1 Janitorial and staff asked them not to provide a quote because of poor service.

Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

4. Consideration and possible action on the revision of City Ordinance 82.3(5) Storage of Polycarts*

Tony Fietzer, Street Superintendent, explained how the storage of polycarts ordinance changed in 2018 and outlined the changes staff was proposing. Staff has received a number of complaints in one neighborhood, which has led to staff evaluating City ordinance along with researching other local municipality ordinances regarding cart storage.

Alderperson Raasch asked what was fueling the complaints in the one neighborhood staff mentioned. Mr. Fietzer explained that staff received multiple complaints from alderpersons and upon inspection by staff, letters were sent to the property owners and/or tenants regarding the violation. Some of the residents that spoke with staff were understanding, while others expressed frustrations, City pettiness, and retaliation by filing complaints on others. Alderperson Raasch asked how common the storage complaints were. Mr. Fietzer stated it ebbs and flows as it is complaint driven. Alderperson Raasch explained that many infractions are complaint driven for reporting and that he rarely hears complaints. Alderperson Carpenter asked for clarification on staff's intent for ordinance amendments, including storage of carts in backyards (behind homes/garages). Mr. Fietzer explained that staff recommends amending the ordinance to allow screening of polycarts whereas they would not be visible by residents on the street between the property lot lines. Staff illustrated multiple properties that have made an effort to screen their carts making the carts not visible from the street abutting the property where the carts belong, but were still visible if viewed from an angle on a neighboring property.

Being visible from a neighboring property currently makes them in violation of the ordinance. Staff believes the intent of the storage ordinance should be to keep the carts from being an eye-sore and kept openly in front of garages, at the end of driveways, etc. Mr. Fietzer explained that staff does not receive complaints from residents seeing carts out their back windows and staff does not go into backyards (private property) to check for cart violations. Alderperson Hansen expressed his confusion over how staff plans to word the ordinance amendment. Mr. Fietzer stressed the point of screening a container that all properties have in common, that is already screening the garbage and recycling. Mayor Boyd clarified staff's intent to have carts screened from street view along the individual property between lot lines. Mr. Fietzer agreed with that intent. Mayor Boyd stated he has not received any complaints that he could recall since 2008 for cart storage violations and explained how each area of the City has varying obstacles to overcome to comply with the current storage ordinance. Mayor Boyd also stated that he did not think the change was well advertised in 2018 and that more education could be made available for residents regarding the ordinance expectations. Alderperson Carpenter asked staff if they were aware of any homeowners that made alterations after receiving the notice from the City. Mr. Fietzer explained that staff generally follows up with properties 15 days after notices are sent, but staff held off on further inspections recently since the item was being discussed for possible amendment. Alderperson Carpenter stated he is in favor of keeping carts screened from view but understands the examples of locations that have made an effort to comply. Mr. Fietzer added that he took a trip through the older portion of town, where there are narrow lots and limited storage space for carts, and while there were no complaints from the neighbors to investigate, about every other house would be in violation of the current ordinance. Alderperson Ledvina asked if the amendment would allow carts to be stored in the backyards. Mr. Fietzer stated it would but that he has also not received any complaints about carts in backyards. Scott Thoresen, Public Works Director, shared history on the changes made around 2018 including the storage and reducing the number of allowed carts per parcel. Mayor Boyd outlined next steps including Public Works staff working with Legal staff to draft an ordinance change, that would be presented back to Board of Public Works and then Common Council; Mayor Boyd spoke in favor of that process.

Alderperson Raasch moved to refer back to staff to draft amendment to Ordinance 82.3(5) Storage of Polycarts to reflect staff recommendation to allow screening of polycarts from ROW lot lines-corner to corner and eliminate need for U-shaped screening on mid-block homes and require screening from view from all public ROW on corner lots, seconded by Mayor Boyd.

Alderperson Hansen asked for clarification on corner lots and also cart visibility from the corner of individual lots. Mr. Thoresen explained that corner lots would need to be screened from both street sides and demonstrated with the photos including in the packet what staff meant by visibility from the corner of individual property lines on mid-block homes. Alderperson Hansen asked how staff planned to handle the pending complaints. Mayor Boyd and Mr. Thoresen stated those properties would remain on hold until final vote at Common Council to either amend the ordinance or leave it the same. Mayor Boyd suggested a large education campaign, either explaining the changes or current ordinance expectations if there are no changes made.

Upon vote, the motion passed unanimously.

RESULT: REFERRED BACK TO STAFF [UNANIMOUS]

Next: 9/11/2023 7:30 PM

MOVER: Dean Raasch, Alderperson

SECONDER: James Boyd, Mayor

AYES: Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

5. Update for Private Water System Inspection and Maintenance Draft Ordinance

Eric Zygarlicke, Water Department Supervisor, requested comments on the draft ordinance included in the agenda packet brought forward based on previous discussions at Board and similar ordinances in neighboring communities. Mr. Zygarlicke explained the final ordinance would be brought to the Board for approval in December and followed by letters to potentially impacted properties with information about the new inspection and maintenance ordinance and staff fees for performing services.

Alderperson Carpenter questioned the timing of two items listed in the draft ordinance. Mr. Zygarlicke explained the timing is based on Wisconsin DNR standards and state statutes. Alderperson Hansen asked why the ordinance would not be available for action until December. Mr. Zygarlicke stated that date was part of an original timeline that allowed for a comment period prior to taking action and then rolling out for enforcement on the private systems July 2024.

RESULT: DISCUSSED

6. Consideration and possible action on DOT – Municipal Agreement for Street Lights*

Scott Thoresen, Public Works Director, stated the City received a grant from the Wisconsin DOT for replacing street lights to LED and explained the agreement outlines how the grant funds are dispersed.

Mayor Boyd moved to approve DOT-Municipal Agreement for Street Lights, seconded by Alderperson Ledvina.

Tom Blohowiak, Maintenance Supervisor, explained this grant was from 2022 and stated there could be additional funds coming for the grant he applied for in 2023. Alderperson Hansen asked what areas staff planned to target for replacement. Mr. Blohowiak explained it can be used for any street light fixtures that are owned and maintained by the City and would be a systematic progression from one area to another including industrial parks on East and West sides.

Upon vote, the motion passed unanimously.

RESULT: ADOPTED [UNANIMOUS]

MOVER: James Boyd, Mayor

SECONDER: Shana Defnet Ledvina, Alderperson

AYES: Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

7. Consideration and possible action on approval of Revision #1 of the State/Municipal Agreement with WisDOT for a STP-Urban Project on Lawrence Drive*

Alderson Carpenter moved to approve Revision #1 of the State/Municipal Agreement with WisDOT for a STP-Urban Project on Lawrence Drive, seconded by Alderson Hansen. Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Jonathon Hansen, Alderson
AYES:	Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

8. Consideration and possible action on approval for structure of the Foundation Drain Disconnection Program*

Chase Kuffel, Assistant City Engineer, explained that the information provided for action was all previously discussed during past discussions at the Board of Public Works and was being presented for action at the request of Board members. Mr. Kuffel explained the current draft policy including retroactive reimbursements to January 1, 2023 and the cost sharing percentages for volunteer properties versus mandated properties. Mr. Kuffel explained the next step would be to draft the ordinance changes for approval and begin having properties complete the work for reimbursement.

Mayor Boyd stated he attended a neighborhood meeting and discussed with program with residents and most residents provided positive feedback. Mr. Kuffel stated more information would be mailed to impacted residents following approval at Common Council. Alderson Hansen requested a timeline for next steps. Mr. Kuffel stated his plan to have the draft ordinance amendments for review and approval at Board in December. Alderson Hansen questioned including mandate language from the start of the program since volunteers may account for the first year of the program. Mr. Kuffel believes staff will see a considerable number of volunteers once the cost share information is approved and revealed. Mr. Kuffel stated that further correspondences with impacted property owners will outline the cost share decrease to help incentivize volunteers. Alderson Hansen questioned the results seen by other communities that offered volunteer-only programs. Mr. Kuffel stated he has not been in contact with them regarding their results. Alderson Carpenter questioned the content of completing 100 properties per year. Mr. Kuffel stated that one contractor he has been in contact with could complete 100 properties per year. Alderson Carpenter stated the more contractors that show interest and begin working on this program could result in many more properties being completed each year. Mr. Kuffel agreed that would be beneficial for the City. Mr. Kuffel stated staff planned to share a list of qualified contractors in future correspondences with property owners.

Mayor Boyd moved to approve draft Foundation Drain Disconnection Program based on discussions from past Board of Public Works meetings, seconded by Alderson Carpenter. Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Mayor
SECONDER:	Dan Carpenter, Alderson
AYES:	Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

IV. Future Agenda Items

None

V. Adjournment

Mayor Boyd adjourned the meeting at 8:14 PM, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

Respectfully submitted,
Betty Sellenheim