



Board of Public Works

335 South Broadway
De Pere, WI 54115

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

Regular Meeting

Final Minutes

Monday, July 11, 2016

7:30 PM

De Pere City Hall Council Chambers

I. Call to Order

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

Attendee Name	Title	Status	Arrived
James Boyd	Alderperson	Present	
Dan Carpenter	Alderperson	Present	
Ryan Jennings	Alderperson	Present	
Dean Raasch	Alderperson	Excused	
Michael J. Walsh	Mayor	Excused	

Others present were Scott Thoresen, Director of Public Works, Eric Rakers, City Engineer, Judy Schmidt-Lehman, City Attorney, Chase Kuffel, Assistant City Engineer, and Pam Denis, Recording Secretary.

II. Public Comment

Scott Thoresen introduced new City Assistant Engineer Chase Kuffel.

III. Items

1. Approval of the Board of Public Works June 13, 2016 Meeting Minutes.

Alderperson Carpenter moved to approve as corrected, Alderperson Jennings seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	James Boyd, Dan Carpenter, Ryan Jennings
EXCUSED:	Dean Raasch, Michael J. Walsh

2. Consider Ordinance Changes for Commercial Garbage & Recycling Collection.*

Director of Public Works, Scott Thoresen, reviewed the ordinance changes previously presented to the Board of Public Works, and the changes that had been sent back to staff to review from the previous Board of Public Works meeting. These changes had been sent back to staff to review one more time. Director Thoresen reviewed the following major changes to the Ordinance: 1. The definition of multi-family will remain the same as in the existing ordinance, as 5 units or more will be considered multi-family. 2. The ordinance will be revised to permit 3 carts for collection purposes to all properties in the City. This means each property could have two garbage and one recycle or one garbage and two recycle carts. The intent is to help reduce volume and thus reduce tipping fees. This will cause high volume users to go to private collection. 3. Storage of solid waste between collections will be revised to cause containers to be stored in buildings or enclosures, so they are fully screened from view. 4. Nicolet Square Collection: the City will provide and maintain enclosures for dumpsters for garbage and recycle collection. Businesses will be charged for the use of the dumpsters, using an industrial standard formula stated in the Ordinance. 5. The definition of overflow is revised to include recycle as well as garbage.

Alderson Boyd moved to open the meeting for public comment at 7:45pm, Alderson Carpenter seconded the motion. Upon vote, the motion passed. Sharon Baumgartner from the mobile home park, stated that they have had their garbage picked up by the City for over 25 years. She asked if they could be grandfathered in as there are 36 different homes that pay property taxes on that parcel. Director Thoresen stated that the mobile home park is similar to apartment buildings, with several units on one parcel, and would have to go to a private contractor for refuse collection. City Attorney Judith Schmidt-Lehman explained that there could be no grandfathering in and that the city could consider allowing the trailer park 6-9 months to comply. Alderson Boyd explained that there were other properties in the same situation, such as churches and schools, but the change was being made because it was no longer economically feasible to continue collection for such. Alderson Ryan questioned what the "parking fee" was that residents of the mobile home park pay. Attorney Schmidt-Lehman explained that it is a fee established by the City under state law that is assessed on mobile homes that are not attached to the property of the person that owns the trailer park. Since the mobile homes are not attached to the property, therefore the value of the mobile home is not included in the taxes on the property.

Discussion followed as to whether there were any other parcels similar to a mobile home park, i.e. single parcel with multiple units on it. Attorney Schmidt-Lehman explained that there was only one, on Cook Street, but that was private. Brian Hardtke, manager of the mobile home park, expressed concern that the mobile home park was being doubly taxed, i.e. the property owner was paying property taxes and each of the mobile home owners was paying the "parking fee" tax. Alderson Boyd moved to return to regular session at 8:02pm, Alderson Carpenter seconded the motion. Upon vote, the motion passed. Alderson Carpenter asked how information was going to get to people to return carts if need be. Director Thoresen explained that those properties with three or more carts have been involved in this process for the past 6 months and invited to multiple meetings, including upcoming Common Council meeting. Should Council approve the Ordinance changes, Director Thoresen said that those properties with three or more carts will be sent the new requirements and will be advised to return carts or go private if they need more than three carts. He stated that there will be no reimbursement for the carts turned in. Discussion followed regarding the enclosure process for Nicolet Square and what date the businesses would need to go to private collection. Alderson Carpenter stated that the City should make sure that those properties affected should be kept well informed of the process. Alderson Ryan inquired if there was a way to exclude the mobile home park from the Ordinance without causing difficulties to the City. Attorney Schmidt-Lehman stated that would not be possible without other entities in the same class challenging it. She stated that an ordinance is to make sure that everyone in each class is treated equally, so that no claim for preferential treatment could be lodged.

Alderson Boyd moved to approve the ordinance revisions for the Garbage and Recycling Collection, Alderson Carpenter seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	James Boyd, Dan Carpenter, Ryan Jennings
EXCUSED:	Dean Raasch, Michael J. Walsh

3. Consider Preliminary Resolution for Special Assessment for Storm Sewer Main and/or Laterals on Wishart Avenue.

City Engineer Rakers reviewed the street resurfacing program involving Wishart Avenue storm sewer special assessments. He reviewed the costs and the payment options for those assessments. Engineer Rakers explained that providing access to storm sewers is a mechanism to help alleviate backyard drainage issues.

Alderperson Boyd moved to adopt the preliminary resolution and schedule a public hearing at the Board of Public Works meeting on August 8th, 2016, Alderperson Jennings seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	James Boyd, Dan Carpenter, Ryan Jennings
EXCUSED:	Dean Raasch, Michael J. Walsh

4. Consider Storm Sewer/Lateral Fee - Existing Developed Non-Residential Property.*

Eric Rakers, City Engineer, presented a proposal to implement a similar process for storm sewer assessment for non-residential properties (commercial, multi-family and greater than duplex units) that do not have existing storm sewer access. He explained that this would pertain mainly to the developed areas with an urban street section. The process would include the Board of Public Works setting a yearly fee for the assessments. The ordinance change being proposed would go to Common Council for approval.

Alderperson Boyd moved to approve the ordinance to update the assessment for storm sewer main and/or laterals for existing development in locations with an urban street section (curb and gutter). Alderperson Jennings seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	James Boyd, Dan Carpenter, Ryan Jennings
EXCUSED:	Dean Raasch, Michael J. Walsh

5. Consider Approval for the Revision #2 to the State Municipal Agreement (SMA) with WisDOT for Eighth Street (STH 32) Reconstruction from Main Avenue to Ash Street (WisDOT Project ID 4085-42-00/71).*

Eric Rakers, City Engineer, reviewed a second revision to the State/Municipal Agreement (SMA) for the improvements to Eighth Street (STH 32) reconstruction from Main Avenue to Ash Street. The original SMA was approved by the Board of Public Works in November of 2012 and the first revision approved in May of 2015.

Alderperson Boyd moved to approve the revised agreement and forward to the Council for approval, Alderperson Carpenter seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	James Boyd, Dan Carpenter, Ryan Jennings
EXCUSED:	Dean Raasch, Michael J. Walsh

6. Consider Board of Public Works Vice Chairperson.

Alderperson Carpenter moved to appoint Alderperson Boyd as vice chair of the Board of Public Works, Alderperson Jennings seconded the motion. Upon vote, the motion passed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	James Boyd, Dan Carpenter, Ryan Jennings
EXCUSED:	Dean Raasch, Michael J. Walsh

IV. Future Agenda Items

None.

V. Adjournment

Alderperson Jennings moved to adjourn the Board of Public Works meeting, Alderperson Carpenter seconded the motion. Upon vote, the motion passed and the meeting was adjourned at 8:30pm.

Respectfully submitted,
Pam Denis