



Board of Public Works

Regular Meeting

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

Agenda

Monday, June 13, 2016

7:30 PM

De Pere City Hall Council Chambers

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Board of Public Works** of the City of De Pere will be held on **June 13, 2016** 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 Board of Public Works May 9, 2016 Meeting Minutes.
2. Consider Conversion of Short Term Parking Stalls to Long Term Parking Stalls. *
3. Consider Preliminary Resolution for Special Assessment for Storm Sewer Main and /or Laterals on Wishart Avenue.
4. Consider Preliminary Resolution for Special Assessment for Storm Sewer Main and/ or Laterals on Franklin Street.
5. Consider Ordinance Changes for Commercial Garbage & Recycling Collection.*
6. Consider Compliance Maintenance Annual Report (CMAR) for Wastewater Collection System.*
7. Parking and Traffic Discussion Items from May 23, 2016 Meeting.
8. Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility Repair.*

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 June 13, 2016 so that arrangements can be made.

Agenda Sent To:

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

Wood Sewer & Excavation, Inc.
Raul & Tina Van Remortel
Randall & Christina Mallery
Daniel F. Marquis
Marvin J. Tilque
Jeffrey T. & Angel A. Heim

Definitely De Pere

Connie Struzl & Thomas Tupper
Cora Janssen

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: June 13, 2016

DEPARTMENT: Public Works

FROM: Pam Denis

SUBJECT: Approval of the Board of Public Works May 9, 2016 Meeting Minutes.

ATTACHMENTS:

- CL_BOPW May 9, 2016 Draft Meeting Minutes (PDF)



Board of Public Works

Regular Meeting

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

Draft Minutes

Monday, May 9, 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	Present	
Michael J. Walsh	Mayor	Excused	

Others present were Scott Thoresen, Director of Public Works, Eric Rakers, City Engineer, Larry Delo, City Administrator, Pam Denis, Recording Secretary

II. Public Comment

None

III. Items

1. Approval of the Board of Public Works April 11, 2016 Meeting Minutes.

Alderperson Raasch moved to approve the Board of Public Works April 11, 2016 meeting minutes, Alderperson Jennings seconded the motion. Upon vote the motion passed.

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

2. Consider Commercial Garbage & Recycling Collection Ordinance Revisions

Scott Thoresen, Director of Public Works, presented a Power Point Presentation of the proposed changes to commercial garbage and recycling collection that the Board and staff have been discussing for the past several years. He reviewed the various meeting dates that had been held to discuss concerns and issues of those that will be affected by the proposed changes. Director Thoresen stated that the next step for the Board to consider is changes to be made to the existing ordinance. Staff recommends: 1) Creating a Nicolet Square garbage and recycle collection district where collection would be made by dumpsters in enclosures; 2) Implement a three cart rule at the same time as implementing the Nicolet Square collection district; 3) The remaining areas of downtown would eventually go to a dumpster collection similar to Nicolet Square at a future date to be determined. These ordinance changes would be brought back to the Board for approval and then would go to Common Council for final approval. All affected property owners would be notified of future meetings.

Alderperson Boyd moved to open the meeting for public comment, Alderperson Raasch seconded the motion. Upon vote, the motion passed. Mindi Kiel asked about duplexes and how many containers would be allowed. Director Thoresen said that duplexes are

not considered commercial properties and would still be allowed more than 3 containers. John Nick shared his concerns that bars and restaurants were going to be unduly charged compared to other properties and suggested that Nicolet Square should provide a fair fee schedule as in the future it would apply to the property owners in the overall plan. Director Thoresen stated that a private hauler would actually charge more than what was being proposed to the heavy users. John Nicks also inquired how garbage would get to the enclosures. Director Thoresen stated that it would be up to the individual property owners. Bob Egger stated his concerns over the non-profit organizations like St. Anne's and the De Pere Christian Outreach costs and variance in garbage and recycle collection usage suggesting consideration of volume usage and a variance for two major entities on one large parcel. Ronald Manning shared that collection issues exist now, but he felt that the cost difference was too great between the proposed charges for dumpster use for high volume users and the lower usage properties. John Barnstorff shared his concerns regarding more and more charges being put on small businesses and for taking away parking spaces to accommodate dumpsters. He was also expressed concern about the man hours that would be spent hauling garbage to the enclosures. Matt Lutsey shared his concern about dumping grease in the winter and who would be responsible to clean up grease spills and the safety of hauling the grease some distance. John Nicks concurred with Matt Lutsey's grease concern. Mary Alexis Pfutzenreuter shared that Pasquales would be in favor of enclosures for grease.

Alderson Boyd moved to return to regular session at 8:24pm, Alderson Carpenter seconded the motion. Upon vote, the motion passed.

Director Thoresen stated that the information in the packets was to give the Board insight into revising the Ordinance which would then come back to the Board of Public Works in June as a recommendation. He re-stated the three parts to the suggested revision of the City ordinance.

Alderson Raasch moved to send the garbage and recycling collection ordinance back to staff for review and to update per the Board recommendations, Alderson Jennings seconded the motion. Discussion followed in regard to creating more balanced and equitable fees. Director Thoresen explained that the City would be paying for the enclosures for the dumpsters. The City would not be overseeing collection of grease, although it would provide space in the enclosures to store used grease. City Administrator, Larry Delo, explained that the City would be providing space for grease storage, but no containers, that it would be up to those businesses who needed grease service to contract with a vendor. He added that the fee that the City would be charging businesses was in actuality a fee for collection of recyclables and maintaining the enclosure space. He stated that it cannot be a fee for garbage collection due to state restrictions. The state does not allow municipalities to set up solid waste utilities, however, the state does allow for fees for recyclables. Discussion followed with suggestions to review the fee structure and formula.

Alderson Raasch moved to open the meeting for public comment at 8:56pm, Alderson Boyd seconded the motion. Upon vote, the motion passed. Ron Manning asked that the Board keep in mind the volumes that are generated, that there are properties that create very little waste. Tom Gavic questioned how often the dumpsters would be picked up. Director Thoresen stated that 6 yard dumpsters were being considered, with one to two times a week pick up. Tom Gavic suggested doing some benchmarking to show businesses local comparable fees by private carriers. Mary Alexis Pfutzenreuter concurred that benchmarking would help; as she had contacted businesses using private carriers and they were paying more than the proposed amount from the City. She added that since Nicolet Square was going to be the first to initiate this

program that it should provide an equity and fairness that would apply to all the downtown businesses. She also stated that although not everyone can be pleased in a change, the dumpsters would be an improvement. Joe Schinkton questioned whether the City knows how much savings they would gain by reducing the tippage. Andy Krantz asked that a renewal or update process be put in place that would consider change of property owners from a high or low usage. Director Thoresen stated that the program would be reviewed on a yearly basis for costs and usage. Discussion followed with regard to reduction of tipping fees, renewal of contract, years of contract, security of enclosures, grease collection containers. Scott Thoresen stated that invitations would go out to all businesses to come to the Board of Public Works meeting in June to discuss the Ordinance.

Aldersperson Boyd moved to return to regular session at 9:10pm, Aldersperson Raasch seconded the motion, upon vote, the motion passed.

Aldersperson Raasch repeated the motion to send the garbage and recycling ordinance back to staff for review, with the recommendation to look at an Option 5 (which would adjust the fee differences between high and low users). Upon vote, the motion passed.

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

3. Consider 2016 Sidewalk Repair Orders

Eric Rakers, City Engineer, reviewed the 2016 Sidewalk Program, which encompasses 1/8th of the City of De Pere. This year the sidewalk program will be looking at sidewalks east of Jordan and South of Charles Street.

Aldersperson Raasch moved to approve the 2016 Sidewalk Repair Orders, Aldersperson Boyd seconded the motion. Upon vote, the motion passed.

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

4. Consider Award for Project 16-05 Sidewalk, Curb, and Concrete Pavement Repair*

City Engineer Rakers reviewed the sidewalk repair contract that went out to bid.

Aldersperson Raasch moved to award the contract for Project 16-05 Sidewalk, Curb, and Concrete Pavement Repair to Fischer Ulman in the amount of \$281,083.70, Aldersperson Carpenter seconded the motion. Upon vote, the motion passed.

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

5. Consider Award for Project 16-10 HVAC Maintenance Rebid*

Aldersperson Raasch moved to approve the award of contract for Project 16-10 HVAC Rebid to B&P Mechanical in the amount of \$176,410.00, Aldersperson Jennings seconded the motion. Upon vote, the motion passed.

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

6. Consider Award for Project 16-19 Mudjacking.*

Aldersperson Raasch moved to approve the award of contract for Project 16-19 Mudjacking to Badger Concrete Lifting in the amount of \$5,830.00, Aldersperson Carpenter seconded the motion. Upon vote, the motion passed.

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

7. Consider Award for 16-19A Sidewalk Grinding*

Aldersperson Raasch moved to approve the award of contract for Project 16-19A Sidewalk Grinding in the amount of \$10,040.00 to All Star Cutting & Coring, LLC, Aldersperson Boyd seconded the motion. Upon vote, the motion passed.

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

IV. Future Agenda Items

None

V. Adjournment

Aldersperson Raasch moved to adjourn the Board of Public Works meeting, Aldersperson Jennings seconded the motion. Upon vote the motion passed and the meeting was adjourned at 9:21pm.

Respectfully submitted,
Pam Denis

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Plan Commission

FROM: Kimberly Flom

SUBJECT: Consider Conversion of Short Term Parking Stalls to Long Term Parking Stalls. *

ATTACHMENTS:

- BOPW Memo 6-2016 (DOCX)
- Parking_2016EastProposedV4 (PDF)
- DePere Parking Letter 5-2016 (PDF)
- Parking Letters 5-16 (PDF)
- Email 6-7-16 (PDF)

City of De Pere MEMORANDUM



To: Board of Public Works
 From: Kimberly Flom, Economic Development & Planning Director
 Date: June 7, 2016
 RE: **Proposed Revisions to Downtown Parking Regulations**

PROJECT BACKGROUND

Over the past month, the City has received a number of inquiries and comments from business/property owners about Downtown parking. Like many downtowns, city-owned lots provide the bulk of public parking for the area buildings. In De Pere, City ordinances set regulations for these spaces, designating some as short term (2 hours) and some as long term (overnight, up to 72 hours).

While parking is always a popular topic of discussion, particularly in Downtown areas, the vast majority of recent conversations expressed concern over a lack of long term parking spaces on the east side. The current parking regulations (mix of long term and short term spaces) were developed in the past based on the business mix, which has evolved to include companies with more employees or professional services geared towards visits longer than two hours. On the west side of Downtown, we've also had recent parking discussions as part of the Nicolet Square Master plan implementation.

The Parking and Traffic team discussed Downtown parking at a meeting on May 24. Based on the feedback from the public, and discussions with stakeholders, we propose a two phase approach.

Phase I - Strategically increase the amount of long term stalls on the east side of Downtown De Pere.

Convert some stalls currently designated as short term, to long term. The locations, shown on the attached map, have been selected in order to increase the long term parking supply while maintaining short term spaces in key customer locations. The proposed changes are reviewed in more detail below.

Phase II – Conduct a review and analysis of Downtown De Pere parking that **may** include:

- Surveys and/or inventory of current parking usage
- Educational efforts
- Stakeholder engagement
- Review of industry best practices in Downtown Parking
- Policy alternatives (parking requirements for new development, time limits, etc.)
- Consideration of long term parking plans that contemplate potential future development areas.

Attachment: BOPW Memo 6-2016 (4808 : Consider Downtown Parking Regulations)

The scope of the above review will be guided by both budget and staff availability, and is not determined at this time. A project of this scope may take anywhere between six months to one year.

PROPOSED PARKING REVISIONS

The purpose of this request is for Phase I, to consider converting approximately 108 short term public parking spaces to long term parking spaces in City owned lots on the East side of Downtown. The spaces, outlined in purple on the attached map, were selected based on a number of factors including, current usage patterns, location and stakeholder input.

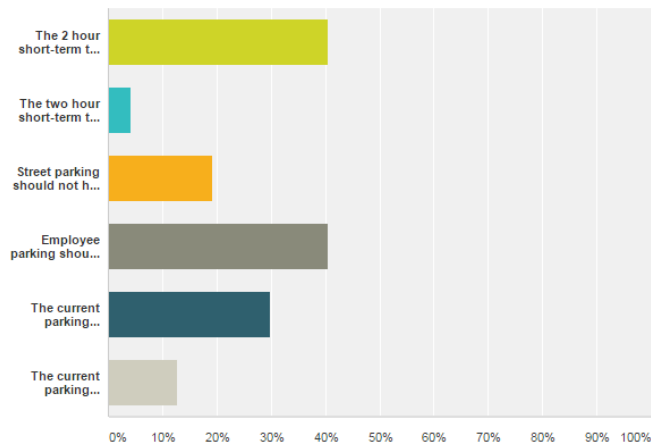
PROCESS AND COMMENTS

We sent the attached letter to property and business owners in the BID District on Friday, May 27. Additionally an online survey was publicized on the City website, television channel and social media pages.

The survey is designed to take a comprehensive look at Downtown parking, not specifically review the long term parking request that is part of this agenda item. But one question does ask about the current time limit regulations. At the time of this report, 51 surveys have been completed. We will leave the survey open until June 30 in hopes of gathering more responses that will help guide Phase II of this project. The below data provides a snapshot of the question most directly related to short term and long term parking.

How do you feel about the current time limit regulations for parking spaces? (check all that apply)

Answered: 47 Skipped: 4



Answer Choices	Responses
▼ The 2 hour short-term time limit is not enough, 3 or 4 hours would be better.	40.43% 19
▼ The two hour short-term time limit is too long, an hour or less would be better.	4.26% 2
▼ Street parking should not have a time limit.	19.15% 9
▼ Employee parking should be located in remote lots, leaving spaces close to the buildings open for customers.	40.43% 19
▼ The current parking regulations are appropriate, no change is needed.	29.79% 14
▼ The current parking regulations are not effective, change is needed (please specify below).	12.77% 6
Total Respondents: 47	

Detailed Comments (part of the 'please specify below'):

Same story as for the last 20 years: lay off and chill out. Relax DePere parking regulations. Me, my employees and my customers can always find a close spot.

There are regulations in place (recently implemented or enforced) that seem unreasonable and unnecessary, a waste of taxpayer dollars (specifically enforcing parking at 100 S. Broadway parking lots). Remove time limits in parking lots, enforce them on streets. Don't make problems where there are none.

I have no problem with short-term parking. However, longterm parking needs to be addressed. People who live and work downtown shouldn't have to worry about parking.

I think what is currently there now is fine - but added longterm parking is needed for those of us who work and/or live downtown. Street parking is never an issue, unless it's a Friday or Saturday night (at least on the east side where I work/reside). Not once have I ever had a difficult time parking downtown on either a weekday/night or weekend. I both live and work within a block of each other downtown. Nor have I ever heard of anyone else having issues finding parking (besides, of course, during Celebrate De Pere when I want to park at my apartment).

I live in downtown, and it would be nice to have a pass for us residents to park, I live in the river trail, Colonial apartments 302 George st. always afraid if i'm going to get towed since i live in downtown since there is a parking sign that says 2 hour limit monday thru sat

I work near Walgreens and the parking lot in the back doesn't allow for enough employee parking. People will leave there vehicles in the long term parking for weeks at a time without moving them. I think a parking sticker would be beneficial for those that work and/ or live in the downtown area. I think \$100/ year for the sticker would be nice. Then those people can park in either long or short term parking without worrying about getting a ticket. Also, \$25 for a parking ticket is ridiculous.

I don't have an issue parking but I think it's because I park at seroogy's

Just need to clean up the signage, especially in Nicolet Square. Many people park short term in spots labeled "Long Term Parking".

Long term parking needs to be expanded for employees. We shouldn't be punished for working downtown.

The City Economic Development/Planning Department received calls from five individuals expressing concern over the lack of long term spaces on the east side of Downtown and calls from two individuals expressing concern about long term parking regulations on the west side of downtown. We also received seven letters requesting additional long term parking on the East side and an email requesting that long term parking be added closer to 310 Wisconsin Street (attached). We have also heard that two businesses on the East side of Downtown are in favor of keeping the parking regulations in place with no changes.

Staff requests consideration to change some short term parking spaces to long term spaces as shown on the attached map. If the Board of Public Works approves this change, a proposed ordinance will be reviewed by the Common Council at the July 5, 2016 meeting.

Attachments

c: Michael Walsh, Mayor
Larry Delo, City Administrator
Judith Schmidt-Lehman, City Attorney

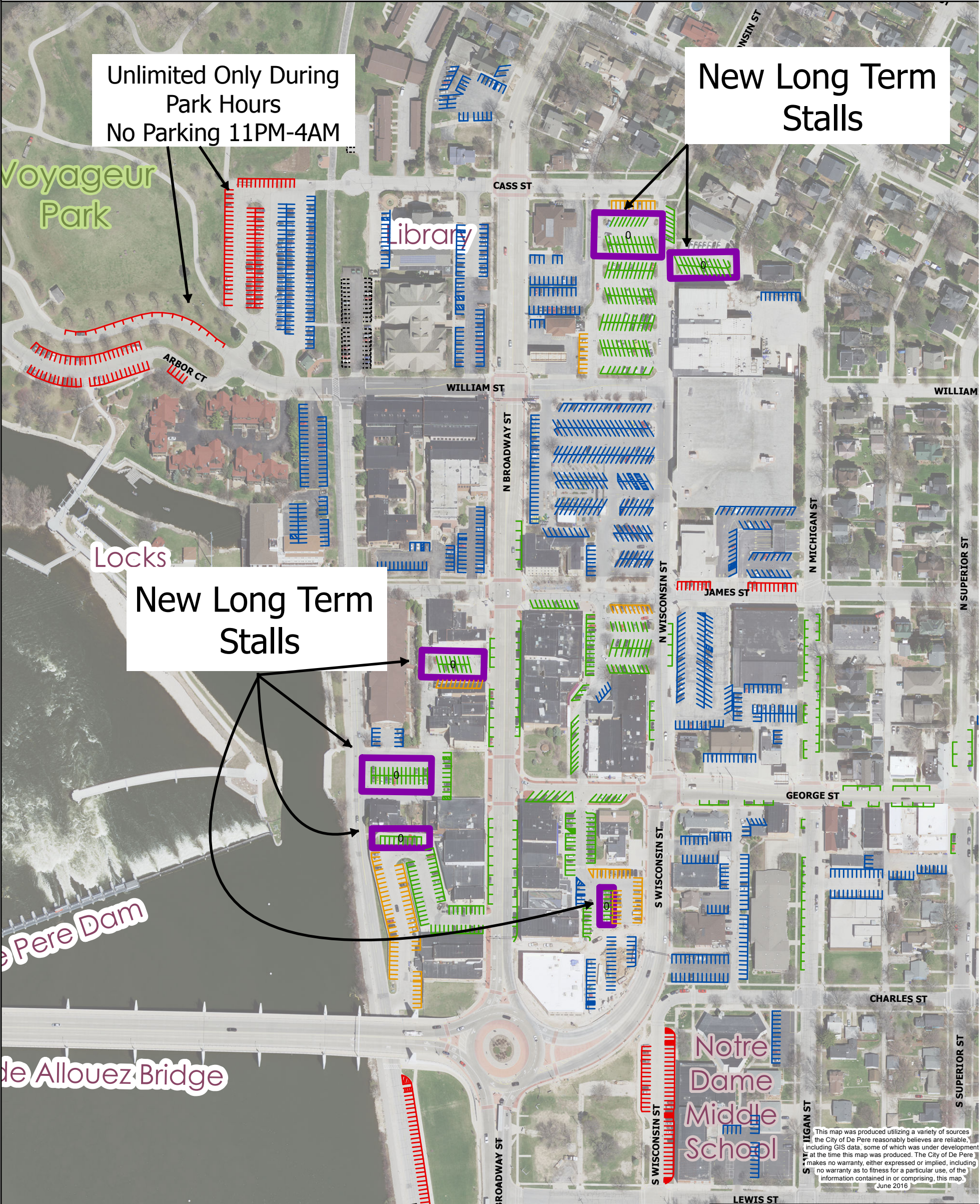
2016 Proposed Parking Changes

De Pere Downtown Parking- East

3.2.b



1 inch = 200 feet



Unlimited Only During
Park Hours
No Parking 11PM-4AM

New Long Term
Stalls

Locks

New Long Term
Stalls

Legend Parking Restrictions

- Proposed Long Term Parking
- 20 Minute
- 2 Hour
- Long term
- Unrestricted
- Private
- Other

Ordinance Approval Timeline

June 13, 2016 Board of Public Works- 7:30 PM
June 21, 2016 Common Council- 7:30 PM

Attachment: Parking_2016EastProposedV4 (4808 : Consider Downtown Parking Regulations)

CITY OF DE PERE

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



May 26, 2016

RE: Downtown De Pere Parking

Dear Downtown De Pere Property/Business Owner,

Over the past month, the City has received a number of inquiries and comments from business/property owners about Downtown parking. Like many downtowns, city-owned lots provide the bulk of public parking for the area buildings. In De Pere, City ordinances set regulations for these spaces, designating some as short term (2 hours) and some as long term (overnight, up to 72 hours).

While parking is always a popular topic of discussion, particularly in Downtown areas, the vast majority of recent conversations expressed concern over a lack of long term parking spaces on the east side. Based on the comments received, and the discussions that we've had with stakeholders, we propose a two phase plan.

Phase I - Strategically increase the amount of long term stalls on the east side of Downtown De Pere.

De Pere proposes to convert some stalls currently designated as short term, to long term. The locations, shown on the attached map, have been selected in order to increase the long term parking supply while maintaining short term spaces in key customer locations.

The proposed regulation change will be reviewed at the following meetings:

1. Monday, June 13 – Board of Public Works 7:30PM: Review/recommendation to Council
2. Tuesday, June 21 – City Council: 7:30PM: Review and decision on ordinance change

Phase II – Conduct a review and analysis of Downtown De Pere parking that **may** include:

- o Surveys and/or inventory of current parking usage
- o Educational efforts
- o Stakeholder engagement
- o Review of industry best practices in Downtown Parking
- o Policy alternatives (parking requirements for new development, time limits, etc.)
- o Consideration of long term parking plans that contemplate potential future development areas.

Letter continues on other side

The scope of the above review will be guided by both budget and staff availability, and is not determined at this time. We anticipate the review to take anywhere between six months to one year. We are committed to a parking strategy that maximizes the success of Downtown De Pere while accommodating for future growth and redevelopment.

The attached maps illustrate current downtown parking regulations. Please review these with your tenants, employees and/or customers. It should be noted the only location in the city where a long-term parking permit is required is the Nicolet parking lot between Main and Reid, and Third and Fourth Streets. Those permits can be obtained at no charge at the police department front desk during business hours.

We want to hear from you! Your feedback will influence and guide the entire process. Here are a few ways you can provide input:

For comments or questions specific to the proposed ordinance change:

- Contact me at kflom@mail.de-pere.org or 920-339-4043.
- Attend the Board of Public Works and or Common Council meetings.

For general feedback on Downtown Parking:

- Complete a Downtown De Pere Parking Survey online (see below or the City website):
<https://www.surveymonkey.com/r/LSBG3ZD>
- Contact me via email or telephone.

We appreciate all you do to make Downtown De Pere a premiere Main Street Community and look forward to working with you on this important venture.

Regards,

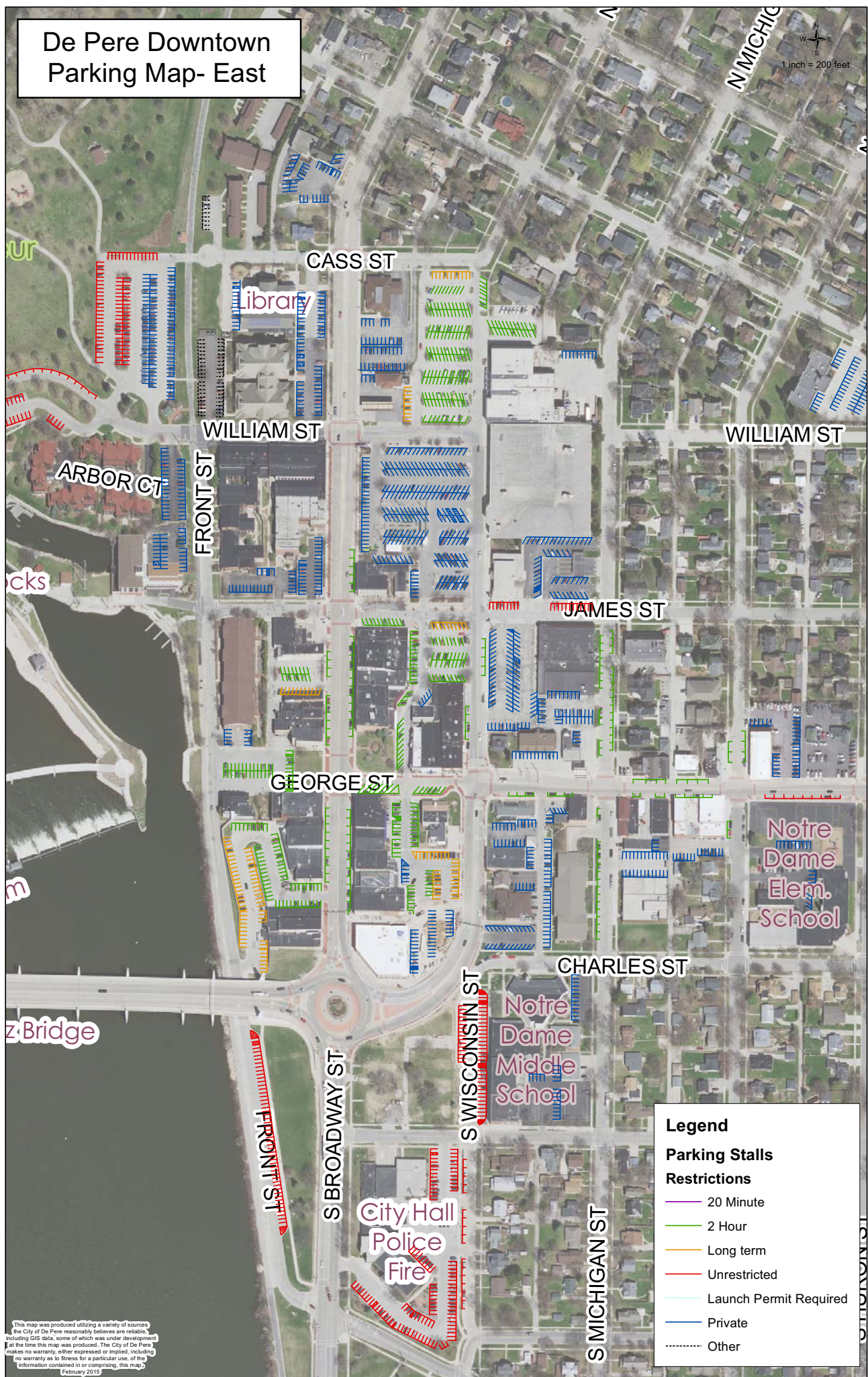


Kimberly T. Flom, AICP/RLA
Economic Development & Planning Director

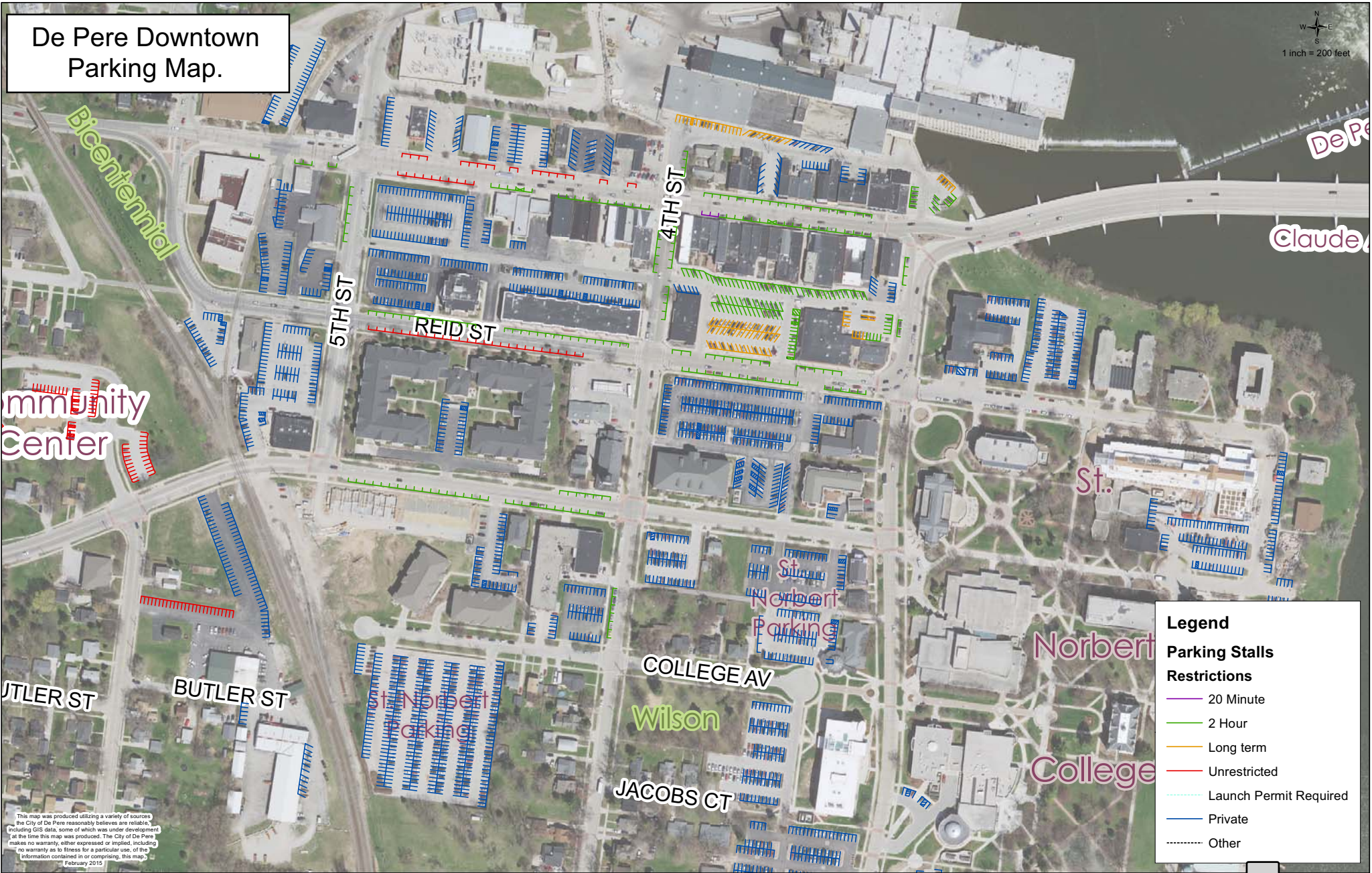
cc. Mayor Walsh, Mayor
Larry Delo, City Administrator
Derek Beiderwieden, Police Chief

De Pere Downtown Parking Map- East

1 inch = 200 feet



This map was produced utilizing a variety of sources including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map.



De Pere Downtown
Parking Map.

1 inch = 200 feet

Legend

Parking Stalls

Restrictions

- 20 Minute
- 2 Hour
- Long term
- Unrestricted
- Launch Permit Required
- Private
- Other

This map was produced utilizing a variety of sources and the City of De Pere reasonably believes are reliable. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map. February 2015.



May 1st, 2016

City of De Pere
335 S. Broadway Street
De Pere, WI 54115

To Whom It May Concern,

I am forwarding this letter in hopes of adding my voice to the ever growing calls for more long term parking in the East De Pere Downtown Area.

As a business owner who employs more than 70 people in the De Pere area I have leased offices in the Old Ford Square Building for many years and have dealt with the inadequate amount of long term parking in this area for as long as I have been doing business here. However, as our company has grown and as I have more and more employees coming and going from our business offices in recent years the need for more long term parking becomes ever more clear daily.

If one looks at the mix of business that are currently located in this area there are fewer and fewer that rely on short term parking for the success of their enterprise. The fact is in the last five or more years the businesses that have located in this area are more and more employing individuals who need long term parking rather than short term. Even those business that are retail in the area are businesses that will either quickly turn spots over by the very nature of their product, or are retail spaces where the purchase/service cycle requires more than two hours to complete. There are I'm sure multiple examples of not just employees getting ticketed, but retail customers as well.

Additionally, if everyone is being honest the signs in this area are not having the desired effect. There is still long term parking going on in the short term parking spaces all day long. Employees and customers are being forced by the lack of available long term parking spots to move their cars from one spot to another every two hours during the day to stay a head of the chalk marking young man who frequents the sidewalks over here. How foolish and wasteful is that exercise? It neither benefits the city nor the retail business, and it greatly diminishes the productivity of those businesses who have employees who work in these buildings all day every day.



Finally, I believe that the current parking rules and the way they are enforced allow a great benefit to a certain class of business in the area over that of another type of business. I would contend that my company which pays close to \$ 40,000 in property taxes in De Pere and which employs dozens and dozens of people who do business in this area everyday has a greater impact on the city's finances than the toddler shop located right under my office (for example), yet the city gives them preferential parking treatment at the expense of my operations. The two bars, the movie theater, and the yoga salon for example benefit because their customers often don't arrive until after 2:00pm when the enforcement of the parking rules seems to end, but those of us who are working all day every day during normal business hours get absolutely no relief from enforcement and are subject to getting tickets daily in the heart of our working hours.

I am a passionate supporter of the East De Pere Downtown area. We have just invested many thousands of dollars building a training center for our new hires to get their company orientation right next to our business office in the Old Ford Square Building, but with the constant hassle of having to move our cars every two hours because there are no long term parking spots available and the routine ticketing of vehicles it is becoming difficult to justify locating our business operations in the city's downtown area.

I hope the city will take action to remove the parking restrictions and/or make a significant improvement in the number of long term parking spots in the lots and on the streets in East De Pere.

Respectfully,

David Fry

April 26, 2016

City of De Pere
Attn: Parking Dept.
De Pere, WI 54115

Dear Sir or Madam,

I am a self-employed accountant with various clients around the Green Bay metro area. I frequently work in downtown East De Pere.

By the time I get my work done at my home office and arrive here in De Pere it is around 8:30 to 9am. I am at my client's location here for up to 12 hours per day. The problem that I encounter is that there is never any long term parking available by the time I arrive. I drive around looking to no avail and then end up moving my car from one short term spot to the next all day, (or parking at Seroogy's with many other workers who are in the same boat). I'm very frustrated with this situation as I'm wasting my time and my client's time.

While I believe De Pere to be the most beautiful location that I work at, it is also the least business friendly location from the aspect of parking available for the number of full day workers that are now employed in Downtown De Pere.

I'm writing you to ask that you please re-evaluate the parking situation in downtown De Pere, reassess the number of Businesses in the area that have full day workers that need all day parking and make the necessary increase in long term parking availability.

Thank you for your assistance in this matter.

Sincerely,



Debra Madigan

Deb-it Bookkeeping

**MichaelsEnergy**421 George Street | Suite 207 | De Pere, WI | 54115
p 920.360.1096 | www.michaelsenergy.com

May 3, 2016

City of De Pere335 S Broadway
De Pere, WI 54115

REFERENCE:

Parking in Downtown De Pere

To whom it may concern:

I am writing this letter on behalf of Michaels Energy, a tenant in the Old Ford Square Building. We have been a tenant of this building for four years, and have struggled with parking since day one. We've received tickets, nasty notes, and threats for parking in two-hour spots when no other long-term spots were available. We've taken this issue to the landlord on numerous occasions, but we've decided four years is long enough to deal with it, so we're bringing it directly to you.

There is absolutely not enough long-term parking in downtown De Pere (specifically East De Pere). We struggle to find spots, we watch other business owners and employees struggle to find spots, and we watch their customers (who often have appointments lasting much longer than 20 minutes, or even two hours) struggle to find spots. People working in downtown De Pere are constantly having to move their vehicles to avoid tickets, and this results in lost productivity during the workday.

We are asking that the parking be changed. We need more long-term parking. We love De Pere and want to continue doing business in this community, but this is becoming a major issue and has caused other tenants in the area to move elsewhere.

Please consider our request, and the requests of our neighbors. Thank you for your consideration.

Sincerely,

MICHAELS ENERGY

KRISTIN LAURSEN, DIRECTOR OF MARKETING & BUSINESS DEVELOPMENT

C:

**Michaels**Energy421 George Street | Suite 207 | De Pere, WI | 54115
p 920.360.1096 | www.michaelsenergy.co

May 3, 2016

CITY OF DE PERE
335 S Broadway
De Pere, WI 54115**To whom it may concern :**

I am an employee at Michaels Energy, located at 421 George Street, the Old Ford Square Building, in East De Pere. We have been located here just over four years now. Ever since we opened our office, parking has been an issue. There is simply not enough long-term parking in East De Pere. The long-term parking spots are most often full, and the many two-hour lots and areas are never full. However, if we park in a two-hour spot during our work day, we get ticketed. But there is no other parking options. That leads us to moving our car every two hours. That is a hassle and results in an extremely unproductive work day. More long-term parking lots would be a major benefit to a lot of us in East De Pere, especially those tenants in the Old Ford Square building.

Thank you for your consideration!

Sincerely,

MICHAELS ENERGY

BRITTANY SCHMOLL

c:

To whom it may concern,

My name is Katie Henkemeyer and I am a local business owner in downtown East De Pere. My business is Elevate Hair Studio, and we are located in the Old Ford Square building at 421 George Street. We are a service based business and we have clients in and out throughout the day and evening.

The reason for my letter is to address the lack of available public parking. Everything around us is developed and privately owned. Some owners are nice enough to let people use their lots without passes while others resort to ticketing unauthorized vehicles. As an owner, I understand they have the right to do both. People that work in our buildings try to leave the closer spaces for clients because we know where we can and can't park. I do feel that I also have a responsibility to my customers to try and provide them convenient parking.

Any effort to increase public parking or more clearly mark available parking would be greatly appreciated. We value all the people that come and spend their hard earned money in our historic downtown district. We want to do everything we can to make it convenient for those people to come to our businesses without having to worry about whether or not they will be ticketed for where they are parking.

Thank You,



Katie Henkemeyer

Owner

Elevate Hair Studio

To whom it may concern:

My name is Amanda Ellingson and I am an independent stylist at Elevate Hair Studio located in The Old Fort Square Building in east De Pere. I am writing you this letter to voice my opinion on the parking we have around our building. Most of the parking is limited time parking whether it is 20 minute parking or 2 hour parking we are running into some issues with our clients having not enough parking or for those who come in for chemical services, they are here for well over 2 hours so they are having a hard time finding a place to park without getting ticketed. And for me, I work 8 to 10 hours a day and not able to move my car every 2 hours to avoid a parking ticket. I would appreciate if you could take into consideration more long term parking. Thank you for taking the time to read this.

Sincerely,

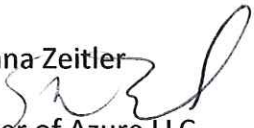
Amanda Ellingson
Elevate Hair Studio
421 George St. Suite 212
De Pere, WI



To whom it may concern,

This letter is referencing the very little long term parking for the stores in and around N. Wisconsin Street, De Pere WI 54115. As a small business we want to encourage our customers to shop the entire block of our neighbors as well as at our store. Having 20 minute parking for half of the spots located outside is not an adequate solution for the problem of our small businesses. On multiple occasions all of the "full-time" parking spots across from Alpha Delights and Associated Bank have been completely full. As a result many of the workers and business owners are forced to park in the Seroogy's parking lot or in front of our stores; we are then penalized with tickets. Seeing as it is not fair when we do park in Seroogy's (especially during their businesses peak holiday seasons) for the Seroogy owner, we would like more long term spots to be available.

Shanna Zeitler


Owner of Azure LLC

113 N. Wisconsin St

920-347-2720

Kimberly T. Flom

From: Peggy George <peggy@seizethedayevents.com>
Sent: Tuesday, June 07, 2016 7:03 PM
To: Kimberly T. Flom
Cc: Christopher Jensen
Subject: Proposed Ordinance change

Hi Kim, I am the account manager at Freshair Salon at 310 N Wisconsin St.

We have reviewed the proposal for long term parking (looks like about 60 spaces) and have the following concerns and suggestions:

The proposed two long term parking spaces are too far away from the strip mall tenants. Especially the spaces on the side of the vacant building. Tenants walk to their cars in the evenings many times with cash from the day's business. The lighting isn't good enough and it's a safety issue since even if the lot were better lit, the location is still too remote.

A better plan would be to use the lot between Broadway and Wisconsin. There are twelve rows. We propose using the back 5 spaces (those closest to Broadway) in each of row as long term parking. This plan is safer all around because this lot is better lit, better seen and is a more equitable distance for each tenant in the mall.

What are the plans for handicap parking in this space? There currently are only two.

I look forward to hearing from you Kim,

Best regards,
Peggy George

Peggy George



Seize the Day Events
 Green Bay, WI 54301
 (p) 920.593.2959
 (c) 920.265.3785

www.seizethedayevents.com
peggy@seizethedayevents.com



Voted best planning company in NE Wisconsin

{Event Planning and Design}

Attachment: Email 6-7-16 (4808 : Consider Downtown Parking Regulations)

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

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

The purpose for this item is to approve a preliminary resolution for special assessment storm sewer construction associated with street resurfacing under Project 16-07.

Background

Wishart Avenue is being resurfaced as part of Project 16-07, Asphalt, Curb, and Utility Relay. The City has received a request for a storm sewer lateral due to drainage issues. The installation of storm laterals conforms to the City Municipal Code Section 26-5-5(c) for Street Resurfacing which states

(c) Street Resurfacing.

(1) Installation. Storm sewer main and lateral installation to each lot of record shall be constructed at during street resurfacing improvements when:

- a. Requested by a property owner along the street to be resurfaced; or*
- b. When ordered by the director of public works to address drainage issues.*

(2) The location of the lateral installation shall be as determined by the city engineer or designee.

(3) Costs of installation. The costs of such storm sewer main and lateral installation shall be paid for as provided in § 13-7(c)(1) of this code.

As calculated per Code Section 13-7 and approved by the BOPW, the costs for the 2016 storm sewer special assessment is as follows:

- Storm Lateral - \$1449.12 per Each
- Storm Main - \$254.61 per Parcel

The locations impacted by storm sewer assessments include:

- Wishart Avenue – 280 feet east to 510 feet east of Suburban Drive.

Property owners have been notified several times of this project including:

- May 16, 2016 – Letter and City Public Information Meeting

Code Section 13-7(c)(1)d. further identifies procedures and pay options for the storm sewer special assessments as follows:

- d. *Public hearing. The board shall hold a public hearing on the assessments and after the hearing may by resolution approve, disapprove, modify, or refer the report with such directions as it deems necessary. The board shall provide for the following payment alternatives if it determines to assess for any of the improvements:*
 - i. *No interest imputed if payment of assessment made in full within 30 days of invoice;*
 - ii. *Payment in such number of yearly installments as deemed reasonable by the board, together with interest thereon at the rate of one percent over the interest rate paid by the city on its latest bonding issue, with payment in full due upon transfer of the property;*
 - iii. *Deferred payment of assessment with interest to accrue at the rate of one percent over the interest rate paid by city on its last bond issue, with the total becoming due on the earliest of the following:*
 - A. *Transfer of the benefited property to any other person or entity;*
 - B. *Subdivision of the benefited property;*
 - C. *Connection to the storm sewer;*
 - D. *The expiration of 25 years from the date of the adoption of the final assessment resolution, at which time the assessment plus accrued interest shall be made in full against the benefited property.*
 - iv. *Interest on alternatives ii. and iii. above shall stop accruing after a period of ten years.*

Note under item ii., the BOPW can establish a number of yearly establishments for payback. Also, under iii., property owners are not required to pay until they connect to the storm lateral, sell or subdivide the property, or 25 years, whichever occurs first.

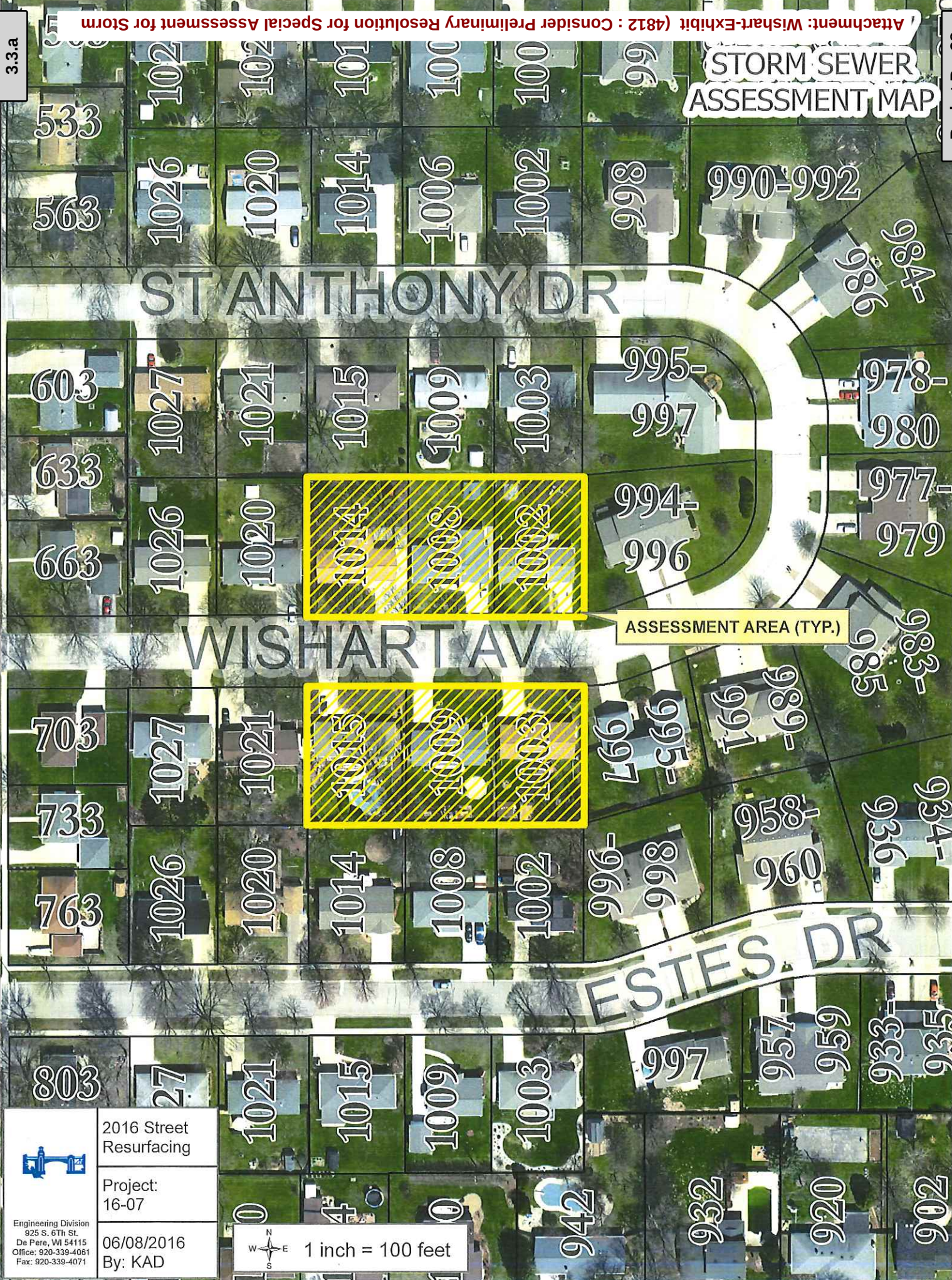
Recommendation

Staff recommends that the Board of Public Works (BOPW) adopt the preliminary resolution and schedule a public hearing at the BOPW on July 11th, 2016.

ATTACHMENTS:

- Wishart-Exhibit (PDF)
- BPW Resolution #16-Wishart (DOCX)
- Wishart-Schedule_B (PDF)
- Wishart-Schedule_C (PDF)
- Wishart-Schedule_D (PDF)

STORM SEWER ASSESSMENT MAP



ASSESSMENT AREA (TYP.)

2016 Street Resurfacing

Project:
16-07

06/08/2016
By: KAD

Engineering Division
925 S. 6th St.
De Pere, WI 54115
Office: 920-339-4061
Fax: 920-339-4071



1 inch = 100 feet

RESOLUTION #16-

PRELIMINARY RESOLUTION DECLARING INTENTION TO EXERCISE
SPECIAL ASSESSMENT POWERS UNDER SECTION 13-7 DE PERE MUNICIPAL CODE and
Wis. Stats. §66.0703
STORM SEWER MAIN AND LATERALS UNDER PROJECT 16-07 ON WISHART AVENUE
FROM 280 FEET EAST TO 510 FEET EAST OF SUBURBAN DRIVE

BE IT HEREBY RESOLVED, by the Board of Public Works of the City of De
Pere, Wisconsin, as follows:

1. That the Board of Public Works I hereby declares its intention to exercise its police powers and levy special assessments pursuant to Section 13-7, De Pere Municipal Code and Wis. Stats. §66.0703, for improvements constructed within the area described below and special assessments to be levied on a reasonable basis upon the properties benefited thereby. Said improvements to include storm sewer main and laterals. Said improvements shall be constructed and the properties benefiting therefrom are contained in the following described areas or abutting streets:

STORM SEWER MAIN AND/OR LATERALS – WISHART AVENUE

Both Sides of Wishart Avenue – 280 feet east to 510 feet east of Suburban Drive

2. The total assessed against such districts shall not exceed the total cost of the improvements. The Board of Public Works determines that such improvements shall be installed and assessed therefore levied under the police power and that the amount assessed against each benefited parcel shall be based on each unit for Storm Sewer and/or Laterals.

3. The assessments against any parcel shall be paid as follows:

- (a) No interest imputed if payment of assessment made in full within 30 days of invoice;
- (b) Payment shall be in **BLANK (To be determined by the Board)** yearly

installments once the assessment is due, together with interest on the unpaid balance thereon at the rate of one percent over the interest rate paid by the city on its latest bonding issue, with payment in full due upon transfer of the property;

- (c) Deferred payment of assessment with interest to accrue at the rate of one percent over the interest rate paid by city on its last bond issue, with the total becoming due on the earliest of the following:
 - i. Transfer of the benefited property to any other person or entity;
 - ii. Subdivision of the benefited property;
 - iii. Connection to the storm sewer;
 - iv. The expiration of 25 years from the date of the adoption of the final assessment resolution, at which time the assessment plus accrued interest shall be made in full against the benefited property.
- (d) Interest on alternatives (b) and (c) above shall stop accruing after a period of ten years

4. The Director of Public Works is directed to prepare a report incorporating the recommendation of the Board of Public Works consisting of:

- (a) Preliminary plans and specifications for said improvements;
- (b) An estimate of the entire cost of the proposed improvements;
- (c) A schedule of the proposed assessments;
- (d) A statement that the property against which the assessments are proposed is benefited.

After compiling such report, the Director of Public Works is directed to file a copy thereof in the City Clerk-Treasurer's office for public inspection.

5. Upon receiving the report of the Board of Public Works, the Clerk-

Treasurer is directed to give a Class I notice of public hearing on such report as specified in Section 66.60, Wis. Stats. The hearing shall be held in the Common Council Chambers of the City Hall at a time set by the Clerk-Treasurer in accordance with the aforementioned statutory provision.

Adopted by the Board of Public Works of the City of De Pere, Wisconsin, this _____ day of _____, 2016.

APPROVED:

Michael J. Walsh, Mayor and Chair of the Board
of Public Works

Ayes: _____ Nays: _____

Schedule B - Estimate of Cost of Proposed Improvements
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
Storm Sewer Cost Evaluation
City of De Pere
Date: 1/15/16

Mainline Cost

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
13-07	ST-03	Install 12" PVC or RCP (Class III) Storm Sewer	LF	354	\$32.00	\$11,328.00	
13-22	ST-05	Provide 12" PVC or RCP, CL III Storm Sewer (Granular Backfill)	LF	191.5	\$22.64	\$4,335.56	
Total				545.50		\$15,663.56	
Average Cost Per Foot						\$28.71	

Schedule B - Estimate of Cost of Proposed Improvements
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
Storm Sewer Cost Evaluation
City of De Pere
Date: 1/15/16

Storm Sewer Manhole

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
13-01	ST-04	Provide 4' Diameter Storm Manhole	VF	4.4	\$290.00	\$1,276.00	
13-07	ST-15	Install 4' Diameter Storm Manhole	VF	5.3	\$351.00	\$1,860.30	
13-22	ST-07	Provide 4' Diameter Storm Manhole	VF	33.67	\$305.00	\$10,269.35	
14-01	ST-08	Provide 4' Diameter Storm Manhole	VF	15.14	\$430.00	\$6,510.20	
14-07	ST-03	Install 4' Diameter Storm Manhole	VF	8.74	\$405.90	\$3,547.57	
15-07	ST-06	Install 4' Diameter Storm Manhole	VF	60.3	\$454.61	\$27,412.98	
Total				127.55		\$50,876.40	
Cost Per Foot						\$398.87	
Cost for a 5 foot Deep Manhole						\$1,994.37	
Average Per Foot Cost with a 300 Foot Spacing						\$6.65	

Schedule B - Estimate of Cost of Proposed Improvements
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
Storm Sewer Cost Evaluation
City of De Pere
Date: 1/15/16

Lateral Cost

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
12-04	ST-10	Provide 6" PVC Storm Sewer Lateral	LF	679.5	\$39.00	\$26,500.50	Cost for 12-04 was left in calculation. Without 12-04, there was only 80 feet installed.
13-07	ST-01	Install 6" PVC Storm Sewer	LF	80	\$24.00	\$1,920.00	
Total				759.50		\$28,420.50	Average length of lateral is based on a 60 foot right of way and several laterals being connected to inlets.
Average Cost Per Foot						\$37.42	
Average Cost per Lot at 30 Feet of Lateral (100% to Resident)						\$1,122.60	

Storm Wye Cost

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
12-04	ST-11 & ST-12	Service Branch Connection to Existing and New Storm Sewer	EA	25	\$85.00	\$2,125.00	Cost for 12-04 was left in as there were no wyes installed since 2012.
Total				25.00		\$2,125.00	
Average Cost Per Wye						\$85.00	

Schedule C - Proposed Assessment Rates
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
City of De Pere
Date: 1/15/16

Storm Mainline Cost

Item Description	Cost Per LF	Comment
12" Storm Sewer Main	\$28.71	300 foot spacing with a 5' depth
4' Diameter Storm Manhole	\$6.65	
Mainline Cost Per Street Foot	\$35.36	60 foot wide lot
Cost Per Side of Street	\$17.68	
Cost Per Lot	\$1,060.86	
Assessable Amount (20%)	\$212.17	Remaining 80% funded by Storm Water Utility
Engineering and Administration	\$42.43	
Total Mainline Costs	\$254.61	

Storm Lateral Cost

Item Description	Cost Per EA	Comment
6" Storm Lateral	\$1,122.60	30 foot average length. Some laterals will be connected to inlets.
Storm Wye Cost	\$85.00	
Assessable Amount (100%)	\$1,207.60	
Engineering and Administration	\$241.52	
Total Lateral Costs	\$1,449.12	

Total Cost

Mainline	\$254.61
Storm Lateral	\$1,449.12
Total Cost	\$1,703.73

Notes:

- (1) Projects 13-02 and 13-04 have been excluded from the analysis because there was less than 100 linear feet of 12" and both projects were concrete streets.
- (2) Project 13-12 was removed because this is new construction.
- (3) Mainline cost is based on storm sewer and storm manholes only. Inlets and inlet leads are not included in the assessment.

SCHEDULE D - SCHEDULE OF PROPOSED ASSESSMENTS
 PRELIMINARY ASSESSMENTS
 TYPE OF IMPROVEMENT: STORM SEWER MAIN AND LATERALS
 LOCATION - WISHART AVENUE - 280 FEET EAST TO 510 FEET EAST OF SUBURBAN DRIVE

COST PER UNIT - STORM MAIN: \$254.61
 COST PER UNIT - STORM LATERAL: \$1,449.12

PROPERTY OWNER	LOT NO. PROPERTY ADDRESS PARCEL NUMBER	STORM MAIN ASSESSMENT		STORM LATERAL ASSESSMENT		TOTAL ASSESSMENT	COMMENT
		UNIT	COST	UNIT	COST		
JEFFREY T & ANGEL A HEIM 1002 WISHART DE PERE WI 54115-1249	1002 WISHART WD-758-L-47	1	\$254.61	1	\$1,449.12	\$1,703.73	
CORA M JANSSEN 1003 ST ANTHONY DR DE PERE WI 54115-1234	1003 ST ANTHONY DR WD-758-L-48	1	\$254.61	1	\$1,449.12	\$1,703.73	
MARVIN J TILQUE 1008 WISHART DE PERE WI 54115-1249	1008 WISHART WD-758-L-46	1	\$254.61	1	\$1,449.12	\$1,703.73	
DANIEL F MARQUIS 1009 ST ANTHONY DR DE PERE WI 54115-1234	1009 ST ANTHONY DR WD-758-L-49	1	\$254.61	1	\$1,449.12	\$1,703.73	
PAUL & TINA VAN REMORTEL 1014 WISHART AVE DE PERE WI 54115-1249	1014 WISHART AVE WD-758-L-45	0	\$0.00	1	\$1,449.12	\$1,449.12	Existing storm main on west property line.
RANDALL & CHRISTINA MALLERY 1015 ST ANTHONY DE PERE WI 54115	1015 ST ANTHONY WD-758-L-50	0	\$0.00	1	\$1,449.12	\$1,449.12	Existing storm main on west property line.
TOTAL		4	\$1,018.44	6	\$8,694.72	\$9,713	

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Consider Preliminary Resolution for Special Assessment for Storm Sewer Main and/ or Laterals on Franklin Street.

The purpose for this item is to approve a preliminary resolution for special assessment storm sewer construction associated with street resurfacing under Project 16-07.

Background

Franklin Street is being resurfaced as part of Project 16-07, Asphalt, Curb, and Utility Relay. The City has received a request for a storm sewer lateral due to drainage issues. The installation of storm laterals conforms to the City Municipal Code Section 26-5-5(c) for Street Resurfacing which states

(c) Street Resurfacing.

(1) Installation. Storm sewer main and lateral installation to each lot of record shall be constructed at during street resurfacing improvements when:

- a. Requested by a property owner along the street to be resurfaced; or*
- b. When ordered by the director of public works to address drainage issues.*

(2) The location of the lateral installation shall be as determined by the city engineer or designee.

(3) Costs of installation. The costs of such storm sewer main and lateral installation shall be paid for as provided in § 13-7(c)(1) of this code.

As calculated per Code Section 13-7 and approved by the BOPW, the costs for the 2016 storm sewer special assessment is as follows:

- Storm Lateral - \$1449.12 per Each
- Storm Main - \$254.61 per Parcel

The locations impacted by storm sewer assessments include:

- Franklin Street – South Side - Front Street to 180 feet east of Front Street

Code Section 13-7(c)(1)d. further identifies procedures and pay options for the storm sewer special assessments as follows:

- d. *Public hearing. The board shall hold a public hearing on the assessments and after the hearing may by resolution approve, disapprove, modify, or refer the report with such directions as it deems necessary. The board shall provide for the following payment alternatives if it determines to assess for any of the improvements:*
- i. *No interest imputed if payment of assessment made in full within 30 days of invoice;*
 - ii. *Payment in such number of yearly installments as deemed reasonable by the board, together with interest thereon at the rate of one percent over the interest rate paid by the city on its latest bonding issue, with payment in full due upon transfer of the property;*
 - iii. *Deferred payment of assessment with interest to accrue at the rate of one percent over the interest rate paid by city on its last bond issue, with the total becoming due on the earliest of the following:*
 - A. *Transfer of the benefited property to any other person or entity;*
 - B. *Subdivision of the benefited property;*
 - C. *Connection to the storm sewer;*
 - D. *The expiration of 25 years from the date of the adoption of the final assessment resolution, at which time the assessment plus accrued interest shall be made in full against the benefited property.*
 - iv. *Interest on alternatives ii. and iii. above shall stop accruing after a period of ten years.*

Note under item ii., the BOPW can establish a number of yearly establishments for payback. Also, under iii., property owners are not required to pay until they connect to the storm lateral, sell or subdivide the property, or 25 years, whichever occurs first.

Staff will review the option of a waiver of public hearing for a special assessment with the impacted owner which will eliminate the need for a public hearing.

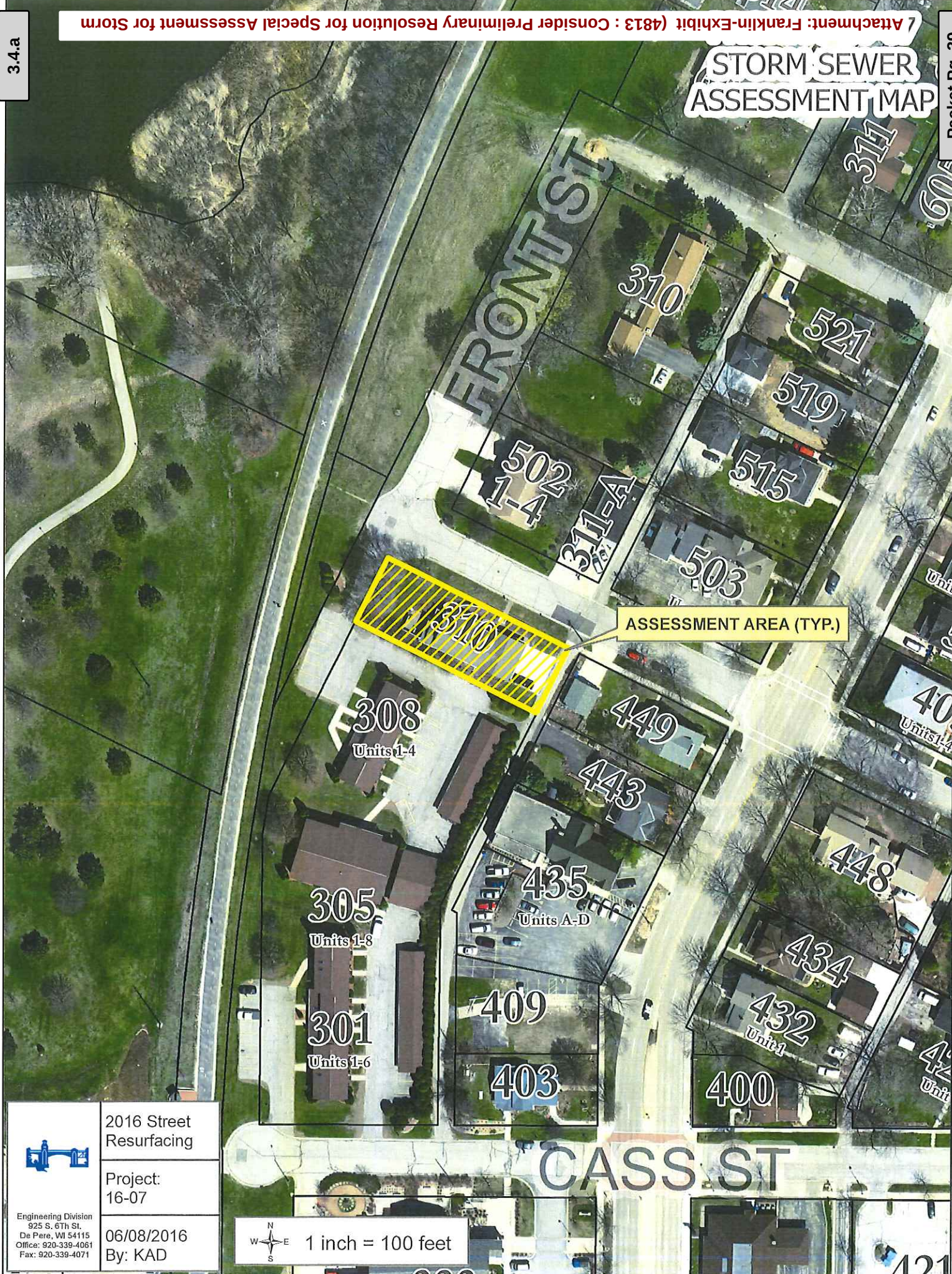
Recommendation

Staff recommends that the Board of Public Works (BOPW) adopt the preliminary resolution and schedule a public hearing at the BOPW on July 11th, 2016 unless the impacted property signs a waiver of public hearing for a special assessment

ATTACHMENTS:

- Franklin-Exhibit (PDF)
- BPW Resolution #16-Franklin (DOCX)
- Franklin-Schedule_B (PDF)
- Franklin-Schedule_C (PDF)
- Franklin-Schedule_D (PDF)

STORM SEWER ASSESSMENT MAP



ASSESSMENT AREA (TYP.)



2016 Street Resurfacing

Project:
16-07

06/08/2016
By: KAD

Engineering Division
925 S. 6Th St.
De Pere, WI 54115
Office: 920-339-4061
Fax: 920-339-4071



1 inch = 100 feet

RESOLUTION #16-

PRELIMINARY RESOLUTION DECLARING INTENTION TO EXERCISE
SPECIAL ASSESSMENT POWERS UNDER SECTION 13-7 DE PERE MUNICIPAL CODE and
Wis. Stats. §66.0703
STORM SEWER MAIN AND LATERALS UNDER PROJECT 16-07 ON FRANKLIN STREET
FROM FRONT STREET TO 180 FEET EAST OF FRONT STREET

BE IT HEREBY RESOLVED, by the Board of Public Works of the City of De
Pere, Wisconsin, as follows:

1. That the Board of Public Works I hereby declares its intention to exercise its police powers and levy special assessments pursuant to Section 13-7, De Pere Municipal Code and Wis. Stats. §66.0703, for improvements constructed within the area described below and special assessments to be levied on a reasonable basis upon the properties benefited thereby. Said improvements to include storm sewer main and laterals. Said improvements shall be constructed and the properties benefiting therefrom are contained in the following described areas or abutting streets:

STORM SEWER MAIN AND/OR LATERALS – FRANKLIN STREET

South Side of Franklin Street – Front Street to 180 feet East of Front Street

2. The total assessed against such districts shall not exceed the total cost of the improvements. The Board of Public Works determines that such improvements shall be installed and assessed therefore levied under the police power and that the amount assessed against each benefited parcel shall be based on each unit for Storm Sewer and/or Laterals.

3. The assessments against any parcel shall be paid as follows:

- (a) No interest imputed if payment of assessment made in full within 30 days of invoice;
- (b) Payment shall be in **BLANK (To be determined by the Board)** yearly

installments once the assessment is due, together with interest on the unpaid balance thereon at the rate of one percent over the interest rate paid by the city on its latest bonding issue, with payment in full due upon transfer of the property;

- (c) Deferred payment of assessment with interest to accrue at the rate of one percent over the interest rate paid by city on its last bond issue, with the total becoming due on the earliest of the following:
 - i. Transfer of the benefited property to any other person or entity;
 - ii. Subdivision of the benefited property;
 - iii. Connection to the storm sewer;
 - iv. The expiration of 25 years from the date of the adoption of the final assessment resolution, at which time the assessment plus accrued interest shall be made in full against the benefited property.
- (d) Interest on alternatives (b) and (c) above shall stop accruing after a period of ten years

4. The Director of Public Works is directed to prepare a report incorporating the recommendation of the Board of Public Works consisting of:

- (a) Preliminary plans and specifications for said improvements;
- (b) An estimate of the entire cost of the proposed improvements;
- (c) A schedule of the proposed assessments;
- (d) A statement that the property against which the assessments are proposed is benefited.

After compiling such report, the Director of Public Works is directed to file a copy thereof in the City Clerk-Treasurer's office for public inspection.

5. Upon receiving the report of the Board of Public Works, the Clerk-

Treasurer is directed to give a Class I notice of public hearing on such report as specified in Section 66.60, Wis. Stats. The hearing shall be held in the Common Council Chambers of the City Hall at a time set by the Clerk-Treasurer in accordance with the aforementioned statutory provision.

Adopted by the Board of Public Works of the City of De Pere, Wisconsin, this _____ day of _____, 2016.

APPROVED:

Michael J. Walsh, Mayor and Chair of the Board
of Public Works

Ayes: _____ Nays: _____

Schedule B - Estimate of Cost of Proposed Improvements
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
Storm Sewer Cost Evaluation
City of De Pere
Date: 1/15/16

Mainline Cost

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
13-07	ST-03	Install 12" PVC or RCP (Class III) Storm Sewer	LF	354	\$32.00	\$11,328.00	
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Total				545.50		\$15,663.56	
Average Cost Per Foot						\$28.71	

Schedule B - Estimate of Cost of Proposed Improvements
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
Storm Sewer Cost Evaluation
City of De Pere
Date: 1/15/16

Storm Sewer Manhole

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
13-01	ST-04	Provide 4' Diameter Storm Manhole	VF	4.4	\$290.00	\$1,276.00	
13-07	ST-15	Install 4' Diameter Storm Manhole	VF	5.3	\$351.00	\$1,860.30	
13-22	ST-07	Provide 4' Diameter Storm Manhole	VF	33.67	\$305.00	\$10,269.35	
14-01	ST-08	Provide 4' Diameter Storm Manhole	VF	15.14	\$430.00	\$6,510.20	
14-07	ST-03	Install 4' Diameter Storm Manhole	VF	8.74	\$405.90	\$3,547.57	
15-07	ST-06	Install 4' Diameter Storm Manhole	VF	60.3	\$454.61	\$27,412.98	
Total				127.55		\$50,876.40	
Cost Per Foot						\$398.87	
Cost for a 5 foot Deep Manhole						\$1,994.37	
Average Per Foot Cost with a 300 Foot Spacing						\$6.65	

Schedule B - Estimate of Cost of Proposed Improvements
Calculations Based on Municipal Code Section 13-7
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City of De Pere
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Lateral Cost

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
12-04	ST-10	Provide 6" PVC Storm Sewer Lateral	LF	679.5	\$39.00	\$26,500.50	Cost for 12-04 was left in calculation. Without 12-04, there was only 80 feet installed.
13-07	ST-01	Install 6" PVC Storm Sewer	LF	80	\$24.00	\$1,920.00	
Total				759.50		\$28,420.50	Average length of lateral is based on a 60 foot right of way and several laterals being connected to inlets.
Average Cost Per Foot						\$37.42	
Average Cost per Lot at 30 Feet of Lateral (100% to Resident)						\$1,122.60	

Storm Wye Cost

Project	Bid Item	Bid Item Description	Unit	Quantity	Cost	Total	Comment
12-04	ST-11 & ST-12	Service Branch Connection to Existing and New Storm Sewer	EA	25	\$85.00	\$2,125.00	Cost for 12-04 was left in as there were no wyes installed since 2012.
Total				25.00		\$2,125.00	
Average Cost Per Wye						\$85.00	

Schedule C - Proposed Assessment Rates
Calculations Based on Municipal Code Section 13-7
Approved by the Board of Public Works on 2/8/2016
City of De Pere
Date: 1/15/16

Storm Mainline Cost

Item Description	Cost Per LF	Comment
12" Storm Sewer Main	\$28.71	300 foot spacing with a 5' depth
4' Diameter Storm Manhole	\$6.65	
Mainline Cost Per Street Foot	\$35.36	60 foot wide lot
Cost Per Side of Street	\$17.68	
Cost Per Lot	\$1,060.86	
Assessable Amount (20%)	\$212.17	Remaining 80% funded by Storm Water Utility
Engineering and Administration	\$42.43	
Total Mainline Costs	\$254.61	

Storm Lateral Cost

Item Description	Cost Per EA	Comment
6" Storm Lateral	\$1,122.60	30 foot average length. Some laterals will be connected to inlets.
Storm Wye Cost	\$85.00	
Assessable Amount (100%)	\$1,207.60	
Engineering and Administration	\$241.52	
Total Lateral Costs	\$1,449.12	

Total Cost

Mainline	\$254.61
Storm Lateral	\$1,449.12
Total Cost	\$1,703.73

Notes:

- (1) Projects 13-02 and 13-04 have been excluded from the analysis because there was less than 100 linear feet of 12" and both projects were concrete streets.
- (2) Project 13-12 was removed because this is new construction.
- (3) Mainline cost is based on storm sewer and storm manholes only. Inlets and inlet leads are not included in the assessment.

SCHEDULE D - SCHEDULE OF PROPOSED ASSESSMENTS
PRELIMINARY ASSESSMENTS
TYPE OF IMPROVEMENT: STORM SEWER MAIN AND LATERALS
LOCATION - FRANKLIN STREET - SOUTH SIDE- FRONT STREET TO 180 FEET EAST OF FRONT STREET

COST PER UNIT - STORM MAIN: \$254.61
COST PER UNIT - STORM LATERAL: \$1,449.12

PROPERTY OWNER	LOT NO. PROPERTY ADDRESS PARCEL NUMBER	STORM MAIN ASSESSMENT		STORM LATERAL ASSESSMENT		TOTAL ASSESSMENT	COMMENT
		UNIT	COST	UNIT	COST		
CONNIE STRUZL & THOMAS TUPPER 310 FRANKLIN STREET DE PERE WI 54115-2518	310 FRANKLIN STREET ED-381	0	\$0.00	1	\$1,449.12	\$1,449.12	Storm main is located along west property line.
	TOTAL	0	\$0.00	1	\$1,449.12	\$1,449	

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Public Works

FROM: Scott Thoresen

SUBJECT: Consider Ordinance Changes for Commercial Garbage & Recycling Collection.*

At our last BOPW meeting on May 9, 2016, staff updated the Board regarding proposed changes to garbage and recycling collection. After the presentation, the Board opened up the meeting to allow various property owners affected by proposed changes to address the Board regarding concerns or comments they had. Once the discussion was finished, the Board recommended staff to draft changes to the existing ordinances to allow for:

* Create a Nicolet Square recyclable and garbage collection district. The intent of this district is to implement commercial recyclable and garbage collection services utilizing dumpsters for all businesses in the Nicolet Square area. The collection services would be done by a private waste hauler. The dumpsters would be placed in centralized enclosures provided by the City. The costs of commercial collection by a private waste hauler would be charged as a special charge against the tax roll for benefitting parcels. This would be implemented by 12/31/16.

* Implement a three (3) cart rule at the same time implementing Nicolet Square collection. The City would continue with the collection of garbage and recycling for all commercial, industrial, and institutional properties but would restrict all properties to a total combination of three (3) garbage/recycle carts. If these properties require more than three carts then they would be required to go to a private hauler and the City would no longer provide this service. The same cart requirement would be for residential properties (including churches and schools) as well that we currently collect for. In addition, the City would be looking at requiring these commercial, industrial, and institutional properties to having their carts stored within an enclosure. This would be implemented by 6/1/17.

* The remainder of downtown areas defined in our current ordinance for garbage and recycle collection will eventually go to a dumpster collection similar to Nicolet Square at future date to be determined. The future date for implementing the remainder of the downtown areas will be determined once staff has evaluated the efficiencies and effectiveness of the Nicolet Square recyclable and garbage collection district.

* In addition, general commercial, industrial and manufacturing areas dumpster enclosures will be required if:

- 1) Dumpster can be seen from residential property;
- 2) Dumpster can be seen from any adjacent road;
- 3) Dumpster can be seen from any parking area used by customers of the business or customers of abutting property owner business; or
- 4) The conditions of the dumpster area are such as to be unsightly, unsanitary or create a public nuisance.

The intent of the staff at the BOPW meeting is to discuss the ordinance revisions being proposed and then make a recommendation to Council on these revisions.

The following are some of the major revisions being proposed:

* Redefining “multiple-family source”: It was felt by staff since we are changing the maximum polycarts to three (3) we needed to reconsider multi-family to be three or more residential units instead of five. This was not originally discussed in previous meetings but felt it needs to be addressed now since we are revising the entire ordinance. This would now require a three or four unit property to go with a private hauler. I don’t believe we have any three unit properties we collect for now. However, there will be a few four unit properties we currently provide collection services for that we would need to notify if we move forward with this change.

* Recycle overflow: The existing ordinance only allowed for garbage overflow. Staff felt it was necessary to include recycle overflow as well.

* Collection limits and frequency: This section of the ordinance was revised to implement the maximum collection of three (3) carts for commercial, institutional, manufacturing, and residential properties. This has been part of the main discussions staff has held with the BOPW over the past few years. The only thing that staff is proposing different then single family resident is changes so a duplex would be allowed to have one garbage cart and one recycle cart per unit. The two units combined would be allowed four (4) carts as we currently operate today. In addition as mentioned above we would redefine multifamily to be three or more units and would have to be private collection.

* Storage of solid waste between collections: This section of the ordinance was revised to tighten up the requirements for storage of polycarts and other containers. The biggest change is if the polycart or containers are not in a building or other enclosure than they would need to be stored where the polycarts or containers are fully screened from any observer located at the property line or public right-of-way. Staff is proposing this be effective January 1, 2018 to allow enough time for properties to any enclosures or screening.

* Nicolet Square collection: A new section was created in the ordinance to allow for common collection services utilizing dumpsters. This has been part of the main discussions staff has held with the BOPW over the past few years. One item the BOPW needs to feel comfortable with and decide is the formula how the Nicolet Square properties will be assessed for these services. At the last BOPW meeting, the Board wanted staff to look at reducing the factor used for “eating and drinking establishments” from a factor of 6.77 to a factor of 4.0. Staff evaluated this and was not comfortable assigning another factor outside industry standards. However, we did make some adjustments for “non-eating and drinking establishments” which slightly raised these properties and lowered the eating and drinking establishment properties monthly charges. (See attached proposed monthly costs) I have included three options showing: 1) monthly charges for all properties; 2) monthly charges if one property opts out; 3) monthly charges if two properties opt out. In addition, I have included the four options discussed at our last BOPW meeting so you would have this information to compare. Staff felt there are only two parcels that have the ability to opt out based on the way the ordinance was created. If the Board feels comfortable with the way the proposed options were created then staff will implement this formula concept into the new ordinance.

Any questions please contact my office.

ATTACHMENTS:

- Commercial Garbage & Recycling Collection 060716 - Attachment #1 (PDF)
- Ch 82 - Solid Waste Ord Rev 6-8-16 Clean Version (PDF)
- Ch 82 - Solid Waste Ord Rev 6-8-16 Redline (PDF)

PROPOSED ALL PROPERTIES USING CITY GARBAGE & RECYCLE COLLECTION

All Properties

PARCEL ID	OWNER	WASTE GENERATION RATE	FIXED MONTHLY COSTS	GENERATOR RATE MONTHLY COSTS	FIXED & GENERATOR RATE MONTHLY COSTS
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WD-906	PHE WI LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-907	B S ENTERPRISES OF DE PERE LLC	6.770	\$ 17.27	\$ 99.67	\$ 116.94
WD-908	313 MAIN IN DE PERE LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-909	GRETCHEN H LOCH	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-910	KEY PROPERTY MANAGEMENT LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-911	TILKENS FAMILY LTD PRTSH	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-912	NICK BROTHERS PARTNERSHIP	6.770	\$ 17.27	\$ 99.67	\$ 116.94
WD-913	MIRHASHEMI INC	6.770	\$ 17.27	\$ 99.67	\$ 116.94
WD-915	RONALD MANNING	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-917	BALISON REAL ESTATE LLC	6.770	\$ 17.27	\$ 99.67	\$ 116.94
WD-918	CONNECTIVE PROPERTIES LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-919	CHANMINA LLC	6.770	\$ 17.27	\$ 99.67	\$ 116.94
WD-920	SAKS HOLDINGS LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-921	ABTS INVESTMENTS LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-922	DENNIS M & CLAUDIA D LARSON	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-923	RAW LEGACY LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-925	LONNIE & CAROL MISHLER	1.115	\$ 17.27	\$ 1.99	\$ 19.26
WD-930	LUTSEY ENTERPRISES LLP	6.770	\$ 17.27	\$ 99.67	\$ 116.94
WD-931	AJANGO PROPERTIES LLC	1.115	\$ 17.27	\$ 1.99	\$ 19.26
		55.12	\$ 328.19	\$ 623.81	\$ 952.00

PROPOSED ALL PROPERTIES USING CITY GARBAGE & RECYCLE COLLECTION

one property opt out

PARCEL ID	OWNER	GARBAGE COMMERCIAL GENERATION RATE	FIXED MONTHLY COSTS	GENERATOR RATE MONTHLY COSTS	FIXED & GENERATOR RATE MONTHLY COSTS
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WD-906	PHE WI LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-907	B S ENTERPRISES OF DE PERE LLC	6.770	\$ 19.69	\$ 113.62	\$ 133.31
WD-908	313 MAIN IN DE PERE LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-909	GRETCHEN H LOCH	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-910	KEY PROPERTY MANAGEMENT LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-911	TILKENS FAMILY LTD PRTSH	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-912	NICK BROTHERS PARTNERSHIP	6.770	\$ 19.69	\$ 113.62	\$ 133.31
WD-913	MIRHASHEMI INC	6.770	\$ 19.69	\$ 113.62	\$ 133.31
WD-915	RONALD MANNING	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-917	BALISON REAL ESTATE LLC	6.770	\$ 19.69	\$ 113.62	\$ 133.31
WD-918	CONNECTIVE PROPERTIES LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-919	CHANMINA LLC	6.770	\$ 19.69	\$ 113.62	\$ 133.31
WD-920	SAKS HOLDINGS LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-921	ABTS INVESTMENTS LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-922	DENNIS M & CLAUDIA D LARSON	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-923	RAW LEGACY LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-925	LONNIE & CAROL MISHLER	1.115	\$ 19.69	\$ 2.26	\$ 21.96
WD-930	LUTSEY ENTERPRISES LLP	-	\$ -	\$ -	\$ -
WD-931	AJANGO PROPERTIES LLC	1.115	\$ 19.69	\$ 2.26	\$ 21.96
		48.35	\$ 354.45	\$ 597.55	\$ 952.00

PROPOSED ALL PROPERTIES USING CITY GARBAGE & RECYCLE COLLECTION

two properties opt out

PARCEL ID	OWNER	WASTE GENERATION RATE	FIXED MONTHLY COSTS	GENERATOR RATE MONTHLY COSTS	FIXED & GENERATOR RATE MONTHLY COSTS
WD-906	PHE WI LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-907	B S ENTERPRISES OF DE PERE LLC	-	\$ -	\$ -	\$ -
WD-908	313 MAIN IN DE PERE LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-909	GRETCHEN H LOCH	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-910	KEY PROPERTY MANAGEMENT LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-911	TILKENS FAMILY LTD PRTSH	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-912	NICK BROTHERS PARTNERSHIP	6.770	\$ 22.90	\$ 132.12	\$ 155.02
WD-913	MIRHASHEMI INC	6.770	\$ 22.90	\$ 132.12	\$ 155.02
WD-915	RONALD MANNING	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-917	BALISON REAL ESTATE LLC	6.770	\$ 22.90	\$ 132.12	\$ 155.02
WD-918	CONNECTIVE PROPERTIES LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-919	CHANMINA LLC	6.770	\$ 22.90	\$ 132.12	\$ 155.02
WD-920	SAKS HOLDINGS LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-921	ABTS INVESTMENTS LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-922	DENNIS M & CLAUDIA D LARSON	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-923	RAW LEGACY LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-925	LONNIE & CAROL MISHLER	1.115	\$ 22.90	\$ 2.63	\$ 25.53
WD-930	LUTSEY ENTERPRISES LLP	-	\$ -	\$ -	\$ -
WD-931	AJANGO PROPERTIES LLC	1.115	\$ 22.90	\$ 2.63	\$ 25.53
		41.58	\$ 389.27	\$ 562.73	\$ 952.00

5/9/16 BOPW Meeting

PROPOSED ALL PROPERTIES USING CITY GARBAGE & RECYCLE COLLECTION

PARCEL ID	OWNER	OPTION #1		OPTION #2		OPTION #3		OPTION #4
		ASSESSED AREA TOTAL MONTHLY COSTS		PER EACH TOTAL MONTHLY COSTS		FIXED & ASSESSED AREA MONTHLY COSTS		FIXED & HIGH WASTE GENERATOR MONTHLY COSTS
WD-906	PHE WI LLC	\$ 32.82		\$ 50.11		\$ 40.12		\$ 17.75
WD-907	B S ENTERPRISES OF DE PERE LLC	\$ 57.60		\$ 50.11		\$ 54.44		\$ 120.20
WD-908	313 MAIN IN DE PERE LLC	\$ 22.57		\$ 50.11		\$ 34.20		\$ 17.75
WD-909	GRETCHEN H LOCH	\$ 50.03		\$ 50.11		\$ 50.06		\$ 17.75
WD-910	KEY PROPERTY MANAGEMENT LLC	\$ 25.44		\$ 50.11		\$ 35.85		\$ 17.75
WD-911	TILKENS FAMILY LTD PRTSH	\$ 52.66		\$ 50.11		\$ 51.58		\$ 17.75
WD-912	NICK BROTHERS PARTNERSHIP	\$ 31.23		\$ 50.11		\$ 39.20		\$ 120.20
WD-913	MIRHASHEMI INC	\$ 64.76		\$ 50.11		\$ 58.57		\$ 120.20
WD-915	RONALD MANNING	\$ 31.83		\$ 50.11		\$ 39.55		\$ 17.75
WD-917	BALISON REAL ESTATE LLC	\$ 51.70		\$ 50.11		\$ 51.03		\$ 17.75
WD-918	CONNECTIVE PROPERTIES LLC	\$ 29.30		\$ 50.11		\$ 38.08		\$ 17.75
WD-919	CHANMINA LLC	\$ 38.36		\$ 50.11		\$ 43.32		\$ 120.20
WD-920	SAKS HOLDINGS LLC	\$ 62.38		\$ 50.11		\$ 57.20		\$ 17.75
WD-921	ABTS INVESTMENTS LLC	\$ 23.62		\$ 50.11		\$ 34.81		\$ 17.75
WD-922	DENNIS M & CLAUDIA D LARSON	\$ 24.76		\$ 50.11		\$ 35.46		\$ 17.75
WD-923	RAW LEGACY LLC	\$ 25.41		\$ 50.11		\$ 35.83		\$ 120.20
WD-925	LONNIE & CAROL MISHLER	\$ 95.21		\$ 50.11		\$ 76.16		\$ 17.75
WD-930	LUTSEY ENTERPRISES LLP	\$ 184.53		\$ 50.11		\$ 127.77		\$ 120.20
WD-931	AJANGO PROPERTIES LLC	\$ 47.78		\$ 50.11		\$ 48.76		\$ 17.75
		\$ 952.00		\$ 952.00		\$ 952.00		\$ 952.00

Attachment: Commercial Garbage & Recycling Collection 060716 - Attachment #1 (4806 : Consider

Chapter 82 - SOLID WASTE/CURBSIDE RECYCLABLE COLLECTION^[1]

Sec. 82-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bi-metal container means a container for carbonated or malt beverages that are made primarily of a combination of steel and aluminum.

Brush means trimmings from shrubs and trees but does not include brush or yard waste generated by a service contractor.

Collectable recyclables means all plastic bottles & containers including: all food, beverage and household bottles, jars, jugs, dairy containers and lids, deli, bakery, produce containers and lids; all paper including: newspapers and inserts, magazines, books, catalogs, milk, juice and soup cartons, junk mail and office paper; all metal and glass including: aluminum bottles and cans, steel, tin and bi-metal cans, empty aerosol cans, food and beverage glass bottles and jars. The items listed as collectable recyclables in this definition may be modified by the director of public works in accordance with the effective date of state law or applicable state department of natural resources regulations or variances therefrom. The director of public works shall be responsible for informing the public of all acceptable collectable recyclables.

Collectable solid waste means garbage, collectable recyclables, brush, yard waste and refuse.

Commercial or manufacturing source means any private business enterprises, including, but not limited to, offices, stores, taverns, service stations, restaurants and similar businesses whether non-profit or profit making in nature, excluding hazardous, toxic, noxious or offensive waste, brush, yard waste, refuse or commercial debris.

Compost site means a public site prepared and operated by the city for the purpose of composting yard waste.

Construction debris means all waste resulting from building construction or demolition, alteration, or repair, including excavated material, remodeling, and other waste including but not limited to windows, doors, drywall, framing and roofing materials, flooring, carpeting cabinets and counter tops, concrete, stone, asphalt, sod, earth, dirt, and brick.

Container board means corrugated paperboard used in the manufacture of shipping containers and related products.

Disposable bag and *bag* mean a one-way disposable bag made of polyurethane or other plastic material with a securing twist tie consisting of a minimum of two-ply paper and minimum of 1½ mils thickness for plastic. Bags shall not exceed a volume capacity

of 30 gallons or a weight of 50 pounds. Whenever the terms "disposable bag" and "bag" are used in this chapter, such words will mean disposable bag as described in this definition.

Foam polystyrene packaging means packaging made primarily from foam polystyrene that satisfied one of the following criteria:

- (1) Is designed for serving food or beverages.
- (2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
- (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

Garbage means miscellaneous waste material, excluding recyclables, including, but not limited to, discarded material resulting from handling, processing, storing, consumption of food, paper, metals, rubber, wood, cloth, and litter. Garbage shall specifically exclude hazardous, offensive, noxious or toxic wastes, refuse, construction debris, yard waste or brush.

Hazardous and/or toxic waste means waste materials or substances which, during normal storage in handling, may be a potential cause of harm, sickness or death, such as explosives, petroleum products, metal or pharmaceutical materials, corrosive chemicals, poisonous or pathogenic substances, pesticides, chemicals, radioactive materials, toxic materials, and all other similar harmful substances, whether in solid, liquid or gaseous form.

Institutional source means any institutional enterprise, including, but not limited to, churches, schools, educational institutions, and fraternal organizations.

HDPE means high density polyethylene, labeled by the SPI code #2.

LDPE means low density polyethylene, labeled by the SPI code #4.

Landscape/lawn care operation means all landscape, lawn care, nursery, tree service, or other business which provides landscape and lawn care services to others for a fee or other consideration. See also *service contractor*.

Magazines means magazines and other materials printed on similar paper.

Major appliance means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, humidifier or water heater. Major appliances are considered refuse for purposes of this chapter. Microwave ovens which have had the capacitor removed shall not be considered major appliances.

Manufacturing source means waste resulting from manufacturing or processes and operations, excluding hazardous, offensive, toxic or noxious wastes, refuse, yard waste, brush or construction debris.

Multiple-family source means a property containing three or more residential units, including those which are occupied seasonally.

Newspaper means a newspaper and other materials printed on newsprint.

Noxious and/or offensive waste means those wastes that are unwholesome or have an unpleasant smell or are otherwise noxious and/or offensive, such as manure, filth, slop, carcasses, carrion meat, fish, entrails, hides and hide scrapings, paint, kerosene, oil or greasy substances, and objects that may cause injury to any person or animal or damage to vehicles such as barbed wire, briar thorns or similar materials. The term "manure" herein shall not include the excrement/fecal waste of domesticated animals allowed upon R-1 Single Family Residence District and R-2 Single and Two Family Residence District zoned parcels provided such excrement/fecal waste is properly packaged and disposed of so as to not leak, leach or spill into the garbage container.

Office paper means high grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.

Other resins and multiple resins mean plastic resins labeled by the SPI code #7.

Other sources mean municipal buildings and municipal public spaces.

Overflow collection day means a day on which garbage or collectable recyclables that cannot fit in the polycart is collected. On an overflow collection day, garbage which cannot fit into the polycart shall be placed in a disposable bag alongside but not inside the polycart for collection. On an overflow collection day, collectable recyclables that cannot fit in the polycart may be placed in a container which itself is a collectable recyclable and which is of a size which can fit within the polycart, and such container shall be placed alongside the polycart for collection. An overflow collection day shall be such day (s) as is declared by the city and shall also mean any such day that an "overflow tag" is affixed to the garbage bag which is placed outside the polycart.

Overflow tag means the tag purchased at city hall or the municipal service center for the privilege of placing solid waste which does not fit in a polycart out for pick up. Each overflow tag shall permit the placement of no more than two overflow containers [either plastic bag(s) or recyclable container(s)] for collection. The fee for such tag shall be as established by resolution of the common council.

Patron means any person producing any type of waste material covered by the regulations of this chapter. In the case of a firm or corporation, the term "patron" will be construed to mean the principal agent, office or employee responsible for the firm or corporation.

Person means any individual, corporation, partnership, association, educational institution, local governmental unit as defined in Wis. Stats. §66.0117(1)(a), state agency or authority, or federal agency.

PETE means polyethylene terephthalate, labeled by the SPI code #1.

Plastic container means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.

Polycart means a reusable container specifically designed for automated collection and provided by the city for a fee determined by the City Council. Polycarts are the property of the city and shall remain with the parcel address to which it is assigned by the city. Polycarts are specifically designated for garbage or collectable recyclable use. Garbage polycarts are available in large or small sizes. If a parcel is allowed two (2) garbage polycarts under this ordinance, at least one of the polycarts shall be the large size.

Postconsumer waste means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Wis. Stats. §291.01 (including such amendments as may be made from time to time), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste as defined in Wis. Stats. §289.01 (including such amendments as may be made from time to time).

PP means polypropylene, labeled by the SPI code #5.

Private collection receptacle means container(s) provided by a private garbage or recyclable collection hauler.

PS means polystyrene, labeled by the SPI code #6.

PVC means polyvinyl chloride, labeled by the SPI code #3.

Recyclable materials means lead acid batteries; major appliances; waste oil; yard waste; and collectable recyclables as defined in this section.

Refuse or rubbish means miscellaneous waste material that is bulky or of such a size that will not fit in polycart and as is not normally collected with garbage including but not limited to furniture, appliances, bicycles, exercise equipment, play equipment, and other household items, mattresses, screen/storm doors, swing sets, plumbing fixtures, ovens, washtubs, wheelbarrows, bikes, box springs, and similar items. Refuse or rubbish excludes construction debris, electronics such as televisions, stereos, microwaves, computers, cell phones, telephones systems, keyboards, servers, copiers, video equipment, business equipment, printers, and similar equipment. Refuse and rubbish also excludes air conditioners, dehumidifiers, freezers, refrigerators, water coolers, and others similar equipment containing Freon. The director of public works shall maintain a list of acceptable items falling within the refuse or rubbish classification.

Refuse or rubbish drop-off site means a public site prepared and operated by the city for the purposes of refuse or rubbish drop-off. The director of public works shall maintain a list of items acceptable items acceptable for drop off.

Residential source means a property containing one or two residential units, including those which are occupied seasonally.

Service contractor means a person, firm, entity or company which performs services for a property owner or occupant.

Solid waste means garbage, recyclables, brush, yard waste, refuse, construction debris; hazardous, toxic, offensive or noxious wastes.

Solid waste facility means as specified in Wis. Stats. § 289.01 (35) including such amendments as may be made enacted from time to time.

Solid waste treatment means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. Treatment includes incineration.

Waste tire means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

Yard waste means all materials originating in the yard and garden which are capable of natural decomposition, including leaves, grass clippings, and other vegetation but does not include any yard waste generated by a service contractor. Yard waste does not include any brush.

Sec. 82-2. - Collection limits and frequency.

- (a) Effective January 1, 2017, city shall not collect garbage or collectable recyclables for parcels which create in excess of two (2) large polycarts on a garbage only collection cycle or three (3) large polycarts on garbage recycling collection cycle. The property owner or designated agent shall be responsible for the proper and sanitary storage, collection and transportation of garbage and collectable recyclables generated, all in accordance with federal, state and local regulations.
- (b) Residential source. Garbage from a residential source shall be collected by the city once each week. Collectable recyclables from a residential source shall be collected once every two weeks. The maximum number of polycarts the city shall collect in a collection cycle shall be:
 - (1) Garbage collection only cycle:
 - a. Single family residence: two (2) garbage polycarts at a maximum of 200 pounds each.
 - b. Duplex residence: one (1) garbage polycart per unit at a maximum of 200 pounds each.
 - (2) Garbage and recyclable collection cycle:
 - a. Single family residence: three (3) polycarts, at least one of which shall be collectable recyclables in a recyclable designated polycart, at a maximum of 200 pounds per polycart.
 - b. Duplex residence: two (2) polycarts per unit, at least one of which shall be collectable recyclables in a recyclable designated polycart, at a maximum of 200 pounds per polycart.
- (c) Multifamily source. Garbage and collectable recyclables shall not be collected from any multifamily source. All owners or designated agents of multifamily dwellings shall be responsible for the proper and sanitary transportation of garbage and collectable recyclables generated from multifamily sources in compliance with all federal, state and local laws and regulations.

- (d) Commercial, institutional and manufacturing sources. Normal accumulations of garbage from commercial or manufacturing parcels shall be collected once each week. Normal accumulations of collectable recyclables shall be collected from a commercial or manufacturing source once each two weeks. The maximum number of polycarts the city shall collect in a collection cycle shall be:
 - (1) Garbage collection only cycle: two (2) garbage polycarts at a maximum of 200 pounds each.
 - (2) Garbage and recyclable collection cycle: three (3) polycarts, at least one of which shall be collectable recyclables in a recyclable designated polycart, at a maximum of 200 pounds per polycart.
- (e) Commercial sources in certain locations. Normal accumulations of garbage and collectable recyclables from commercial and manufacturing parcels located in Mission Square, Perrot Square, Marquette Square, the block bounded by Fourth, Fifth, Main and Reid, and the block bounded by Broadway, Front, George and James Streets, up to a maximum limit of five polycarts of solid waste at a maximum of 200 pounds each per parcel shall be collected once each week.
- (f) Other sources. Normal accumulations of garbage from municipal buildings and municipal public spaces shall be collected once per week by the city. Collectable recyclables from the sources stated in this subsection shall be collected once every two weeks.
- (g) Construction debris. Construction debris shall not be picked up by the city. It shall be the responsibility of the owner and/or contractor to properly dispose of construction debris as provided by law.

Sec. 82-3. - Storage of solid waste between collections.

- (a) Storage of City issued polycarts.
 - (1) The owner and/or the occupant of a residential source shall be responsible for the proper and sanitary storage of all collectable solid waste accumulated at the premises until collection.
 - (2) The owner and/or the occupant of a residential source shall use sufficiently sized polycarts to adequately hold garbage or collectable recyclables accumulating between collections without overloading.
 - (3) All polycarts shall be maintained in a good, clean and sanitary condition. Bags shall be securely tied and free of rips and placed in polycarts. Polycarts shall not be overloaded, bent, broken or otherwise maintained so as to prevent the cover from properly fitting thereon.
 - (4) The owner and/or the occupant shall be responsible for the proper and sanitary storage of all other solid waste and collectable recyclable material and shall be responsible for its disposal according to law.

- (5) Polycarts shall be stored during the time period between collection days in the following locations:
- a. Residential sources. Effective January 1, 2018, polycart(s) from residential sources shall be stored in a garage or other permitted enclosure or outbuilding on the parcel when available. When such garage or other permitted enclosure or outbuilding is not available, the polycart(s) shall be screened from view of any observer located at the property line or any public right-of-way. Acceptable screening devices include bushes, fences and other screening device that visually blocks the view of the polycart(s). All screening shall be properly maintained and in a good state of repair.
 1. Polycart(s) may be stored in the backyard, garage, or any other convenient discreet location, provided they are screened as provided herein.
 2. Polycart(s) must be stored with the lids completely closed.
 3. Do not store polycart(s) near a furnace, grill or any other heat source.
 - b. Commercial, institutional and manufacturing sources. Effective January 1, 2018, polycarts from commercial, institutional and manufacturing sources which are not subject to refuse and recycle enclosure storage requirements under its site plan approval from the City Plan Commission shall be stored in an enclosure on the parcel when available. When such enclosure is not available, the polycarts shall be screened from view of any observer located at the property line or any public right-of-way. Acceptable screening devices include bushes, fences, except chain link with slating, and other screening device that visually blocks the view of the polycart(s). All screening shall be properly maintained and in a good state of repair.
- (b) Enclosures for Private Collection Receptacles.
- (1) Effective January 1, 2018, all property upon which private collection receptacle(s) are stored which are not subject to refuse and recycle storage requirements under any site plan approval from the City Plan Commission, shall store such private collection receptacles in a garage or other permitted enclosure. When such garage or other permitted enclosure or outbuilding is not available, the private collection receptacle(s) shall be screened from view of any observer located at the property line or any public right-of-way. Acceptable screening devices include bushes, fences and other screening device that visually blocks the view of the private collection receptacle(s). All private collection receptacle(s) shall be stored with lids completely closed and away from all heat sources. All screening shall be properly maintained and in a good state of repair.
 - (2) The building inspector or his/her designee shall have the authority to order that any exterior storage of garbage, recyclables, or refuse be enclosed in a structure if, in the building inspector's determination, the storage of such garbage, recyclables, or refuse is unsanitary or creates or tends to create a

nuisance to public health or safety. Such enclosure shall meet the following requirements:

- a. Use of such enclosure shall be limited to the storage of private collection receptacles; and
- b. The enclosure shall be 100% impervious to sight; and
- c. The enclosure shall be equipped with a gate, and both the gate and the enclosure shall be constructed of vinyl, brick, masonry or composite wood which matches the primary structure. Chain link fence with slats is not permitted.
- d. The enclosure shall be at least (1) foot higher than the receptacle(s) but no higher than six (6) feet. No refuse or recycle may be stored higher than the enclosure.
- e. The refuse recycle storage area shall have a compliant hard surface (gravel is not allowed).
- f. Landscaping is required around screening walls wherever they abut a non-paved surface or a required landscape area.

Sec. 82-4. - Placement of garbage and collectible solid waste for city collection.

(a) Placement of polycarts for collection.

(1) Commercial, Institutional, Manufacturer and Residential sources.

- a. Commercial, Institutional, Manufacturer and Residential garbage and recyclables will be prepared as set forth below.
- b. All garbage and collectable recyclables shall be placed in the proper polycart. The polycart shall be placed within three feet of the curb with the directional arrow pointing toward the street where available. Collections may be made at the alley line where such parcels are served by an alley or adjacent to the sidewalk in designated downtown areas, subject to the consent and approval of the street superintendent.
- c. All polycarts shall be placed no less than four feet away from each other or any other objects.
- d. Polycarts shall not be placed in front of parked cars.
- e. Location of polycarts in winter. During winter months, polycarts shall be placed in the driveway apron or on an adjacent area to the curb line which has been shoveled free of snow. In cases where the street superintendent determines that collection would be best facilitated by allowing property owners to place polycarts at other accessible points, this subsection may be waived by the city. Polycarts shall not be placed on top of snow bank.
- f. All solid waste placed for collection shall be deemed abandoned and shall become property of the city upon being placed for collection.

- (2) Multifamily source. There shall be no collection of garbage and collectable recyclables from multifamily sources.
- (b) Preparation of garbage for collection generally. All garbage placed for collection shall be prepared as provided under this section. Containers which are not polycarts issued by the city shall not be placed for collection except as provided on overflow collection days.
 - (1) Residential garbage.
 - a. All residential garbage must be placed inside the proper polycart(s).
 - b. No garbage shall be placed outside the polycart for collection unless the collection day is an "overflow collection day" or unless the resident has affixed an overflow tag to one of two plastic bags placed outside the cart for collection.
 - (2) Condominiums.
 - a. Residential garbage and collectable recyclables from condominium units shall not take place upon the private condominium property unless the following are present:
 - 1. The private property provides adequate ingress and egress to municipal equipment and vehicles with such maneuverability as to allow that equipment and vehicles to access and depart the property without the necessity of backing the vehicles off of the private property; and
 - 2. The owner of such private property executes a Hold Harmless Agreements as approved by the Common Council on March 2, 2004 (Resolution 04-31).
 - b. If the condominium development cannot or does not comply with the above requirements, residential garbage and collectible recyclables will be collected from such development if prepared in accordance with this section and placed for collection within three feet of the curb line.
 - (3) Commercial, institutional and manufacturing garbage.

Except as provided at section 82-2(d), commercial, institutional and manufacturing garbage must be placed in the proper polycart.
 - (4) Condition of disposable bags placed for "overflow collection day". All garbage placed for collection under this section shall be placed in a sufficient number of bags to adequately hold the garbage. All bags shall be securely tied and free of rips and tears. No sharp edges or protrusions shall be present. No bags shall be placed outside polycart for collection unless the collection day is an "overflow collection day" or unless there is an overflow tag affixed to one of the two bags placed outside the cart for collection. Overflow collection shall be for garbage and not for collectable recyclables.

- (c) Collection of recyclables. Collectable recyclables shall be separated from garbage and other collectable solid waste and placed for collection in the proper polycart in conformity with this subsection.

(1) Residential collectable recyclables.

Occupants of single and two family residences shall, to the greatest extent practicable, separate collectable recyclables from garbage and other solid waste and shall keep the collectable recyclables clean and free of contaminants, such as produce residue, oil or grease, or other non-recyclable materials, including, but not limited to, household hazardous waste, medical waste and agricultural chemical containers. Recyclable materials shall be stored in accordance with §82-3 of this ordinance in a manner which protects them from wind, rain and other inclement weather, and shall be placed curbside for collection as provided at §82-4 of this ordinance.

(2) Commercial, institutional and manufacturing sources.

Recyclable materials may be placed for collection as provided in section 82-4 of this ordinance.

(3) Responsibilities of owners or designated agents of multifamily dwellings. Owners or designated agents of multifamily dwellings shall be responsible to:

- a. Provide adequate separate containers for recyclable materials;
- b. Notify tenants in writing at the time of renting or leasing the dwelling and at least semiannually thereafter about the established recycling programs;
- c. Provide for the collection of materials separated from the solid waste by tenants and the delivery of the materials to a recycling material facility;
- d. Notify tenants of the reasons to reduce and recycle solid waste, which includes materials collected, how to prepare the materials in order to meet the processing requirement, collection methods or sites, locations and hours of operation, and a contact person or company, including the name, address and telephone number.

The requirements of subsection (c)(3)a, b, c and d of this section will not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the state department of natural resources which recovers collectable recyclables from solid waste in as pure a form as is technically feasible.

(4) Responsibilities of owners or designated agents of commercial, institutional, and manufacturing parcels. Owners or designated agents of nonresidential facilities and properties shall:

- a. Provide adequate, separate containers for recyclable material.
- b. Notify in writing, at least semiannually, all users, tenants and occupants of the properties about the established recycling program.

- c. Provide for the collection of materials separated from the solid waste by the users, tenants and occupants, and the delivery of the materials to a recycling facility.
- d. Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or site, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

The requirements of subsection (c)(4)a, b, c and d of this section do not apply to owners or designated agents of commercial, institutional and manufacturing parcels if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the state department of natural resources that recovers for recycling the collectable recyclables from solid waste in as pure a form as is technically feasible.

- (5) Separation of recyclables not required. The requirement that collectable recyclables be segregated from garbage and other solid waste do not apply in the following circumstances:
 - a. To the occupants of single-family and two-family to four-family unit residences, multiple-family dwellings and nonresidential facilities or properties that send their postconsumer waste to a processing facility licensed by the state department of natural resources that recovers recyclables from solid waste in as pure a form as is technically feasible.
 - b. Solid waste which is burned as a supplemental fuel at a facility if less than 30 percent of the heat input to the facility is derived from the solid waste burned as a supplemental fuel.
 - c. Any collectable recyclable for which a variance has been granted by the state department of natural resources under Wis. Stats. § 159.11(2), or Wis. Admin. Code NR § 544.14.
- (6) Collection time. All garbage, collectable recyclables or other collectable solid waste shall be placed as required by this chapter by 6:30 a.m. on the designated collection day.
- (7) Preparation time. All garbage, collectable recyclable or other collectable solid waste, when placed in front of a property pursuant to this chapter, shall not be so placed prior to 6:00 p.m. the day before the collection day for the garbage, collectable solid waste or collectable recyclable. Any polycart, solid waste or other item which is not collected in accordance with applicable provisions of this chapter shall be removed from curbside not later than midnight the day of collection.

Sec. 82-5. - Preparation of brush, refuse and yard waste.

- (a) Brush, refuse and yard waste shall be collected as determined by the board of public works.
- (b) When collected, brush, refuse and yard waste shall be prepared as follows:
 - (1) Brush. Brush shall be placed in stacks aligned parallel to the curb and shall not obstruct either the street (and gutters) or sidewalk. In areas where there are no sidewalks, brush shall be placed within four feet of the curb line and placed in stacks aligned parallel to the curb line and in such a manner as to not interfere with the flow of water in the gutters.
 - (2) Refuse. Refuse shall be placed at the curbside in such a manner as to provide the greatest ease of loading and collection into a truck. All refuse shall be free of jagged or sharp edges, protruding nails, protruding screws and any other hazardous condition.
 - (3) Yard waste. Yard waste shall be placed neatly in piles within six feet of the curb line and in such a manner as not to interfere with the flow of water through the gutters nor to obstruct the sidewalk or street.
- (c) Refuse or rubbish drop off site. The city may establish such refuse or rubbish drop-off sites as deemed appropriate by the board of public works. Such drop-off site shall be subject to the following regulations:
 - (1) Only refuse or rubbish as defined in this chapter and prepared in accordance with this section shall be deposited at any designated drop-off site.
 - (2) Such drop-off site shall be used only by residents of the city.
 - (3) Such drop-off site shall be used solely for purposes of dropping off and depositing refuse or rubbish at the site. No person shall take, carry away or in any manner remove any refuse or rubbish deposited or in the process of being deposited at the site.
 - (4) The director of public works shall establish such other regulations as reasonably pertain to the operation of the drop-off site.

Sec. 82-6. - Disposal of hazardous and other non-collectible items.

The following materials shall not be collected by the city and the owner and/or occupant of any premises shall be responsible for the proper disposal of such materials as follows:

- (a) Televisions, electronics and computer equipment which may be disposed of at the Brown County Hazardous Waste facility located at 2561 S. Broadway in the Village of Ashwaubenon.
- (b) Fluorescent light bulbs and light ballasts, which may be disposed of at the Brown County Hazardous Waste Facility located at 2561 S. Broadway in the Village of Ashwaubenon.

- (c) Construction debris and concrete (shingles, siding, drywall, etc.), which may be disposed of at the Brown County Transfer Station located at 3734 W. Mason Street, Oneida. Or, Veolia Environmental Services, 1799 County PP, De Pere.
- (d) Propane tanks, which may be disposed of at the Brown County Household Hazardous Waste Facility located at 2561 S. Broadway in the Village of Ashwaubenon.
- (e) Waste tires. By county ordinance, tire retailers must accept used tires for each new tire sold. Any additional tires may be taken to the Brown County Transfer Station located at 3734 W. Mason Street, Oneida.
- (f) Batteries. Automotive batteries can be disposed of at the Brown County Household Hazardous Waste Facility located at 2561 S. Broadway in the Village of Ashwaubenon.

Sec. 82-7. - Authority to direct the disposal of solid waste.

- (a) Disposal at the direction of the street superintendent. All solid waste, whether collected by the city pursuant to this chapter or collected privately, shall be disposed of as directed by the street superintendent or as otherwise provided by law. Solid waste shall not be buried on any premises within the city, and no person shall burn solid waste outdoors at any time within the city limits.
- (b) Solid waste on public streets. It shall be unlawful for any patron or person to deposit, throw, place or leave any solid waste upon any street, court, lane, alley, business, public enclosure, vacant lot, house, yard, body of water or any other place except those places provided in this chapter for collection purposes. No person shall remove any solid waste from a private premise without the consent of the occupant, owner or lessee of the premises, and no person shall remove any solid waste which has been set out for collection unless authorized to do so.
- (c) Disruption of collectable solid waste placed for collection unlawful. Except upon the direction of the street superintendent, no person shall upset or break open any bag or upset or remove the cover of any container or polycart placed in the manner provided for by this chapter for solid waste collection or otherwise remove the contents of any such receptacle in any street, alley or other public place.
- (d) Prohibitions on disposable recyclable materials separated for recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any collectable recyclables which have been separated for recycling.

Sec. 82-8. - Disposal of certain solid wastes.

- (a) Disposal of animal offal and other offensive wastes. Animal offal and other offensive waste, including dead animals, fish, fowl, manure and nightsoil may not be placed for collection by the municipal collection service. It is the responsibility of the owner of such animals to dispose the waste in a sanitary manner. The

excrement/fecal waste of domesticated animals allowed upon Single Family Residence District and Single and Two Family Residence District zoned parcels shall be allowed for municipal collection provided such excrement/fecal waste is properly packaged and disposed of so as to not leak, leach or spill into the garbage container.

- (b) Cinders and ashes. Cinders and ashes or any smoldering embers shall not be placed for collection.
- (c) Disposal of infectious material. The removal of apparel, bedding or other refuse from homes or places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the city health officer. Such waste shall not be placed curbside for collection with normal garbage or collectable recyclables.
- (d) Hazardous and/or toxic waste. Placing or depositing any hazardous or toxic waste including, without limitation, explosive materials such as dynamite, dynamite caps, shotgun shells, rifle cartridges, gunpowder, gasoline or other similar material in disposable bag, polycart, recyclable box or bundle for collection is prohibited.
- (e) Questions concerning disposal. When any patron is in doubt as to proper preparation, handling and disposal of any type of solid waste, he or she shall communicate with the street superintendent for information concerning handling and disposal.

Sec. 82-9. - Special regulations.

- (a) Accumulation of waste. If the owner, occupant or lessee of any premises shall neglect or refuse to clean up and remove from the premises any solid waste when ordered to do so by the city health officer, the owner, occupant or lessee shall be liable for the penalty provided for violation of this chapter. Should the accumulation occur on any street, alley or public thoroughfare, the waste may be collected by the street superintendent and the entire cost assessed against the abutting property.
- (b) Enforcement of maximum weight limits. All new commercial, manufacturing and multiple-family units may receive municipal solid waste collection under the provisions of this chapter if their waste volumes are below the maximum allowable for collection as provided in this chapter. If it is determined at any time that the patron exceeds the maximum weight limits for four consecutive weeks, the street superintendent may issue a notice providing that municipal collection services will be terminated at the end of 60 days from date of the notice.
- (c) Failure to comply. The street superintendent may refuse to furnish collection service to any person not complying or refusing to comply with this chapter or the rules and regulations made by the board of public works or other orders of the street superintendent or health department for the collection or disposal of solid wastes.
- (d) Prosecution. When services for collection of solid waste have been withdrawn by the street superintendent from any person for failure to comply with such rules and

regulations resulting in the accumulation of garbage or other solid wastes on his premises, which is offensive or a public nuisance, that person may be prosecuted under any ordinance of the city regulating the same.

Sec. 82-10. - Enforcement provisions.

- (a) Enforcement by department of public works. For the purpose of ascertaining compliance with the provisions of this chapter in regard to recyclables, any authorized officer, employee or representative of the department of public works may inspect recyclable materials separated for recycling, garbage intended for disposal, recycling collection sites and facilities, collection vehicles, and any records relating to recycling activities which shall be kept confidential when necessary to protect propriety information. No person may refuse access to any authorized officer, employee or authorized representative of the department of public works who requests access for purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper or interfere with any such inspection.
- (b) Penalty. Any person who violates the provisions of this chapter or who refuses to obey any order issued under this chapter shall be subject to a forfeiture collected by municipal citation. The issuance of the citation shall not preclude proceeding under any other ordinance or law relating to the same matter. Proceeding under any other ordinance or law relating to the same matter shall not preclude the issuance of a citation under this subsection. Penalties for violating this chapter shall be as determined by resolution of the common council. Each 24-hour period of violation, disobedience, omission, neglect or refusal to obey this chapter or any order in accordance therewith shall be deemed a separate offense.

(Code 1974, § 23.11; Ord. No. 10-08, §§ 4, 5, 5-4-2010)

Sec. 82-1. - 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.

(Ord. No. 14-11, § 1, 9-16-2014)

Sec. 82-12. - Nicolet Square Recyclable and Garbage Common Collection Service District Created.

(a) *Purpose*

The Common Council finds that continued city collection of commercial source recyclables and garbage has led to the proliferation of recycling and garbage carts in the city's downtown commercial areas, resulting in access restrictions to businesses and public parking areas and sanitary and aesthetic concerns. Further, commercial building footprints in the historic downtown commercial areas typically encumber the entire parcel, leaving little or no room for public or private refuse container storage or screening, allowing few options to avoid the detrimental impact caused by the presence of individual recycle and garbage carts on collection days or when stored between collection days.

Wis. Stats §66.0405 authorizes the city to create district(s) for the collection of refuse defined by type of property. Although both the east and west side commercial business areas exhibit the detrimental impact on aesthetics and access caused by multiple containers on public parking property each collection day, the number of commercial businesses properties contributing to the problem on the east side is far less than on the west side. Further, the configuration of business properties on the west side is compact due to the presence of the Nicolet Square Parking Mall, providing the city an opportunity to implement a novel approach to prevent the deleterious effects the proliferation of recyclable and garbage containers has on the historic downtown commercial properties. The Common Council is mindful that it has not before set apart public property for the purpose of recyclable and garbage collection by a private waste hauler, and wishes to determine the effectiveness of the action prior to expanding the program.

Therefore, deeming it prudent to establish one such common collection district at this time to determine the efficiency and effectiveness of the collection method, the Common Council hereby creates the Nicolet Square Recyclable and Garbage collection District ("the Nicolet Square District"). In circumstances where the provisions of this section are in conflict with other sections of this chapter, the provisions of this section shall control.

(b) *Definitions*

When used in this section, the following definitions shall apply:

- (1) *Common area* means the location(s) identified by the city where it will place dumpster(s) for collecting commercial source recyclables and garbage from the Nicolet Square District.
- (2) *Dumpster* means a container designed and used for dumping, receiving and transporting recyclable materials and garbage. In this section, dumpster does not include polycart(s).
- (3) *Nicolet Square District* shall mean those real properties abutting Main Ave to

the North, Third Street to the East, Reid Street to the South and Fourth Street to the West, in particular the following Parcels: WD-906, WD-907, WD-908, WD-909, WD-910, WD-911, WD-912, WD-913, WD-915, WD-917, WD-918, WD-919, WD-920, WD-921, WD-922, WD-923, WD-925, and WD-931, except for those parcels which may have opted out as permitted under §82-12(d)2.

- (4) *Waste generator rate* means the rate assigned to the commercial use of the parcel as determined by *Waste Management Practices-Municipal, Hazardous, and Industrial – Second Edition*.

(c) *City to Provide Common Collection Service*

1. Commencing January 1, 2017, city shall provide common area(s) for placing dumpster(s) for receiving and disposing of normal accumulations of commercial source recyclables and garbage generated by the owners and/or tenants of the parcels comprising the Nicolet Square District. Further, city shall provide or contract to provide collectable recyclable and garbage dumpster collection and transportation services therefore. City shall allow owners of establishments in the Nicolet Square District to place necessary grease collection containers in the common area(s), who shall be responsible for maintaining that area in a clean and orderly manner and for the proper and sanitary collection of the same by a service contractor.
2. Dumpsters in the common area shall be serviced by City or its contractor at such times and frequencies as necessary to maintain the area in a good, clean and sanitary condition. The collection limits and frequency found in §82-2 of this chapter do not apply to the common collection service to the Nicolet Square District.
3. Only commercial source collectable recyclables and garbage, as defined in §82-1 DPMC shall be placed in the appropriate dumpsters, except that restaurant grease is permitted when placed in the appropriate grease container provided as specified above.
4. The dumpsters in the common area(s) shall be used only by the owners and tenants of the Nicolet Square District as defined in this section.
5. The city shall collect all previously city issued polycarts from each property in the Nicolet Square District. No polycart shall be distributed to any parcel in the Nicolet District after December 31, 2016. All parcels shall receive the city Collection Services described above commencing January 1, 2017 unless a property owner qualifies for and provides notice to city of their intent to opt out of such service under paragraph (d)2. After December 31, 2016, regulations found in §82-4(a) (2), (c) (2), and (c) (4) of this chapter regarding polycarts do not apply to this section.

(d) *Participation in City Provided Collection Service*

- (1) Except as provided herein, all parcels in the Nicolet Square District shall be provided City Collection Services. A property owner meeting all of the requirements of paragraph (2) below may provide written notice of their intent to opt out of the City provided collection service and to be responsible for their own safe and sanitary collectible recyclable and garbage collection service. Notice shall be as provided in paragraph (2) below.
- (2) A property owner may opt out of the common collection service provided by the city if all of the following apply:
 - A. The parcel for which the owner opts out is of sufficient size and shape such that all private collection receptacles and the enclosure therefore are located entirely upon such parcel and enclosed in accordance with all of the following requirements:
 - i. Use of such enclosure shall be limited to the storage of private collection receptacles; and .
 - ii. The enclosure shall be 100% impervious to sight; and
 - iii. The enclosure shall be equipped with a gate, and both the gate and the enclosure shall be constructed of vinyl, brick, masonry or composite wood which matches the primary structure. Chain link fence with slats is not permitted.
 - iv. The enclosure shall be at least (1) foot higher than the receptacle(s) but no higher than six (6) feet. No refuse or recycle may be stored higher than the enclosure.
 - v. The refuse recycle storage area shall have a compliant hard surface (gravel is not allowed).
 - vi. Landscaping is required around screening walls wherever they abut a non-paved surface or a required landscape area.
 - B. The parcel owner shall provide written notice of opt out to the Director of Public Works on or before October 1 of the year preceding the effective date of the opt out. Once the opt out is effective, the opt out shall continue unless the owner of the parcel provides the Director of Public Works with a request to terminate the opt out on or before October 1 of any year. If the termination request is approved by the Director of Public Works (whose approval shall not be unreasonably withheld), the termination shall be effective January 1 of the subsequent year.

(e) *Assessment for city collection services.*

All property owners in the Nicolet Square District except those opted out shall be charged for all costs associated with providing and maintaining the common areas for recyclables and garbage and for all costs associated with providing collection,

transportation and disposal services for recyclables. The Director of Public Works shall annually determine the costs of providing the common collection service utilizing the following formula:

(To be determined)

The charge for services rendered to the parcels as described above shall be placed as a special charge against the tax roll for such parcel each year as provided by Wis. Stats. §66.0627.

Chapter 82 - SOLID WASTE/CURBSIDE RECYCLABLE COLLECTION^[1]

Sec. 82-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bi-metal container means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

Brush means trimmings from shrubs and trees but does not include brush or yard waste generated by a service contractor., ~~tree limbs less than six inches in diameter, and stalks from garden plants. Brush does not include stumps, root balls or logs greater than six inches in diameter.~~

~~Bundle means a securely tied bail or stack of paper products or wood not to exceed dimensions of 12 inches x 18 inches x 12 inches nor a weight of 50 pounds.~~

Collectable recyclables means ~~aluminum containers, corrugated paper, or other container board; foam polystyrene packaging; glass containers; magazines; newspaper, office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins; steel containers; and bi-metal containers.~~ all plastic bottles & containers including: all food, beverage and household bottles, jars, jugs, dairy containers and lids, deli, bakery, produce containers and lids; all paper including: newspapers and inserts, magazines, books, catalogs, milk, juice and soup cartons, junk mail and office paper; all metal and glass including: aluminum bottles and cans, steel, tin and bi-metal cans, empty aerosol cans, food and beverage glass bottles and jars. The items listed as collectable recyclables in this definition may be modified by the director of public works in accordance with the effective date of state law or applicable state department of natural resources regulations or variances therefrom. The director of public works shall be responsible for informing the public of all acceptable collectable recyclables.

Collectable solid waste means garbage, collectable recyclables, brush, yard waste and refuse.

Commercial or manufacturing source means any private business enterprises, including, but not limited to, offices, stores, taverns, service stations, restaurants and similar businesses whether non-profit or profit making in nature, excluding hazardous, toxic, noxious or offensive waste, brush, yard waste, refuse or commercial debris.

~~Commercial garbage means waste resulting from the operation of business enterprises, including, but not limited to, offices, stores, taverns, service stations, restaurants and similar businesses, excluding hazardous, toxic, noxious or offensive waste, brush, yard waste, refuse or commercial debris.~~

Compost site means a public site prepared and operated by the city for the purpose of composting yard waste.

Construction debris means all waste resulting from ~~construction or reconstruction of any building, roadway, sidewalk, or sewer; also, any yard waste or brush generated by a service contractor.~~ building construction or demolition, alteration, or repair, including excavated material, remodeling, and other waste including but not limited to windows, doors, drywall, framing and roofing materials, flooring, carpeting cabinets and counter tops, concrete, stone, asphalt, sod, earth, dirt, and brick.

Container board means corrugated paperboard used in the manufacture of shipping containers and related products.

Disposable bag and *bag* mean a one-way disposable bag made of polyurethane or other plastic material with a securing twist tie consisting of a minimum of two-ply paper and minimum of 1½ mils thickness for plastic. Bags shall not exceed a volume capacity of 30 gallons nor a weight of 50 pounds. Whenever the terms "disposable bag" and "bag" are used in this chapter, such words will mean disposable bag as described in this definition.

Foam polystyrene packaging means packaging made primarily from foam polystyrene that satisfied one of the following criteria:

- (1) Is designed for serving food or beverages.
- (2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
- (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

Garbage means miscellaneous waste material, excluding recyclables, including, but not limited to, discarded material resulting from handling, processing, storing, consumption of food, paper, metals, rubber, wood, cloth, and litter. Garbage shall specifically exclude hazardous, offensive, noxious or toxic wastes, refuse, construction debris, yard waste or brush.

Hazardous and/or toxic waste means waste materials or substances which, during normal storage in handling, may be a potential cause of harm, sickness or death, such as explosives, petroleum products, metal or pharmaceutical materials, corrosive chemicals, poisonous or pathogenic substances, pesticides, chemicals, radioactive materials, toxic materials, and all other similar harmful substances, whether in solid, liquid or gaseous form.

Institutional sources means any institutional enterprise, including, but not limited to, churches, schools, educational institutions, and fraternal organizations.

HDPE means high density polyethylene, labeled by the SPI code #2.

LDPE means low density polyethylene, labeled by the SPI code #4.

Landscape/lawn care operation means all landscape, lawn care, nursery, **tree service**, or other business which provides landscape and lawn care services to others for a fee or other consideration. See also service contractor.

Magazines means magazines and other materials printed on similar paper.

Major appliance means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, humidifier or water heater. Major appliances are considered refuse for purposes of this chapter. Microwave ovens which have had the capacitor removed shall not be considered major appliances.

*Manufacturing **source** garbage* means waste resulting from manufacturing or processes and operations, excluding hazardous, offensive, toxic or noxious wastes, refuse, yard waste, brush or construction debris.

*Multiple-family **source** **dwelling*** means a property containing **three** **five** or more residential units, including those which are occupied seasonally.

Newspaper means a newspaper and other materials printed on newsprint.

~~*Nonresidential facilities and properties* means commercial, retail, industrial, institutional and governmental facilities and properties. This term nonresidential facilities and properties does not include multiple-family dwellings.~~

Noxious and/or offensive waste means those wastes that are unwholesome or have an unpleasant smell or are otherwise noxious and/or offensive, such as manure, filth, slop, carcasses, carrion meat, fish, entrails, hides and hide scrapings, paint, kerosene, oil or greasy substances, and objects that may cause injury to any person or animal or damage to vehicles such as barbed wire, briar thorns or similar materials. The term "manure" herein shall not include the excrement/fecal waste of domesticated animals allowed upon R-1 Single Family Residence District and R-2 Single and Two Family Residence District zoned parcels provided such excrement/fecal waste is properly packaged and disposed of so as to not leak, leach or spill into the garbage container.

Office paper means high grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.

Other resins and multiple resins mean plastic resins labeled by the SPI code #7.

Other sources means **s** municipal buildings and municipal public spaces.

Overflow collection day means a day on which garbage or collectable recyclables that cannot fit in the polycart is collected. On an overflow collection day, garbage which cannot fit into the polycart shall and placed be placed in a disposable bag placed in a disposable bag ~~may be placed along side~~ alongside but not inside the polycart for collection. On an overflow collection day, collectable recyclables that cannot fit in the polycart may be placed in a container which itself is a collectable recyclable and which is of a size which can fit within the polycart, and such container shall be placed alongside the polycart for collection. An overflow collection day shall be such day (s) as

is declared by the city and shall also mean any such day that an "overflow tag" is affixed to the garbage bag which is placed outside the polycart.

Overflow tag means the tag purchased at city hall or the municipal service center for the privilege of placing solid waste which does not fit ~~garbage bags~~ not in a polycart out for pick up. Each overflow tag shall permit the placement of no more than two overflow containers [either plastic bag(s) or recyclable container(s)] ~~garbage bags~~ for collection. The fee for such tag shall be as established by resolution of the common council. ~~Overflow tags are not available for overflow collectable recyclables.~~

Patron means any person producing any type of waste material covered by the regulations of this chapter. In the case of a firm or corporation, the term "patron" will be construed to mean the principal agent, office or employee responsible for the firm or corporation.

Person means any individual, corporation, partnership, association, educational institution, local governmental unit as defined in Wis. Stats. §66.0117(1)(a) , state agency or authority, or federal agency.

PETE means polyethylene terephthalate, labeled by the SPI code #1.

Plastic container means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.

Polycart means a reusable container specifically designed for automated collection and provided by the City for a fee determined by the City Council. Polycarts are the property of the City and shall remain with the parcel address to which it is assigned by the City. Polycarts are specifically designated for garbage or collectable recyclable use. Garbage polycarts are available in large or small sizes. If a parcel is allowed two (2) garbage polycarts under this ordinance, at least one of the polycarts shall be the large size. ~~approved by the street department and specifically designed to be adaptable to city garbage and recycling truck automated pickup.~~

~~No~~

Postconsumer waste means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Wis. Stats. §291.01 (including such amendments as may be made from time to time), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste as defined in Wis. Stats. §289.01 (including such amendments as may be made from time to time).

PP means polypropylene, labeled by the SPI code #5.

Private collection receptacle means container(s) provided by a private garbage or recyclable collection hauler. ~~P~~

PS means polystyrene, labeled by the SPI code #6.

PVC means polyvinyl chloride, labeled by the SPI code #3.

Recyclable materials means lead acid batteries; major appliances; waste oil; yard waste; and collectable recyclables as defined in this section.

Refuse or rubbish means miscellaneous waste material that is bulky or of such a size that will not fit in polycart and as is not normally collected with garbage including but not limited to furniture, appliances, bicycles, exercise equipment, play equipment, and other household items. carpet, mattresses, screen/storm doors, swing sets, plumbing fixtures, ovens, washtubs, wheelbarrows, bikes, box springs, and similar items. Refuse or rubbish excludes ~~also means construction debris~~, electronics such as televisions, stereos, microwaves, computers, cell phones, telephones systems, keyboards, servers, copiers, video equipment, business equipment, printers, and similar equipment. Refuse and rubbish also excludes air conditioners, dehumidifiers, freezers, refrigerators, and water coolers, and others similar equipment containing Freon. ~~only if such items have a city issued Freon sticker placed upon them in advance of collection.~~

The director of public works shall maintain a list of acceptable items falling within the refuse or rubbish classification.

Refuse or rubbish drop-off site means a public site prepared and operated by the city for the purposes of refuse or rubbish drop-off. The director of public works shall maintain a list of items acceptable items acceptable for drop off.

Residential source means a property containing one or two ~~three or four~~ residential units, including those which are occupied seasonally.

~~Reusable container and container mean durable, rust resistant, nonabsorbent, watertight, rodent proof, and easily cleanable receptacle with close fitting cover and adequate handles or bales to facilitate handling and which does not exceed a volume capacity of 31 gallons. Whenever the terms "reusable container" and "container" are used in this chapter, such words will mean reusable container for storage of solid waste between collections only.~~

Service contractor means a person, firm, entity or company which performs services for a property owner or occupant.

Solid waste means garbage, recyclables, brush, yard waste, refuse, construction debris; hazardous, toxic, offensive or noxious wastes.

Solid waste facility means as specified in Wis. Stats. § ~~144.43(5)~~ 289.01 (35) including such amendments as may be made enacted from time to time.

Solid waste treatment means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. Treatment includes incineration.

Waste tire means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

Yard waste means all materials originating in the yard and garden which are capable of natural decomposition, including leaves, grass clippings, and other vegetation but does not include any yard waste generated by a service contractor. Yard waste does not include any brush. ~~exclusive of brush, stumps, root balls or logs greater than six inches in diameter.~~

Sec. 82-2. - Collection limits and frequency.

(a) Effective January 1, 2017, city shall not collect garbage or collectable recyclables for parcels which create in excess of two (2) large polycarts on a garbage only collection cycle or three (3) large polycarts on a garbage recycling collection cycle. The property owner or designated agent shall be responsible for the proper and sanitary storage, collection and transportation of garbage and collectable recyclables generated, all in accordance with federal, state and local regulations.

(a)(b) Residential source. Garbage from a residential source shall be collected by the city once each week. Collectable recyclables from a residential source shall be collected once every two weeks. ~~The maximum combined weight of the garbage and collectable recyclables placed for collection shall be 150 pounds for each one through four family, or 200 pounds if a polycart is used.~~ The maximum number of polycarts the ~~C~~city shall collect in a collection cycle shall be:

(1)

(1) Garbage collection only cycle:

a. Single family residence: two (2) garbage polycarts at a maximum of 200 pounds each.

~~a.~~ b. Duplex residence: one (1) garbage polycart per unit at a maximum of 200 pounds each.

~~(1)(2)~~ Garbage and recyclable collection cycle:

a. Single family residence: three (3) polycarts, at least one of which shall be collectable recyclables in a recyclable designated polycart, at a maximum of 200 pounds per polycart.

b. Duplex residence: two (2) polycarts per unit, at least one of which shall be collectable recyclables in a recyclable designated polycart, at a maximum of 200 pounds per polycart.

(bc) Multifamily source. Garbage and collectable recyclables shall not be collected from any multifamily source. All owners or designated agents of multifamily dwellings shall be responsible for the proper and sanitary transportation of garbage and collectable recyclables generated from multifamily sources in compliance with all federal, state and local laws and regulations.

(ed) Commercial ~~or institutional and~~ manufacturing ~~and institutional~~ sources. Normal accumulations of garbage from commercial or manufacturing parcels shall be collected once each week. Normal accumulations of collectable recyclables shall be collected from a commercial or manufacturing source once each two weeks. The maximum number of polycarts the city shall collect in a collection cycle shall be:

(1) Garbage collection only cycle: two (2) garbage polycarts at a maximum of 200 pounds each.

(2) Garbage and recyclable collection cycle: three (3) polycarts, at least one of which shall be collectable recyclables in a recyclable designated polycart, at a maximum of 200 pounds per polycart.

~~combined weight of garbage and collectable recyclables placed for collection shall be five three polycarts, at least one of which shall be collectable recyclables, at a maximum of 200 pounds each per polycart.concern. Effective January 1, 2017, Pparcels exceeding three large polycarts shall not be collected and owners or designated agents shall be responsible for the proper and sanitary transportation of garbage and collectable recyclables generated in compliance with all federal, state, and local laws and regulations.~~

(~~de~~) Commercial sources in certain locations. ~~All n~~Normal accumulations of garbage and collectable recyclables from commercial and manufacturing concerns~~parcels~~ located in ~~Nicolet Square~~, Mission Square, Perrot Square, Marquette Square, the block bounded by Fourth, Fifth, Main and Reid, and the block bounded by Broadway, Front, George and James Streets, up to a maximum limit of five polycarts of solid waste at a maximum of 200 pounds each per concern ~~parcel~~, or, upon approval of the street superintendent, up to a maximum limit of 150 pounds of solid waste per concern, shall be collected once each week.

(~~e~~) Institutional sources. Normal accumulations of garbage from churches, schools, and fraternal organizations, shall be collected once per week by the city. Normal accumulations of collectable recyclables shall be collected once every two weeks. The maximum combined weight of garbage and collectable recyclables placed for collection shall be three large polycarts, at least one of which shall be collectable recyclables, at a maximum of 200 pounds each per polycart. ~~Parcels exceeding three large polycarts shall not be collected and owners or designated agents shall be responsible for the proper and sanitary transportation of garbage and collectable recyclables generated in compliance with all federal, state, and local laws and regulations.~~

(~~fe~~) Other sources. Normal accumulations of garbage from churches, schools, fraternal organizations, municipal buildings and municipal public spaces shall be collected once per week by the city. Collectable recyclables from the sources stated in this subsection shall be collected once every two weeks. ~~The combined weight limit of garbage and collectibles left for collection shall be five polycarts of 200 pounds each per concern.~~

(~~gf~~) Construction debris. Construction debris shall not be picked up by the ~~C~~city street division. It shall be the responsibility of the owner and/or contractor to properly dispose of construction debris as provided by law.

Sec. 82-3. - Storage of solid waste between collections.

(a) Residential source. ~~Storage of~~ ~~C~~city issued ~~polycarts~~.

- (1) The owner and/or the occupant of a residential source shall be responsible for the proper and sanitary storage of all collectable solid waste accumulated at the premises until collection.
- (2) The owner and/or the occupant of a residential source shall use ~~sufficient supply of bags, reusable containers, or sufficiently sized~~ polycarts to adequately

hold garbage or collectable recyclables accumulating between collections without overloading.

- (3) All ~~bags, containers, and~~ polycarts shall be maintained in a good, clean and sanitary condition. Bags shall be securely tied and free of rips and placed in polycarts. ~~Containers and polycarts~~ Polycarts shall not be overloaded, bent, broken or otherwise maintained so as to prevent the cover from properly fitting thereon.
- (4) The owner and/or the occupant shall be responsible for the proper and sanitary storage of all other solid waste and collectable recyclable material and shall be responsible for its disposal according to law.
- (5) ~~No owner or occupant of any building shall place or store any solid waste or polycarts in front or along side~~ alongside ~~of any building or on any corner lot along the side of a building facing the abutting street except when done for lawful collection in compliance with this chapter.~~ Polycarts shall be stored during the time period between collection days in the following locations:
 - a. Residential sources. ~~Effective January 1, 2018, P~~polycart(s) from residential sources shall be stored in a garage or other permitted enclosure or outbuilding on the parcel when available. When such garage or other permitted enclosure or outbuilding is not available, the polycart(s) shall be screened from view of any observer located at the property line or any public right-of-way. Acceptable screening devices include bushes, fences and other screening device that visually blocks the view of the polycart(s). All screening shall be properly maintained and in a good state of repair.
 1. Polycart(s) may be stored in the backyard, garage, or any other convenient discreet location, provided they are screened as provided herein.
 2. Polycart(s) must be stored with the lids completely closed.
 3. Do not store polycart(s) near a furnace, grill or any other heat source.
 - b. Commercial, institutional and manufacturing sources. ~~CityEffective January 1, 2018, —P~~polycarts from commercial, institutional and manufacturing sources which are not subject to refuse and recycle enclosure storage requirements under its site plan approval from the eCity Plan Commission shall be stored in an enclosure on the parcel when available. When such enclosure is not available, the polycarts shall be screened from view of any observer located at the property line or any public right-of-way. Acceptable screening devices include bushes, fences, except chain link with slating, and other screening device that visually blocks the view of the polycart(s). All screening shall be properly maintained and in a good state of repair.

- (6b) Enclosures for Private Collection Receptacles.

- (1) Effective January 1, 2018, all property upon which private collection receptacle(s) are stored which are not subject to refuse and recycle storage requirements under any site plan approval from the City Plan Commission, shall store such private collection receptacles in a garage or other permitted enclosure. When such garage or other permitted enclosure or outbuilding is not available, the private collection receptacle(s) shall be screened from view of any observer located at the property line or any public right-of-way. Acceptable screening devices include bushes, fences and other screening device that visually blocks the view of the private collection receptacle(s). All private collection receptacle(s) shall be stored with lids completely closed and away from all heat sources. All screening shall be properly maintained and in a good state of repair.
- (2) The building inspector or his/her designee shall have the authority to order that any exterior storage of garbage, recyclables, or refuse be enclosed in a structure if, in the building inspector's determination, the storage of such garbage, recyclables, or refuse is unsanitary or creates or tends to create a nuisance to public health or safety. Such enclosure shall meet the following requirements:
 - a. Use of such enclosure shall be limited to the storage of private collection receptacles; and
 - b. The enclosure shall be 100% impervious to sight; and
 - c. The enclosure shall be equipped with a gate, and both the gate and the enclosure shall be constructed of vinyl, brick, masonry or composite wood which matches the primary structure. Chain link fence with slats is not permitted.
 - d. The enclosure shall be at least (1) foot higher than the receptacle(s) but no higher than six (6) feet. No refuse or recycle may be stored higher than the enclosure.
 - e. The refuse recycle storage area shall have a compliant hard surface (gravel is not allowed).
 - f. Landscaping is required around screening walls wherever they abut a non-paved surface or a required landscape area.

~~a. Commercial, institutional and manufacturing sources which are not subject to refuse and recycle storage requirements under its site plan approval from the City Plan Commission shall provide an enclosure for such receptacle storage if:~~

- ~~-Receptacles can be seen from residential property;~~
- ~~Receptacles can be seen from any adjacent road;~~

~~Receptacles can be seen from any parking area used by customers of the business or customers of abutting property owner business; or
The conditions of the area where receptacles are stored is unsightly, unsanitary or creates a public nuisance as determined by the city building inspection department or city health department.~~

Sec. 82-4. - Placement of garbage and collectible solid waste for city collection.

(a) Placement ~~Location~~ of ~~containers~~polycarts for collection.

(1) Commercial, Institutional, Manufacturer and Residential sources.

- a. Commercial, Institutional, Manufacturer and Residential garbage and recyclables ~~residential garbage and collectable recyclables from single-family, duplex, tri-plex and four-plex sources~~ will be prepared as set forth below. ~~and placed for collection within three feet of the curblin~~curb line; ~~and~~
- b. All ~~residential~~ garbage and collectable recyclables shall be placed in the proper polycart. The polycart shall be placed ~~with the lid fully closed~~ within three feet of the curb with the directional arrow pointing toward the street where available. Collections may be made at the alley line where such parcels are served by an alley or adjacent to the sidewalk in designated downtown areas, subject to the consent and approval of the street superintendent.
- c. All polycarts shall be placed no less than four feet away from each other or any other objects.
- d. Polycarts shall not be placed in front of parked cars.
- e. Location of polycarts in winter. During winter months, polycarts shall be placed in the driveway apron or on an adjacent area to the curblin~~curb line~~ which has been shoveled free of snow. In cases where the street superintendent determines that collection would be best facilitated by allowing property owners to place polycarts at other accessible points, this subsection may be waived by the city. Polycarts shall not be placed on top of snow bank.
- f. All solid waste placed for collection shall be deemed abandoned and shall become~~become~~ property of the City~~property~~ city upon being placed for collection.

(2) Multifamily source.~~, commercial and manufacturing.~~ There shall be no collection of garbage and collectable recyclables from multifamily sources. ~~Collection of garbage and collectable recyclables from commercial and manufacturing concerns shall be at the curblin~~curb line where available. Collections may be made at the alley line where such concerns are served by an alley or adjacent

~~to the sidewalk in mall areas, subject to the consent and approval of the street superintendent.~~

~~(3) Location of containers in winter. During winter months, garbage or collectable recyclables shall be placed in the driveway apron or on an adjacent area to the curbline~~curb line~~ which has been shoveled free of snow. In cases where the street superintendent determines that collection would be best facilitated by allowing property owners to place garbage at some other accessible points, this subsection may be waived by the city.~~

(b) Preparation of garbage for collection generally. All garbage placed ~~curbside~~ for collection shall be prepared as provided under this section. ~~Reusable c~~Containers which are not polycarts issued by the city shall not be placed for collection except as provided on overflow collection days ~~and shall not be emptied by city crews.~~

(1) Residential garbage.

- a. All residential garbage must be ~~enclosed in disposable bags before being~~ placed inside the proper polycart(s). ~~Before placing any garbage in a disposable bag it shall first be drained and/or wrapped in paper so that the garbage is relatively dry. It shall be the responsibility of each patron to keep the garbage relatively free from rainwater and snow until collection.~~
- b. No garbage shall be placed outside the polycart for collection unless the collection day is an "overflow collection day" or unless the resident has affixed an overflow tag to one of two plastic bags placed outside the cart for collection.

(2) Condominiums.

- a. Residential garbage and collectable recyclables from condominium units shall not take place upon the private condominium property unless the following are present:
 1. The private property provides adequate ingress and egress to municipal equipment and vehicles with such maneuverability as to allow that equipment and vehicles to access and depart the property without the necessity of backing the vehicles off of the private property; and
 2. The owner of such private property executes a Hold Harmless Agreements as approved by the Common Council on March 2, 2004 (Resolution 04-31).
- b. If the condominium development cannot or does not comply with the above requirements, residential garbage and collectible recyclables will be collected from such development if prepared in accordance with this section and placed for collection within three feet of the curbline~~curb line~~.

(3) Commercial, institutional and manufacturing garbage.

Except as provided at ~~sub~~section 82-2(d), commercial, institutional and manufacturing garbage must be ~~enclosed in a disposable bag(s) and~~ placed in the propera polycart. ~~Before placing commercial or manufacturing garbage in a~~

~~disposable bag it shall first be drained and/or wrapped in paper so that the garbage is relatively dry.~~

- (4) Condition of disposable bags ~~and polycarts~~ placed for “overflow collection day”. ~~collection.~~ All ~~Each patron placing~~ garbage placed for collection under this section shall be placed in utilize a sufficient number of bags ~~and polycarts~~ to adequately hold the garbage. All bags shall be securely tied and free of rips and tears. No sharp edges or protrusions shall be present. ~~No bags shall be placed outside polycart for collection unless the collection day is an “overflow collection day” or unless there is an overflow tag affixed to one of the two bags placed outside the cart for collection.~~ Overflow collection shall be for garbage and not for collectable recyclables.

- (c) Collection of recyclables. Collectable recyclables shall be separated from garbage and other collectable solid waste and placed for collection in the proper polycart in conformity with this subsection.

- (1) Residential collectable recyclables.

Occupants of single-family ~~and two family to four family~~ residences shall, to the greatest extent practicable, separate collectable recyclables from garbage and other solid waste and shall keep the collectable recyclables clean and free of contaminants, such as produce residue, oil or grease, or other non-recyclable materials, including, but not limited to, household hazardous waste, medical waste and agricultural chemical containers. Recyclable materials shall be stored in accordance with §82-3 of this ordinance in a manner which protects them from wind, rain and other inclement weather, and shall be placed curbside for collection as provided at §82-4 of this ordinance

- (2) ~~Commercial, institutional~~ and manufacturing sources.

Recyclable materials may be placed for collection as provided in section §82-4 of this ordinance ~~of this section in one or more polycarts approved of by the street superintendent as designated for collection of recyclables.~~

- (3) Responsibilities of owners or designated agents of multifamily dwellings. Owners or designated agents of multifamily dwellings shall be responsible to:
- Provide adequate separate containers for recyclable materials;
 - Notify tenants in writing at the time of renting or leasing the dwelling and at least semiannually thereafter about the established recycling programs;
 - Provide for the collection of materials separated from the solid waste by tenants and the delivery of the materials to a recycling material facility;
 - Notify tenants of the reasons to reduce and recycle solid waste, which includes materials collected, how to prepare the materials in order to meet the processing requirement, collection methods or sites, locations and hours of operation, and a contact person or company, including the name, address and telephone number.

The requirements of subsection (c)(3)a, b, c and d of this section will not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the state department of natural resources which recovers collectable recyclables from solid waste in as pure a form as is technically feasible.

- (4) Responsibilities of owners or designated agents of **commercial, institutional, and manufacturing parcels** ~~nonresidential facilities and properties~~. Owners or designated agents of nonresidential facilities and properties shall:
- Provide adequate, separate containers for recyclable material.
 - Notify in writing, at least semiannually, all users, tenants and occupants of the properties about the established recycling program.
 - Provide for the collection of materials separated from the solid waste by the users, tenants and occupants, and the delivery of the materials to a recycling facility.
 - Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or site, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

The requirements of subsection (c)(4)a, b, c and d of this section do not apply to owners or designated agents of **commercial, institutional, and manufacturing parcels** ~~nonresidential facilities and properties~~—if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the state department of natural resources that recovers for recycling the collectable recyclables from solid waste in as pure a form as is technically feasible.

- (5) Separation of recyclables not required. The requirement that collectable recyclables be segregated from garbage and other solid waste do not apply in the following circumstances:
- To the occupants of single-family and two-family to four-family unit residences, multiple-family dwellings and nonresidential facilities or properties that send their postconsumer waste to a processing facility licensed by the state department of natural resources that recovers recyclables from solid waste in as pure a form as is technically feasible.
 - Solid waste which is burned as a supplemental fuel at a facility if less than 30 percent of the heat input to the facility is derived from the solid waste burned as a supplemental fuel.
 - Any collectable recyclable for which a variance has been granted by the state department of natural resources under Wis. Stats. § 159.11(2), or Wis. Admin. Code NR § 544.14.

- (6) Collection time. All garbage, collectable recyclables or other collectable solid waste shall be placed as required by this chapter by ~~7:00 a.m.~~ 6:30 a.m. on the designated collection day.
- (7) Preparation time. All garbage, collectable recyclable or other collectable solid waste, when placed in front of a property pursuant to this chapter, shall not be so placed prior to 6:00 p.m. the day before the collection day for the garbage, collectable solid waste or collectable recyclable. Any polycart, solid waste or other item which is not collected in accordance with applicable provisions of this chapter shall be removed from curbside not later than midnight the day of collection.

Sec. 82-5. - Preparation of brush, refuse and yard waste.

- (a) Brush, refuse and yard waste shall be collected as determined by the board of public works.
- (b) When collected, brush, refuse and yard waste shall be prepared as follows:
 - (1) Brush. Brush shall be placed in stacks aligned parallel to the curb and shall not obstruct either the street (and gutters) or sidewalk. In areas where there are no sidewalks, brush shall be placed within four feet of the curbline and placed in stacks aligned parallel to the curb line and in such a manner as to not interfere with the flow of water in the gutters.
 - ~~(2) Wooden boxes and lumber. Bulky material such as wooden boxes and lumber shall be broken up so it can be reasonably handled and loaded by one person into the collection truck.~~
 - ~~(3)~~ Refuse. Refuse shall be placed at the curbside in such a manner as to provide the greatest ease of loading and collection into a truck. All refuse shall be free of jagged or sharp edges, protruding nails, protruding screws and any other hazardous condition.
 - ~~(4)~~ Yard waste. Yard waste shall be placed neatly in piles within six feet of the curbline and in such a manner as not to interfere with the flow of water through the gutters nor to obstruct the sidewalk or street.
 - ~~(5) Carpeting. Carpeting placed at the curb shall be in rolls no greater than four feet in length.~~
- (c) Refuse or rubbish drop off site. The city may establish such refuse or rubbish drop-off sites as deemed appropriate by the board of public works. Such drop-off site shall be subject to the following regulations:
 - (1) Only refuse or rubbish as defined in this chapter and prepared in accordance with this section shall be deposited at any designated drop-off site.
 - (2) Such drop-off site shall be used only by residents of the city.
 - (3) Such drop-off site shall be used solely for purposes of dropping off and depositing refuse or rubbish at the site. No person shall take, carry away or in

any manner remove any refuse or rubbish deposited or in the process of being deposited at the site.

- (4) The director of public works shall establish such other regulations as reasonably pertain to the operation of the drop-off site.

Sec. 82-6. - Disposal of hazardous and other non-collectible items.

The following materials shall not be collected by the city and the owner and/or occupant of any premises shall be responsible for the proper disposal of such materials as follows:

- (a) Televisions, electronics and computer equipment which may be disposed of at the Brown County Hazardous Waste facility located at 2561 S. Broadway in the Village of Ashwaubenon.
- (b) Fluorescent light bulbs and light ballasts, which may be disposed of at the Brown County Hazardous Waste Facility located at 2561 S. Broadway in the Village of Ashwaubenon.
- (c) Construction debris and concrete (shingles, siding, drywall, etc.), which may be disposed of at the Brown County Transfer Station located at 3734 W. Mason Street, Oneida. Or, Veolia Environmental Services, 1799 County PP, De Pere.
- (d) Propane tanks, which may be disposed of at the Brown County Household Hazardous Waste Facility located at 2561 S. Broadway in the Village of Ashwaubenon.
- (e) Waste tires. By county ordinance, tire retailers must accept used tires for each new tire sold. Any additional tires may be taken to the Brown County Transfer Station located at 3734 W. Mason Street, Oneida.
- (f) Batteries. Automotive batteries can be disposed of at the Brown County Household Hazardous Waste Facility located at 2561 S. Broadway in the Village of Ashwaubenon.

Sec. 82-7. - Authority to direct the disposal of solid waste.

- (a) Disposal at the direction of the street superintendent. All solid waste, whether collected by the city pursuant to this chapter or collected privately, shall be disposed of as directed by the street superintendent or as otherwise provided by law. Solid waste shall not be buried on any premises within the city, and no person shall burn solid waste outdoors at any time within the city limits.
- (b) Solid waste on public streets. It shall be unlawful for any patron or person to deposit, throw, place or leave any solid waste upon any street, court, lane, alley, business, public enclosure, vacant lot, house, yard, body of water or any other place except those places provided in this chapter for collection purposes. No person shall remove any solid waste from a private premises without the consent of the occupant, owner or lessee of the premises, and no person shall remove any solid waste which has been set out for collection unless authorized to do so.

- (c) Disruption of collectable solid waste placed for collection unlawful. Except upon the direction of the street superintendent, no person shall upset or break open any bag or upset or remove the cover of any container or polycart placed in the manner provided for by this chapter for solid waste collection or otherwise remove the contents of any such receptacle in any street, alley or other public place.
- (d) Prohibitions on disposable recyclable materials separated for recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any collectable recyclables which have been separated for recycling.

Sec. 82-8. - Disposal of certain solid wastes.

- (a) Disposal of animal offal and other offensive wastes. Animal offal and other offensive waste, including dead animals, fish, fowl, ~~and the droppings from pets~~, manure and nightsoil may not be placed for collection by the municipal collection service. It is the responsibility of the owner of such animals to dispose the waste in a sanitary manner. ~~The excrement/fecal waste of domesticated animals allowed upon Single Family Residence District and Single and Two Family Residence District zoned parcels shall be allowed for municipal collection provided such excrement/fecal waste is properly packaged and disposed of so as to not leak, leach or spill into the garbage container.~~

~~(b) Dead animal. The owner/custodian of dead dogs, cats and other animals shall notify the street superintendent for information concerning handling and disposal.~~

~~(eb)~~ Cinders and ashes. Cinders and ashes or any smoldering embers shall not be placed for collection.

~~(dc)~~ Disposal of infectious material. The removal of apparel, bedding or other refuse from homes or places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the city health officer. Such waste shall not be placed curbside for collection with normal garbage or collectable recyclables.

~~(ed)~~ Hazardous and/or toxic waste. Placing or depositing any hazardous or toxic waste including, without limitation, explosive materials such as dynamite, dynamite caps, shotgun shells, rifle cartridges, gunpowder, gasoline or other similar material in disposable bag, polycart, recyclable box or bundle for collection is prohibited.

~~(fe)~~ Questions concerning disposal. When any patron is in doubt as to proper preparation, handling and disposal of any type of solid waste, he or she shall communicate with the street superintendent for information concerning handling and disposal.

Sec. 82-9. - Special regulations.

- (a) Accumulation of waste. If the owner, occupant or lessee of any premises shall neglect or refuse to clean up and remove from the premises any solid waste when ordered to do so by the city health officer, the owner, occupant or lessee shall be liable for the penalty provided for violation of this chapter. Should the accumulation

occur on any street, alley or public thoroughfare, the waste may be collected by the street superintendent and the entire cost assessed against the abutting property.

- (b) Enforcement of maximum weight limits. All new commercial, manufacturing and multiple-family units may receive municipal solid waste collection under the provisions of this chapter if their waste volumes are below the maximum allowable for collection as provided in this chapter. If it is determined at any time that the patron exceeds the maximum weight limits for four consecutive weeks, the street superintendent may issue a notice providing that municipal collection services will be terminated at the end of 60 days from date of the notice.
- (c) Failure to comply. The street superintendent may refuse to furnish collection service to any person not complying or refusing to comply with this chapter or the rules and regulations made by the board of public works or other orders of the street superintendent or health department for the collection or disposal of solid wastes.
- (d) Prosecution. When services for collection of solid waste have been withdrawn by the street superintendent from any person for failure to comply with such rules and regulations resulting in the accumulation of garbage or other solid wastes on his premises, which is offensive or a public nuisance, that person may be prosecuted under any ordinance of the city regulating the same.

Sec. 82-10. - Enforcement provisions.

- (a) Enforcement by department of public works. For the purpose of ascertaining compliance with the provisions of this chapter in regard to recyclables, any authorized officer, employee or representative of the department of public works may inspect recyclable materials separated for recycling, garbage intended for disposal, recycling collection sites and facilities, collection vehicles, ~~collection areas of multiple-family dwellings, and nonresidential facilities and properties,~~ and any records relating to recycling activities which shall be kept confidential when necessary to protect propriety information. No person may refuse access to any authorized officer, employee or authorized representative of the department of public works who requests access for purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper or interfere with any such inspection.
- (b) Penalty. Any person who violates the provisions of this chapter or who refuses to obey any order issued under this chapter shall be subject to a forfeiture collected by municipal citation. The issuance of the citation shall not preclude proceeding under any other ordinance or law relating to the same matter. Proceeding under any other ordinance or law relating to the same matter shall not preclude the issuance of a citation under this subsection. Penalties for violating this chapter shall be as determined by resolution of the common council. Each 24-hour period of violation, disobedience, omission, neglect or refusal to obey this chapter or any order in accordance therewith shall be deemed a separate offense.

(Code 1974, § 23.11; Ord. No. 10-08, §§ 4, 5, 5-4-2010)

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.

(Ord. No. 14-11, § 1, 9-16-2014)

Sec. 82-12 Nicolet Square Recyclable and Garbage Common Collection Service District Created.

(a) *Purpose*

The Common Council finds that continued city collection of commercial source recyclables and garbage has led to the proliferation of recycling and garbage carts in the city's downtown commercial areas, resulting in access restrictions to businesses and public parking areas and sanitary and aesthetic concerns. Further, commercial building footprints in the historic downtown commercial areas typically encumber the entire parcel, leaving little or no room for public or private refuse container storage or screening, allowing few options to avoid the detrimental impact caused by the presence of individual recycle and garbage carts on collection days or when stored between collection days.

Wis. Stats §66.0405 authorizes the city to create district(s) for the collection of refuse defined by type of property. Although both the east and west side commercial business areas exhibit the detrimental impact on aesthetics and access caused by multiple containers on public parking property each collection day, the number of commercial businesses properties contributing to the problem on the east side is far less than on the west side. Further, the configuration of business properties on the west side is compact due to the presence of the Nicolet Square Parking Mall, providing the city an opportunity to implement a novel approach to prevent the deleterious effects the proliferation of recyclable and garbage containers has on the historic downtown commercial properties. The Common Council is mindful that it has not before set apart public property for the purpose of recyclable and garbage collection by a private waste hauler, and wishes to determine the effectiveness of the action prior to expanding the program.

Therefore, deeming it prudent to establish one such common collection district at this time to determine the efficiency and effectiveness of the collection method, the Common Council hereby creates the Nicolet Square Recyclable and Garbage collection District ("the Nicolet Square District"). In circumstances where the

provisions of this section are in conflict with other sections of this chapter, the provisions of this section shall control.

(b) *Definitions*

When used in this section, the following definitions shall apply:

- (1) *Common area* means the location(s) identified by the city where it will place dumpster(s) for collecting commercial source recyclables and garbage from the Nicolet Square District.
- (2) *Dumpster* means a container designed and used for dumping, receiving and transporting recyclable materials and garbage. In this section, dumpster does not include polycart(s).
- (3) *Nicolet Square District* shall mean those real properties abutting Main Ave to the North, Third Street to the East, Reid Street to the South and Fourth Street to the West, in particular the following Parcels: WD-906, WD-907, WD-908, WD-909, WD-910, WD-911, WD-912, WD-913, WD-915, WD-917, WD-918, WD-919, WD-920, WD-921, WD-922, WD-923, WD-925, and WD-931, except for those parcels which may have opted out as permitted under §82-12(d)2.

(c) ~~High waste generator~~ factorrate ~~in this section shall means the factorrate assigned to the commercial use of the parcel as determined by Waste Management Practices-Municipal, Hazardous, and Industrial – Second Edition. those parcels that include either a drinking or eating establishment. According to industry standards, as established by _____ these parcels tend to generate 6.77 more volume of solid waste per source.~~

(d)(c) City to Provide Common Collection Service

1. Commencing January 1, 2017, City shall provide common area(s) for placing dumpster(s) for receiving and disposing of normal accumulations of commercial source recyclables and garbage generated by the owners and/or tenants of the parcels comprising the Nicolet Square District. Further, city shall provide or contract to provide collectable recyclable and garbage dumpster collection and transportation services therefore. City shall allow owners of establishments in the Nicolet Square District to place necessary grease collection containers in the common area(s), who shall be responsible for maintaining that area in a clean and orderly manner and for the proper and sanitary collection of the same by a service contractor.

2. Dumpsters in the common area shall be serviced by ~~E~~city or its contractor at such times and frequencies as necessary to maintain the area in a good, clean and sanitary condition. The collection limits and frequency found in §82-2 of this chapter do not apply to the common collection service to the Nicolet Square District.
3. Only commercial source collectable recyclables and garbage, as defined in §82-1 DPMC shall be placed in the dumpsters, except that restaurant grease is permitted when placed in the appropriate grease container provided as specified above.
4. The dumpsters in the common area(s) shall be used only by the owners and tenants of the Nicolet Square District as defined in this section.
5. ~~Upon completion of construction of the common areas, t~~The city shall collect all previously city issued polycarts from each property in the Nicolet Square District. No polycart shall be distributed to any parcel in the Nicolet District after December 31, 2016~~the completion of construction of the common area unless this ordinance is repealed by the Common Council.~~ All parcels shall ~~then~~ receive the ~~E~~city Collection Services described above commencing January 1, 2017 unless a property owner qualifies for and provides notice to ~~E~~city of their intent to opt out of such service under paragraph (d)2. Applies. After December 31, 2016, ~~the completion of construction of the common areas,~~ regulations found in §82-4(a) (2), (c) (2), and (c) (4) of this chapter regarding polycarts do not apply to this section.

~~(e)~~(d) Participation in City Provided Collection Service

- (1) Except as provided herein, all parcels in the Nicolet Square District shall be provided ~~E~~city Collection Services. ~~as provided in this section.~~ A property owner meeting~~that meets~~ all of the requirements of paragraph (-2) below may provide written notice of their intent to opt out of the ~~E~~city provided collection service and to be responsible for their own safe and sanitary collectible recyclable and garbage collection service. Notice ~~Notice~~ shall be as provided in paragraph (2) below. ~~to the Director of Public Works on or before October 1 of each year the city provide collection service is provided, except that in the first year of this service being provided, the written notice shall be given to the Director of Public Works within 30 days of the adoption of this ordinance.~~

(2) A property owner may opt out of the common collection service provided by the city if all of the following apply:

A. The parcel for which the owner opts out is of sufficient size and shape such that all private collection receptacles and the enclosure therefore are located entirely upon such parcel and enclosed in accordance with all of the following requirements:

1. In order for a property owner in the Nicole Square District to opt out of city collection services, the parcel for which the owner opts out shall be of sufficient size such that all collectable recyclable and garbage receptacles and enclosure thereof for the parcel shall be located entirely upon the property and enclosed in accordance with the following requirements:

i. Use of Refuse and recycle enclosure such enclosure shall be limited to the storage of private collection receptacles; and refuse and recycle receptacles.

ii. The Enclosure shall be 100% impervious to sight; and

iii. The enclosure shall be equipped with a and gate, and both the gate and the enclosure shall be constructed of vinyl, brick, masonry or composite wood which a matching metal building material matches the primary structure, vinyl, brick, masonry, or composite wood. Chain link fence with slats is not permitted.

iv. The enclosure shall be at least (1) foot higher than the receptacle(s) but no higher than six (6) feet. No refuse or recycle may be stored higher than the enclosure.

vi. The refuse recycle storage area shall have be a compliant hard surface (gravel is not allowed).

vii. Landscaping is required around screening walls wherever they abut a non-paved surface or a required landscape area.

B. The parcel owner shall provide written notice of opt out to the Director of Public Works on or before October 1 of the year preceding the effective date of the opt out. Once the opt out is effective, the opt out shall continue unless the owner of the parcel provides the Director of Public Works with a request to terminate

the opt out on or before October 1 of any year. If the termination request is approved by the Director of Public Works (whose approval shall not be unreasonably withheld), the termination shall be effective January 1 of the subsequent year.

~~(f)~~(e) Assessment for city collection services.

All property owners in the Nicolet Square District except those opted out shall be charged for all costs associated with providing and maintaining the common areas for recyclables and garbage and for all costs associated with providing collection, transportation and disposal services for recyclables. The Director of Public Works shall annually determine the costs of providing the common collection service utilizing the following formula:

~~Judy is still working on this.....:)~~ To be determined

The charge for services rendered to the parcels as described above shall be placed as a special charge against the tax roll for such parcel each year as provided by Wis. Stats. §66.0627.

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Consider Compliance Maintenance Annual Report (CMAR) for Wastewater Collection System.*

The Engineering Department has completed the Compliance Maintenance Annual Report (CMAR) for the wastewater collection system. The CMAR is required by the Wisconsin Department of Natural Resources (WDNR). The report scores the City wastewater collection system based on Financial Management and the Collection System.

Included with this memo are the results of the CMAR. The City received a grade A on the Financial Management and A on the Collection System.

Staff recommends the BOPW approve the Report for submittal to the WDNR.

ATTACHMENTS:

- CE-WDNR-CMAR (PDF)

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:
6/8/2016 2015

Financial Management

1. Provider of Financial Information Name: Joe Zegers Telephone: (920) 339-4041 (XXX) XXX-XXXX E-Mail Address (optional): jzegers@mail.de-pere.org																			
2. Treatment Works Operating Revenues 2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ? ● Yes (0 points) ○ No (40 points) If No, please explain: 2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: 2015 ● 0-2 years ago (0 points) ○ 3 or more years ago (20 points) ○ N/A (private facility) 2.3 Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system? ● Yes (0 points) ○ No (40 points)	0																		
REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]																			
3. Equipment Replacement Funds 3.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: 2015 ● 1-2 years ago (0 points) ○ 3 or more years ago (20 points) ○ N/A If N/A, please explain: 3.2 Equipment Replacement Fund Activity <table style="width: 100%;"> <tr> <td style="width: 60%;">3.2.1 Ending Balance Reported on Last Year's CMAR</td> <td style="width: 10%; text-align: right;">\$</td> <td style="width: 30%; text-align: right;"> 150,000.00 </td> </tr> <tr> <td>3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"> 0.00 </td> </tr> <tr> <td>3.2.3 Adjusted January 1st Beginning Balance</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"> 150,000.00 </td> </tr> <tr> <td>3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"> 0.00 </td> </tr> <tr> <td>3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"> 0.00 </td> </tr> <tr> <td>3.2.6 Ending Balance as of December 31st for CMAR Reporting Year</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"> 150,000.00 </td> </tr> </table>	3.2.1 Ending Balance Reported on Last Year's CMAR	\$	150,000.00	3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	0.00	3.2.3 Adjusted January 1st Beginning Balance	\$	150,000.00	3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$	0.00	3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*)	\$	0.00	3.2.6 Ending Balance as of December 31st for CMAR Reporting Year	\$	150,000.00	
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3.2.6 Ending Balance as of December 31st for CMAR Reporting Year	\$	150,000.00																	

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:

6/8/2016

2015

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

3.3 What amount should be in your Replacement Fund? \$

Please note: If you had a CWFP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the HELP link under Info in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

☒ Yes

☐ No

If No, please explain.

0

4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

☒ Yes - If Yes, please provide major project information, if not already listed below.

☐ No

Project #	Project Description	Estimated Cost	Approximate Construction Year
1	Sewer Lining	266000	2016
2	Manhole Rehabilitation and Pipe Joint Repair	100000	2016
3	Sewer Reconstruction	500000	2016
4	Sewer Televis and Repair	200000	2016
5	Sewer Lining	266000	2017
6	Televis and Repair	200000	2017
7	Manhole Rehabilitation and Pipe Joint Repair	100000	2017
8	Sewer Lining	266000	2018
9	Manhole Rehabilitation and Pipe Joint Repair	100000	2018
10	Televis and Repair	200000	2018

5. Financial Management General Comments

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:
6/8/2016 2015

Sanitary Sewer Collection Systems

1. CMOM Program

1.1 Do you have a Capacity, Management, Operation & Maintenance (CMOM) requirement in your WPDES permit?

☐ Yes

☒ No

1.2 Did you have a documented (written records/files, computer files, video tapes, etc.) sanitary sewer collection system operation & maintenance (O&M) or CMOM program last calendar year?

☒ Yes (Continue with question 1)

☐ No (30 points) (Go to question 2)

1.3 Check the elements listed below that are included in your O&M or CMOM program.

☒ Goals

Describe the specific goals you have for your collection system:

Continue to rehabilitate sewers in areas of street improvements. Continue identifying sewers in easements, alleys, and street resurfacing areas for lining. Identify areas of inflow and infiltration, including directly connected roof drains in the downtown areas of the City.

☒ Organization

Do you have the following written organizational elements (check only those that apply)?

☒ Ownership and governing body description

☐ Organizational chart

☐ Personnel and position descriptions

☐ Internal communication procedures

☐ Public information and education program

☒ Legal Authority

Do you have the legal authority for the following (check only those that apply)?

☒ Sewer use ordinance Last Revised Date (MM/DD/YYYY) 12/18/2007

☒ Pretreatment/industrial control Programs

☒ Fat, oil and grease control

☒ Illicit discharges (commercial, industrial)

☒ Private property clear water (sump pumps, roof or foundation drains, etc.)

☒ Private lateral inspections/repairs

☐ Service and management agreements

☒ Maintenance Activities (provide details in question 2)

☒ Design and Performance Provisions

How do you ensure that your sewer system is designed and constructed properly?

☒ State plumbing code

☒ DNR NR 110 standards

☒ Local municipal code requirements

☒ Construction, inspection, and testing

☐ Others:

☒ Overflow Emergency Response Plan:

Does your emergency response capability include (check only those that apply)?

☐ Alarm system and routine testing

☒ Emergency equipment

☒ Emergency procedures

☒ Communications/notifications (DNR, internal, public, media, etc.)

☒ Capacity Assurance:

How well do you know your sewer system? Do you have the following?

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:

6/8/2016

2015

- ☒ Current and up-to-date sewer map
- ☒ Sewer system plans and specifications
- ☒ Manhole location map
- ☐ Lift station pump and wet well capacity information
- ☐ Lift station O&M manuals

Within your sewer system have you identified the following?

- ☐ Areas with flat sewers
- ☐ Areas with surcharging
- ☐ Areas with bottlenecks or constrictions
- ☐ Areas with chronic basement backups or SSOs
- ☐ Areas with excess debris, solids, or grease accumulation
- ☐ Areas with heavy root growth
- ☒ Areas with excessive infiltration/inflow (I/I)
- ☐ Sewers with severe defects that affect flow capacity
- ☒ Adequacy of capacity for new connections
- ☐ Lift station capacity and/or pumping problems
- ☐ Annual Self-Auditing of your O&M/CMOM Program to ensure above components are being implemented, evaluated, and re-prioritized as needed
- ☐ Special Studies Last Year (check only those that apply):
 - ☐ Infiltration/Inflow (I/I) Analysis
 - ☐ Sewer System Evaluation Survey (SSES)
 - ☐ Sewer Evaluation and Capacity Management Plan (SECAP)
 - ☐ Lift Station Evaluation Report
 - ☐ Others:

0

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning	20	% of system/year
Root removal	20	% of system/year
Flow monitoring	0	% of system/year
Smoke testing	0	% of system/year
Sewer line televising	20	% of system/year
Manhole inspections	20	% of system/year
Lift station O&M	0	# per L.S./year
Manhole rehabilitation	1	% of manholes rehabbed
Mainline rehabilitation	1.5	% of sewer lines rehabbed
Private sewer inspections	0	% of system/year
Private sewer I/I removal	0	% of private services

Please include additional comments about your sanitary sewer collection system below:

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:

6/8/2016

2015

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

32.90	Total actual amount of precipitation last year in inches
29.19	Annual average precipitation (for your location)
106.7	Miles of sanitary sewer
0	Number of lift stations
0	Number of lift station failures
0	Number of sewer pipe failures
21	Number of basement backup occurrences
21	Number of complaints
3.5	Average daily flow in MGD (if available)
4.46	Peak monthly flow in MGD (if available)
1.43	Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

0.00	Lift station failures (failures/year)
0.00	Sewer pipe failures (pipe failures/sewer mile/yr)
0.00	Sanitary sewer overflows (number/sewer mile/yr)
0.20	Basement backups (number/sewer mile)
0.20	Complaints (number/sewer mile)
1.3	Peaking factor ratio (Peak Monthly:Annual Daily Avg)
0.4	Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OFERFLOWS REPORTED **

Date	Location	Cause	Estimated Volume (MG)
None reported			

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

● Yes

○ No

If Yes, please describe:

The City experiences high flows in some of the older areas.

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

○ Yes

● No

If Yes, please describe:

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

None.

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

De Pere, City

Last Updated: Reporting For:
6/8/2016 2015

5.4 What is being done to address infiltration/inflow in your collection system?	
The City continues to line sewers and relay sanitary laterals. The City has been reviewing roof drains for downtown buildings.	

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:
6/8/2016 2015

Grading Summary

WPDES No: 0047341

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			4	16
GRADE POINT AVERAGE (GPA) = 4.00				

Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

Compliance Maintenance Annual Report

3.6.a

De Pere, City

Last Updated: Reporting For:
6/8/2016 2015

Resolution or Owner's Statement

Name of Governing

Body or Owner:

City of De Pere

Date of Resolution or
Action Taken:

Resolution Number:

Date of Submittal:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Financial Management: Grade = A

Collection Systems: Grade = A

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 4.00

Attachment: CE-WDNR-CMAR (4809 : Consider CMAR for Wastewater Collection System*)

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Parking and Traffic Discussion Items from May 23, 2016 Meeting.

Parking and Traffic Discussion Items
May 23, 2016 Meeting

Parking Items:

1. No Parking on East Side of Ontario Street near Chicago Street: Engineering completed a parking study. The complaint was related to safety with parking close to the Chicago Street intersection. Staff did not observe safety concerns at this location. The majority of parking occurring on the east side is south of the driveway to 1104 Chicago Street. Additionally, most of the parking is utilized by neighbors.

Next Steps: None

2. Restricted Parking Request on Sixth Street - Butler to 320 Sixth: Parking has increased along the west side of Sixth Street south of Grant for the business at 300 S. Sixth Street. When the business was constructed several years ago, additionally parking was to be constructed west of the building. It also seems that some employees are parking in the Community Center parking lot. Inspection sent a letter late last year ordering that the parking lot be installed.

Next Steps: Engineering will follow-up with Inspection on the status of the parking lot.

3. Parking on Ninth Street near Park Street: A resident expressed concern with the parking on Ninth near Park Avenue. Based on a review and accident history, and comparing to other parking on collector streets (Ninth is a collector street), such as George Street, there is not enough justification to restrict parking.

Next Steps: None

4. Downtown parking lot discussion - All lots on east side: The team reviewed a draft letter and survey to gather additional input on parking. In the interim, additional long term stalls are being proposed at various locations on the east side. This was brought to the Board as a separate item.

Next Steps: Staff will revise the letter/survey and send to business/property owners. Future evaluations will include considering minimum residential parking requirements in Downtown. Additionally, engineering will be evaluating the configuration of the former Bridge Lot to add additional stalls.

Safety and Other Requests

5. Bus use of Westwood: The Police Department has reviewed the use with the bus company. There have been no additional complaints.

Next Steps: None

6. Crossing Difficulty on Broadway at Bomier: Engineering completed a pedestrian count during school. An additional pedestrian count will be completed in the summer. Engineering will also review the crossing with other standards. Another option is to consider a different style of crosswalk or crosswalk paint. One item to note is that Broadway has a median at this location. Proper use of the median by pedestrians allows an easier crossing because a pedestrian can cross two lanes at a time.

Next Steps: Complete an additional pedestrian survey and evaluate the crossing configuration.

7. Main and Fifth (north of Main): Employees from Expera were utilizing a private drive to access Fort Howard Avenue. The use of this drive has been restricted. With the change in traffic patterns, traffic is backing up on Fifth during shift changes.

Next Steps: Engineering to complete a field evaluation.

Signage/Signals

8. Add an additional no air braking sign on STH 32/57: A no air braking sign was added at the City limits in 2014. With the additional of the roundabout at STH 32/57 and Heritage, and a reduction in speed to 45 mph just to the south, there have been additional complaints about air braking from the neighborhood southeast of the roundabout.

Next Steps: Place one additional sign near the speed limit change.

Speed

9. Speed on Grant at Suburban and Apollo: There is a continued concern with speed at this location and cars going around vehicles making left turns and going on the curb.

Next Steps: Engineering is evaluating alternatives for the bump-outs at this location for other signage.

10. Speed Concerns on Virginia Drive: Engineering placed the traffic counters on Virginia Drive to evaluate the speed. From the result, 85% of the vehicles are going 28 mph or less.

Next Steps: None.

Future Items

1. Paint Parking Stall Lines on Reid Street, East of Third (Aldersperson Request)
2. Paint a Crosswalk on Lawrence at County Claire (Citizen Request)
3. Colored Crosswalk Policy (Staff)
4. Left turns onto Lewis from Broadway (Aldersperson Request)

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: June 13, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility Repair.*

The Engineering Department received bids for Project 16-07 Asphalt, Curb, and Utility Repair on June 2nd, 2016. This work includes: sanitary sewer relay, new storm sewer, water main relay, inlet repair and replacement; manhole replacement, adjustment and repair; new curb & gutter; spot curb and gutter repair and replacement; mud-jacking curb, asphaltic concrete pavement milling; asphaltic concrete paving; asphaltic concrete pavement patching, alley reconstruction. The bids received were as follows:

Bidder	Amount
Wood Sewer & Excavation	\$1,573,690.00
MCC, Inc.	\$1,574,114.45
Dorner, Inc.	\$1,626,579.75
DeGroot, Inc.	\$1,706,356.69
Advance Construction, Inc.	\$1,770,298.20

The budgeted amount from the capital improvement budget is \$1,732,100. Funding will be \$955,000 from the street management account, \$90,000 from the parks capital improvements fund, \$180,000 from the sewage revenue fund, \$255,000 from the water utility fund, \$208,000 from the storm water management account, and \$44,100 for street surface on Ballinamore Place, Galway Lane, and Tullig Place.

The staff recommendation is to award the bid to Wood Sewer & Excavation, Inc. in the amount of \$1,573,690.

ATTACHMENTS:

- 16-07 Bid Tab(PDF)

PROJECT 16-07 ASPHALT, CURB, AND UTILITY REPAIR
BID TAB

3.8.a



				BIDDER NO. 1		BIDDER NO. 2		BIDDER NO. 3	
				Wood Sewer & Excavation, Inc.		MCC, Inc.		Dorner, Inc.	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT BID	UNIT PRICE	AMOUNT BID	UNIT PRICE	AMOUNT BID
SANITARY SEWER									
SS-01	Remove and Relay 8" Sanitary Sewer	LF	131	\$ 138.00	\$ 18,078.00	\$ 138.00	\$ 18,078.00	\$ 123.00	\$ 16,113.00
SS-02	Remove and relay 6" or 4" PVC Sanitary Lateral	LF	385	\$ 59.00	\$ 22,715.00	\$ 62.00	\$ 23,870.00	\$ 85.00	\$ 32,725.00
SS-03	Provide 8"X6" or 8"X4" Sanitary Wye	EA	12	\$ 190.00	\$ 2,280.00	\$ 190.00	\$ 2,280.00	\$ 1,190.00	\$ 14,280.00
SS-04	Provide 4' Diameter Sanitary Sewer Manhole	VF	24	\$ 390.00	\$ 9,360.00	\$ 390.00	\$ 9,360.00	\$ 380.00	\$ 9,120.00
SS-05	Connect to Existing Sanitary Sewer Pipe	EA	6	\$ 600.00	\$ 3,600.00	\$ 600.00	\$ 3,600.00	\$ 590.00	\$ 3,540.00
SS-06	Remove and Replace Existing Sanitary Sewer Manhole	VF	27	\$ 480.00	\$ 12,960.00	\$ 520.00	\$ 14,040.00	\$ 370.00	\$ 9,990.00
SS-07	Remove Existing Sanitary Manhole	EA	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 680.00	\$ 680.00
STORM SEWER									
ST-01	Remove and Replace 15" PVC or RCP (Class III) Storm Sewer	LF	10	\$ 69.00	\$ 690.00	\$ 69.00	\$ 690.00	\$ 61.00	\$ 610.00
ST-02	Remove and Replace 12" PVC or RCP (Class III) Storm Sewer	LF	140	\$ 62.00	\$ 8,680.00	\$ 62.00	\$ 8,680.00	\$ 55.00	\$ 7,700.00
ST-03	Provide 8" PVC Storm Sewer	LF	215	\$ 39.00	\$ 8,385.00	\$ 39.00	\$ 8,385.00	\$ 43.00	\$ 9,245.00
ST-04	Provide 6" PVC Storm Sewer	LF	270	\$ 41.00	\$ 11,070.00	\$ 41.00	\$ 11,070.00	\$ 44.00	\$ 11,880.00
ST-05	Provide Storm Tee 8"x6"	EA	6	\$ 100.00	\$ 600.00	\$ 100.00	\$ 600.00	\$ 264.00	\$ 1,584.00
ST-06	Install 4' Diameter Storm Manhole	VF	13	\$ 470.00	\$ 6,110.00	\$ 500.00	\$ 6,500.00	\$ 590.00	\$ 7,670.00
ST-07	Remove and Replace 4' Diameter Storm Manhole	VF	14	\$ 490.00	\$ 6,860.00	\$ 520.00	\$ 7,280.00	\$ 725.00	\$ 10,150.00
ST-08	Remove and Replace Type B Inlet	EA	4	\$ 2,500.00	\$ 10,000.00	\$ 2,700.00	\$ 10,800.00	\$ 2,150.00	\$ 8,600.00
ST-09	Provide Type B Inlet	EA	1	\$ 1,900.00	\$ 1,900.00	\$ 1,900.00	\$ 1,900.00	\$ 2,150.00	\$ 2,150.00
ST-10	Core Drill Existing Structure	EA	6	\$ 600.00	\$ 3,600.00	\$ 600.00	\$ 3,600.00	\$ 700.00	\$ 4,200.00
ST-11	Connect to Manhole and/or Existing Pipe	EA	2	\$ 900.00	\$ 1,800.00	\$ 900.00	\$ 1,800.00	\$ 500.00	\$ 1,000.00
ST-12	Storm Sewer Dig Down and Repair Offset Joint	EA	1	\$ 600.00	\$ 600.00	\$ 900.00	\$ 900.00	\$ 3,000.00	\$ 3,000.00
ST-13	Storm Sewer Dig Down and Repair – 5 feet	EA	2	\$ 700.00	\$ 1,400.00	\$ 900.00	\$ 1,800.00	\$ 2,000.00	\$ 4,000.00
WATER MAIN									
W-01	Provide 12" Water Main – Open Cut	LF	125	\$ 93.00	\$ 11,625.00	\$ 94.00	\$ 11,750.00	\$ 128.00	\$ 16,000.00
W-02	Provide 10" Water Main – Open Cut	LF	95	\$ 90.00	\$ 8,550.00	\$ 92.00	\$ 8,740.00	\$ 138.00	\$ 13,110.00
W-03	Provide 8" Water Main – Open Cut	LF	1,165	\$ 87.00	\$ 101,355.00	\$ 88.00	\$ 102,520.00	\$ 75.00	\$ 87,375.00

Attachment: 16-07 Bid Tab (4801 : Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility

PROJECT 16-07 ASPHALT, CURB, AND UTILITY REPAIR
BID TAB

3.8.a



				BIDDER NO. 1		BIDDER NO. 2		BIDDER NO. 3	
				Wood Sewer & Excavation, Inc.		MCC, Inc.		Dorner, Inc.	
W-04	Provide 6" Water Main – Open Cut	LF	70	\$ 68.00	\$ 4,760.00	\$ 68.00	\$ 4,760.00	\$ 99.00	\$ 6,930.00
W-05	Provide 8" Water Main – Directional Drill	LF	1,810	\$ 88.00	\$ 159,280.00	\$ 95.00	\$ 171,950.00	\$ 75.00	\$ 135,750.00
W-06	Provide 12" Valve	EA	3	\$ 2,900.00	\$ 8,700.00	\$ 2,900.00	\$ 8,700.00	\$ 3,500.00	\$ 10,500.00
W-07	Provide 10" Valve	EA	1	\$ 2,750.00	\$ 2,750.00	\$ 2,500.00	\$ 2,500.00	\$ 2,950.00	\$ 2,950.00
W-08	Provide 8" Valve	EA	11	\$ 1,800.00	\$ 19,800.00	\$ 1,800.00	\$ 19,800.00	\$ 2,000.00	\$ 22,000.00
W-09	Provide 6" Valve	EA	1	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00	\$ 1,400.00	\$ 1,550.00	\$ 1,550.00
W-10	Provide Hydrant (6.5' Bury)	EA	8	\$ 3,460.00	\$ 27,680.00	\$ 3,500.00	\$ 28,000.00	\$ 4,000.00	\$ 32,000.00
W-11	Provide Connection to Existing Water Main	EA	12	\$ 940.00	\$ 11,280.00	\$ 1,000.00	\$ 12,000.00	\$ 2,590.00	\$ 31,080.00
W-12	Provide Connection to Existing Water Main 10"x 8" Tapping Tee and Valve	EA	1	\$ 3,300.00	\$ 3,300.00	\$ 3,600.00	\$ 3,600.00	\$ 4,600.00	\$ 4,600.00
W-13	Provide Water Main Offset	EA	2	\$ 1,900.00	\$ 3,800.00	\$ 1,900.00	\$ 3,800.00	\$ 5,000.00	\$ 10,000.00
W-14	Provide 1" HDPE Water Service – Open Cut	LF	535	\$ 52.00	\$ 27,820.00	\$ 54.00	\$ 28,890.00	\$ 50.00	\$ 26,750.00
W-15	Provide 1" HDPE Water Service - Directional Drill	LF	725	\$ 54.00	\$ 39,150.00	\$ 56.00	\$ 40,600.00	\$ 30.00	\$ 21,750.00
W-16	Provide 1" Corporation and Curb Stop	EA	50	\$ 480.00	\$ 24,000.00	\$ 500.00	\$ 25,000.00	\$ 825.00	\$ 41,250.00
W-17	Provide 2" Corporation with Plug/Saddle with 2" HDPE	EA	7	\$ 900.00	\$ 6,300.00	\$ 100.00	\$ 700.00	\$ 1,390.00	\$ 9,730.00
W-18	Abandon / Remove Water Main Appurtenances	LS	1	\$ 9,400.00	\$ 9,400.00	\$ 9,400.00	\$ 9,400.00	\$ 5,400.00	\$ 5,400.00

STREET AND DRAINAGE

SD-01	Remove and Replace Curb and Gutter	LF	4,450	\$ 37.00	\$ 164,650.00	\$ 34.50	\$ 153,525.00	\$ 35.80	\$ 159,310.00
SD-02	Remove and Replace Reinforced Concrete Pavement with Integral Curb 9-Inch	SY	90	\$ 90.00	\$ 8,100.00	\$ 88.90	\$ 8,001.00	\$ 92.50	\$ 8,325.00
SD-03	Remove and Replace Concrete Sidewalk or Apron 8-Inch	SY	165	\$ 90.00	\$ 14,850.00	\$ 80.00	\$ 13,200.00	\$ 83.20	\$ 13,728.00
SD-04	Remove and Replace Concrete Sidewalk or Driveway 6-Inch	SY	175	\$ 72.00	\$ 12,600.00	\$ 55.25	\$ 9,668.75	\$ 57.50	\$ 10,062.50
SD-05	Install New Concrete Sidewalk or Driveway 6-Inch	SY	35	\$ 54.00	\$ 1,890.00	\$ 48.50	\$ 1,697.50	\$ 50.50	\$ 1,767.50
SD-06	Remove and Replace Concrete Sidewalk 4-Inch	SY	320	\$ 52.00	\$ 16,640.00	\$ 51.50	\$ 16,480.00	\$ 53.50	\$ 17,120.00
SD-07	Install New Concrete Sidewalk 4-Inch	SY	55	\$ 50.00	\$ 2,750.00	\$ 46.50	\$ 2,557.50	\$ 48.50	\$ 2,667.50
SD-08	Mill Asphaltic Concrete Pavement	SY	43,100	\$ 2.48	\$ 106,888.00	\$ 2.67	\$ 115,077.00	\$ 2.60	\$ 112,060.00
SD-09	Provide Asphaltic Concrete Pavement Type E-1, (58-28) Overlay or Upper	TON	5,775	\$ 51.00	\$ 294,525.00	\$ 47.64	\$ 275,121.00	\$ 51.80	\$ 299,145.00
SD-10	Provide Asphaltic Concrete Pavement Type E0.3 or Type E-1, (58-28) Lower Layer	TON	1,590	\$ 68.00	\$ 108,120.00	\$ 65.96	\$ 104,876.40	\$ 70.45	\$ 112,015.50
SD-11	Provide Large Asphalt Patch Type E-1, (PG58-28)	SY	1,000	\$ 64.00	\$ 64,000.00	\$ 62.46	\$ 62,460.00	\$ 65.35	\$ 65,350.00
SD-12	Provide Small Asphalt Patch Type E-1, (PG58-28)	SY	500	\$ 63.00	\$ 31,500.00	\$ 64.94	\$ 32,470.00	\$ 64.75	\$ 32,375.00
SD-13	Provide Asphaltic Mixture for Crackfilling	TON	30	\$ 480.00	\$ 14,400.00	\$ 586.32	\$ 17,589.60	\$ 520.00	\$ 15,600.00

Attachment: 16-07 Bid Tab (4801 : Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility

PROJECT 16-07 ASPHALT, CURB, AND UTILITY REPAIR
BID TAB

3.8.a



				BIDDER NO. 1		BIDDER NO. 2		BIDDER NO. 3	
				Wood Sewer & Excavation, Inc.		MCC, Inc.		Dorner, Inc.	
SD-14	Provide 1 ¼-Inch Crushed Aggregate Base Course	TON	1,235	\$ 17.00	\$ 20,995.00	\$ 22.42	\$ 27,688.70	\$ 14.00	\$ 17,290.00
SD-15	Provide Detectable Warning Field (Natural)	EA	15	\$ 400.00	\$ 6,000.00	\$ 224.00	\$ 3,360.00	\$ 235.00	\$ 3,525.00
SD-16	Landscaping – Topsoil, Seed, Fertilizer and Mulch- No. 40 Seed Mix	SY	640	\$ 15.00	\$ 9,600.00	\$ 10.00	\$ 6,400.00	\$ 7.50	\$ 4,800.00
SD-17	Provide Curb and Gutter Mud-Jacking	LF	180	\$ 20.00	\$ 3,600.00	\$ 20.00	\$ 3,600.00	\$ 35.80	\$ 6,444.00
SD-18	Provide Sidewalk Mud-Jacking	SY	20	\$ 30.00	\$ 600.00	\$ 15.00	\$ 300.00	\$ 57.50	\$ 1,150.00
SD-19	Unclassified Excavation	CY	840	\$ 18.00	\$ 15,120.00	\$ 35.60	\$ 29,904.00	\$ 18.50	\$ 15,540.00
SD-20	Provide Reinforcement for Curb and Gutter – 2 #4 Bars	LF	760	\$ 2.00	\$ 1,520.00	\$ 1.00	\$ 760.00	\$ 1.05	\$ 798.00
SD-21	Salvage and Reset Brick Pavers	SF	6	\$ 60.00	\$ 360.00	\$ 90.00	\$ 540.00	\$ 50.00	\$ 300.00
SD-22	Grade Existing Base Course (Dog Park)	SY	135	\$ 11.00	\$ 1,485.00	\$ 23.20	\$ 3,132.00	\$ 9.50	\$ 1,282.50

SPECIAL CONSTRUCTION

SC-01	Pipe Foundation Stabilization	CY	40	\$ 20.00	\$ 800.00	\$ 25.00	\$ 1,000.00	\$ 25.00	\$ 1,000.00
SC-02	Inlet Protection Type B	EA	82	\$ 60.00	\$ 4,920.00	\$ 52.00	\$ 4,264.00	\$ 55.00	\$ 4,510.00
SC-03	Adjust Inlet	EA	38	\$ 450.00	\$ 17,100.00	\$ 450.00	\$ 17,100.00	\$ 475.00	\$ 18,050.00
SC-04	Adjust Inlet Plus 1-Foot	EA	2	\$ 550.00	\$ 1,100.00	\$ 800.00	\$ 1,600.00	\$ 835.00	\$ 1,670.00
SC-05	Adjust Manhole	EA	56	\$ 420.00	\$ 23,520.00	\$ 420.00	\$ 23,520.00	\$ 750.00	\$ 42,000.00
SC-06	Reconstruct Manhole	VF	8	\$ 650.00	\$ 5,200.00	\$ 650.00	\$ 5,200.00	\$ 810.00	\$ 6,480.00
SC-07	Pavement Marking (4-Inch White) Epoxy	LF	1,825	\$ 3.00	\$ 5,475.00	\$ 2.00	\$ 3,650.00	\$ 2.10	\$ 3,832.50
SC-08	Pavement Marking (6-Inch White) Epoxy	LF	815	\$ 4.00	\$ 3,260.00	\$ 3.00	\$ 2,445.00	\$ 3.15	\$ 2,567.25
SC-09	Pavement Marking Crosswalk (12-Inch White) Epoxy	LF	50	\$ 6.00	\$ 300.00	\$ 6.00	\$ 300.00	\$ 6.25	\$ 312.50
SC-10	Pavement Marking Symbol (Arrow Type 1 White) Epoxy	EA	6	\$ 135.00	\$ 810.00	\$ 135.00	\$ 810.00	\$ 140.00	\$ 840.00
SC-11	Pavement Marking (Handicap Symbol White) Epoxy	EA	3	\$ 58.00	\$ 174.00	\$ 58.00	\$ 174.00	\$ 60.00	\$ 180.00
SC-12	Traffic Control (Broadway at Franklin Street)	LS	1	\$ 5,300.00	\$ 5,300.00	\$ 3,000.00	\$ 3,000.00	\$ 4,000.00	\$ 4,000.00
SC-13	Traffic Control (George St between S Winnebago St. and S Adams St.)	LS	1	\$ 2,900.00	\$ 2,900.00	\$ 2,300.00	\$ 2,300.00	\$ 3,000.00	\$ 3,000.00
SC-14	Profile Saw Cutting Existing Concrete Curb Head	LF	10	\$ 50.00	\$ 500.00	\$ 50.00	\$ 500.00	\$ 52.00	\$ 520.00
TOTAL				\$ 1,573,690.00		\$ 1,574,114.45		\$ 1,626,579.75	

Attachment: 16-07 Bid Tab (4801 : Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility

**PROJECT 16-07 ASPHALT, CURB, AND UTILITY
BID TAB**

3.8.a



				BIDDER NO. 4		BIDDER NO. 5	
				De Groot, Inc.		Advance Construction, Inc.	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT BID	UNIT PRICE	AMOUNT BID
SANITARY SEWER							
SS-01	Remove and Relay 8" Sanitary Sewer	LF	131	\$ 144.18	\$ 18,887.58	\$ 150.00	\$ 19,650.00
SS-02	Remove and relay 6" or 4" PVC Sanitary Lateral	LF	385	\$ 95.01	\$ 36,578.85	\$ 100.00	\$ 38,500.00
SS-03	Provide 8"X6" or 8"X4" Sanitary Wye	EA	12	\$ 808.00	\$ 9,696.00	\$ 100.00	\$ 1,200.00
SS-04	Provide 4' Diameter Sanitary Sewer Manhole	VF	24	\$ 404.20	\$ 9,700.80	\$ 500.00	\$ 12,000.00
SS-05	Connect to Existing Sanitary Sewer Pipe	EA	6	\$ 1,515.00	\$ 9,090.00	\$ 950.00	\$ 5,700.00
SS-06	Remove and Replace Existing Sanitary Sewer Manhole	VF	27	\$ 407.03	\$ 10,989.81	\$ 715.00	\$ 19,305.00
SS-07	Remove Existing Sanitary Manhole	EA	1	\$ 505.00	\$ 505.00	\$ 1,500.00	\$ 1,500.00
STORM SEWER							
ST-01	Remove and Replace 15" PVC or RCP (Class III) Storm Sewer	LF	10	\$ 66.07	\$ 660.70	\$ 100.00	\$ 1,000.00
ST-02	Remove and Replace 12" PVC or RCP (Class III) Storm Sewer	LF	140	\$ 76.43	\$ 10,700.20	\$ 83.00	\$ 11,620.00
ST-03	Provide 8" PVC Storm Sewer	LF	215	\$ 66.48	\$ 14,293.20	\$ 70.00	\$ 15,050.00
ST-04	Provide 6" PVC Storm Sewer	LF	270	\$ 53.54	\$ 14,455.80	\$ 65.00	\$ 17,550.00
ST-05	Provide Storm Tee 8"x6"	EA	6	\$ 437.66	\$ 2,625.96	\$ 100.00	\$ 600.00
ST-06	Install 4' Diameter Storm Manhole	VF	13	\$ 583.11	\$ 7,580.43	\$ 600.00	\$ 7,800.00
ST-07	Remove and Replace 4' Diameter Storm Manhole	VF	14	\$ 606.00	\$ 8,484.00	\$ 715.00	\$ 10,010.00
ST-08	Remove and Replace Type B Inlet	EA	4	\$ 2,424.00	\$ 9,696.00	\$ 4,400.00	\$ 17,600.00
ST-09	Provide Type B Inlet	EA	1	\$ 2,525.00	\$ 2,525.00	\$ 4,000.00	\$ 4,000.00
ST-10	Core Drill Existing Structure	EA	6	\$ 202.00	\$ 1,212.00	\$ 1,000.00	\$ 6,000.00
ST-11	Connect to Manhole and/or Existing Pipe	EA	2	\$ 555.50	\$ 1,111.00	\$ 800.00	\$ 1,600.00
ST-12	Storm Sewer Dig Down and Repair Offset Joint	EA	1	\$ 2,373.50	\$ 2,373.50	\$ 4,000.00	\$ 4,000.00
ST-13	Storm Sewer Dig Down and Repair – 5 feet	EA	2	\$ 2,828.00	\$ 5,656.00	\$ 4,000.00	\$ 8,000.00
WATER MAIN							
W-01	Provide 12" Water Main – Open Cut	LF	125	\$ 106.59	\$ 13,323.75	\$ 200.00	\$ 25,000.00
W-02	Provide 10" Water Main – Open Cut	LF	95	\$ 116.55	\$ 11,072.25	\$ 220.00	\$ 20,900.00
W-03	Provide 8" Water Main – Open Cut	LF	1,165	\$ 96.37	\$ 112,271.05	\$ 110.00	\$ 128,150.00

Attachment: 16-07 Bid Tab (4801 : Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility

**PROJECT 16-07 ASPHALT, CURB, AND UTILITY
BID TAB**

3.8.a



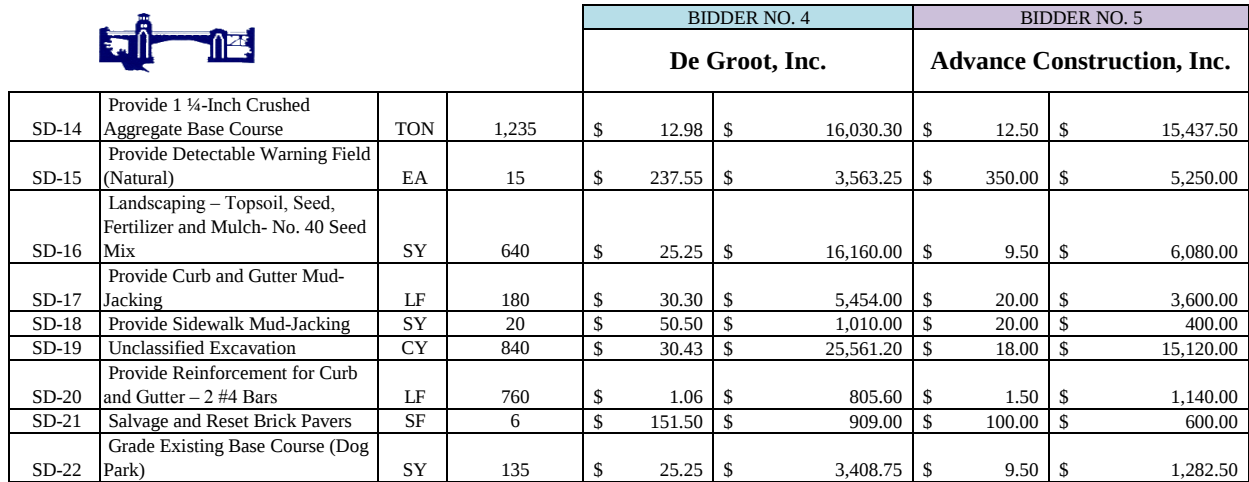
				BIDDER NO. 4		BIDDER NO. 5	
				De Groot, Inc.		Advance Construction, Inc.	
W-04	Provide 6" Water Main – Open Cut	LF	70	\$ 73.57	\$ 5,149.90	\$ 155.00	\$ 10,850.00
W-05	Provide 8" Water Main – Directional Drill	LF	1,810	\$ 63.63	\$ 115,170.30	\$ 90.00	\$ 162,900.00
W-06	Provide 12" Valve	EA	3	\$ 3,003.74	\$ 9,011.22	\$ 3,000.00	\$ 9,000.00
W-07	Provide 10" Valve	EA	1	\$ 2,479.55	\$ 2,479.55	\$ 2,400.00	\$ 2,400.00
W-08	Provide 8" Valve	EA	11	\$ 1,827.18	\$ 20,098.98	\$ 1,700.00	\$ 18,700.00
W-09	Provide 6" Valve	EA	1	\$ 1,433.19	\$ 1,433.19	\$ 1,500.00	\$ 1,500.00
W-10	Provide Hydrant (6.5' Bury)	EA	8	\$ 3,579.95	\$ 28,639.60	\$ 5,700.00	\$ 45,600.00
W-11	Provide Connection to Existing Water Main	EA	12	\$ 2,882.71	\$ 34,592.52	\$ 2,500.00	\$ 30,000.00
W-12	Provide Connection to Existing Water Main 10"x 8" Tapping Tee and Valve	EA	1	\$ 4,762.15	\$ 4,762.15	\$ 4,000.00	\$ 4,000.00
W-13	Provide Water Main Offset	EA	2	\$ 4,673.78	\$ 9,347.56	\$ 1,500.00	\$ 3,000.00
W-14	Provide 1" HDPE Water Service – Open Cut	LF	535	\$ 59.84	\$ 32,014.40	\$ 55.00	\$ 29,425.00
W-15	Provide 1" HDPE Water Service - Directional Drill	LF	725	\$ 25.65	\$ 18,596.25	\$ 40.00	\$ 29,000.00
W-16	Provide 1" Corporation and Curb Stop	EA	50	\$ 983.84	\$ 49,192.00	\$ 750.00	\$ 37,500.00
W-17	Provide 2" Corporation with Plug/Saddle with 2" HDPE	EA	7	\$ 1,384.42	\$ 9,690.94	\$ 1,450.00	\$ 10,150.00
W-18	Abandon / Remove Water Main Appurtenances	LS	1	\$ 6,565.00	\$ 6,565.00	\$ 17,000.00	\$ 17,000.00

STREET AND DRAINAGE

SD-01	Remove and Replace Curb and Gutter	LF	4,450	\$ 36.48	\$ 162,336.00	\$ 36.50	\$ 162,425.00
SD-02	Remove and Replace Reinforced Concrete Pavement with Integral Curb 9-Inch	SY	90	\$ 94.38	\$ 8,494.20	\$ 93.00	\$ 8,370.00
SD-03	Remove and Replace Concrete Sidewalk or Apron 8-Inch	SY	165	\$ 84.84	\$ 13,998.60	\$ 84.00	\$ 13,860.00
SD-04	Remove and Replace Concrete Sidewalk or Driveway 6-Inch	SY	175	\$ 58.59	\$ 10,253.25	\$ 75.00	\$ 13,125.00
SD-05	Install New Concrete Sidewalk or Driveway 6-Inch	SY	35	\$ 51.44	\$ 1,800.40	\$ 57.00	\$ 1,995.00
SD-06	Remove and Replace Concrete Sidewalk 4-Inch	SY	320	\$ 55.15	\$ 17,648.00	\$ 53.00	\$ 16,960.00
SD-07	Install New Concrete Sidewalk 4-Inch	SY	55	\$ 49.32	\$ 2,712.60	\$ 49.00	\$ 2,695.00
SD-08	Mill Asphaltic Concrete Pavement	SY	43,100	\$ 2.07	\$ 89,217.00	\$ 2.48	\$ 106,888.00
SD-09	Provide Asphaltic Concrete Pavement Type E-1, (58-28) Overlay or Upper	TON	5,775	\$ 60.35	\$ 348,521.25	\$ 49.82	\$ 287,710.50
SD-10	Provide Asphaltic Concrete Pavement Type E0.3 or Type E-1, (58-28) Lower Layer	TON	1,590	\$ 105.84	\$ 168,285.60	\$ 67.73	\$ 107,690.70
SD-11	Provide Large Asphalt Patch Type E-1, (PG58-28)	SY	1,000	\$ 34.55	\$ 34,550.00	\$ 62.83	\$ 62,830.00
SD-12	Provide Small Asphalt Patch Type E-1, (PG58-28)	SY	500	\$ 43.88	\$ 21,940.00	\$ 62.24	\$ 31,120.00
SD-13	Provide Asphaltic Mixture for Crackfilling	TON	30	\$ 606.00	\$ 18,180.00	\$ 500.00	\$ 15,000.00

Attachment: 16-07 Bid Tab (4801 : Consider Award of Contract for Project 16-07 Asphalt, Curb, & Utility

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SC-01	Pipe Foundation Stabilization	CY	40	\$ 25.25	\$ 1,010.00	\$ 25.00	\$ 1,000.00
SC-02	Inlet Protection Type B	EA	82	\$ 35.35	\$ 2,898.70	\$ 100.00	\$ 8,200.00
SC-03	Adjust Inlet	EA	38	\$ 505.00	\$ 19,190.00	\$ 750.00	\$ 28,500.00
SC-04	Adjust Inlet Plus 1-Foot	EA	2	\$ 858.50	\$ 1,717.00	\$ 1,000.00	\$ 2,000.00
SC-05	Adjust Manhole	EA	56	\$ 555.50	\$ 31,108.00	\$ 730.00	\$ 40,880.00
SC-06	Reconstruct Manhole	VF	8	\$ 656.50	\$ 5,252.00	\$ 1,200.00	\$ 9,600.00
SC-07	Pavement Marking (4-Inch White)						
	Epoxy	LF	1,825	\$ 2.12	\$ 3,869.00	\$ 2.00	\$ 3,650.00
SC-08	Pavement Marking (6-Inch White)						
	Epoxy	LF	815	\$ 3.18	\$ 2,591.70	\$ 3.00	\$ 2,445.00
SC-09	Pavement Marking Crosswalk (12-Inch White) Epoxy						
		LF	50	\$ 6.36	\$ 318.00	\$ 6.00	\$ 300.00
SC-10	Pavement Marking Symbol (Arrow Type 1 White) Epoxy						
		EA	6	\$ 143.17	\$ 859.02	\$ 135.00	\$ 810.00
SC-11	Pavement Marking (Handicap Symbol White) Epoxy						
		EA	3	\$ 61.51	\$ 184.53	\$ 58.00	\$ 174.00
SC-12	Traffic Control (Broadway at Franklin Street)	LS	1	\$ 3,232.00	\$ 3,232.00	\$ 3,000.00	\$ 3,000.00
SC-13	Traffic Control (George St between S Winnebago St. and S Adams St.)						
		LS	1	\$ 2,525.00	\$ 2,525.00	\$ 2,300.00	\$ 2,300.00
SC-14	Profile Saw Cutting Existing Concrete Curb Head	LF	10	\$ 53.03	\$ 530.30	\$ 10.00	\$ 100.00
				\$ 1,706,356.69		\$ 1,770,298.20	