



# Common Council

## Regular Meeting

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

### Agenda

**Tuesday, March 6, 2018**

**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 **Common Council** of the City of De Pere will be held on **March 6, 2018** 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 on TW Cable Channel 4; AT&T U-verse Channel 99; [www.depere.tv](http://www.depere.tv). This meeting is also rebroadcast on TV throughout the week and available on demand at [www.depere.tv](http://www.depere.tv).*

I. Call to Order

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Approval of the Minutes of the January 30, 2018 Special Common Council Meeting.
4. Approval of the Minutes of the February 21, 2018 Common Council Meeting.
5. Public comment upon matters not on the agenda and other announcements.
6. Review 2015 Washington Street Improvement Review
7. Recommendation from the Board of Park Commissioner's to Approve Donation of a Little Free Library at Kelly Danen Park by Girl Scout Troop 4679
8. Recommendation from the Board of Park Commissioners to Award the Contract for Project 18 -12 Voyageur Park Playground surfacing to Bluemels in the amount of \$113,688.00
9. Recommendation from the Board of Park Commissioners to Accept the Donation of a Dog Waste Can at the Old Bridge Approach Green Space.
10. Recommendation from the Board of Park Commissioners to Approve \$500 Donation from De Pere Optimist Club for Summer Day Camp T-Shirts
11. Recommendation from the Board of Public Works to Award of Contract for Project 18-04 Main and Lawrence Roundabout Construction to Triple P, Inc. dba Peters Concrete Company in the amount of \$1,845,668.10.
12. Recommendation from Plan Commission to approve the proposed 15 Lot Final Plat of "Southbridge Estates First Addition" at 1700 BLK Bridge Port Lane (Parcel WD-L183-5). Submitted by Jim Boyea, Best Built INC.
13. Recommendation from Plan Commission to approve a Proposed Extraterritorial Two Lot Certified Survey Map at 1445 Viking Lane in the Town of Ledgeview (Parcel D-77). Submitted by Richard A. Huxford, PLS.
14. Ordinance #18-06, Amending Section 9-1 De Pere Municipal Code (Non-Discrimination in Housing, Public Accommodation and Employment) by Incorporating Statutory Language Pertaining to Public Accommodations (second reading required)

15. Ordinance #18-08 Amending §150-22 and Schedule G Thereto, De Pere Municipal Code, Regarding Traffic Regulations
16. Resolution #18-16 Authorizing Second Amendment to License Agreement Between the City of De Pere and Fox River Boat Holding Company, LLC.
17. Resolution #18-17 Supporting the Village of Ashwaubenon's Application for a Wisconsin Department of Transportation (WisDOT) Transportation Alternatives Program (TAP) Grant for Bicycle and Pedestrian Improvements on West Main Avenue
18. Resolution #18-18 Authorizing Agreement for Consulting Services Between the City of De Pere and Duncan Associates (Zoning Code Rewrite).
19. Resolution #18-19 Regarding the Vacation of a Public Thoroughfare (Walkway Easement from Quinnette Lane to Merrill Street, Adjacent to Parcels ED-1129-Q-32 & ED-1129-Q-31) (Refer to Public Hearing)
20. Operator License Applications.
21. Voucher Approval.
22. Future Agenda Items.
23. City Administrator Annual Performance Appraisal.

(1c) Personnel Reasons

PLEASE TAKE NOTICE, that pursuant to Wis. Stats. §19.85(1)(c), the Council may convene in closed session for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

The Council may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

24. Adjournment.

Lawrence M. Delo  
City Administrator

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, the previous day so that arrangements can be made.

Agenda Sent To:

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

Pete Mickelson, De Pere Optimist Club  
Colleen Steier, Girl Scout Troup #4679  
Don Chilson, Brown County Ice Mgmt  
Jeff Byczek, De Pere School District  
John Coppo, De Pere Hockey  
Jeremy Santori, Bluemels  
Candice Mortara, Fox River Tours

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** City Clerk-Treasurer

**FROM:** Shana Ledvina

**SUBJECT:** Approval of the Minutes of the January 30, 2018 Special Common Council Meeting.

---

Hearing transcript is available in the Clerk's Office.

**ATTACHMENTS:**

- 1-30-2018 Special Common Council Meeting Minutes (PDF)





# Common Council

## Special Untelevised

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

### Draft Minutes

Tuesday, January 30, 2018

6:00 PM

De Pere City Hall Council Chambers

1. Agenda for Said Meeting:

| Attendee Name    | Title        | Status  |
|------------------|--------------|---------|
| Michael J. Walsh | Mayor        | Present |
| James Boyd       | Aldersperson | Present |
| Dan Carpenter    | Aldersperson | Present |
| Scott Crevier    | Aldersperson | Present |
| Jonathon Hansen  | Aldersperson | Present |
| Ryan Jennings    | Aldersperson | Present |
| Larry Lueck      | Aldersperson | Excused |
| Casey Nelson     | Aldersperson | Present |
| Dean Raasch      | Aldersperson | Present |

2. Hearing to consider the suspension or revocation of the Class "A" Fermented Malt Beverage License issued to Dolgencorp LLC, Anthony W. Hawks, Agent, for the premises known as Dollar General Store, 805 Main Ave, De Pere, WI is scheduled for 6:00 p.m.

Mayor Walsh announced the hearing to consider the suspension or revocation of the Class "A" Fermented Malt Beverage License issued to Dolgencorp, LLC, Anthony W. Hawks, Agent, for the premises known as Dollar General Store, 805 Main Avenue, De Pere, WI. City Staff Attorney Kate Zuidmulder announced that the City recommends dismissal of the hearing for Dolgencorp, LLC. Aldersperson Raasch moved, seconded by Aldersperson Boyd to dismiss the hearing. Upon vote, motion carried unanimously.

3. Hearing to consider the suspension or revocation of the Operator's License issued to Jack Van Dyke, 421 S. Ontario St., De Pere, WI is scheduled for 6:30 p.m.

Mayor Walsh announced the hearing to consider the suspension or revocation of the operator license issued to Jack Van Dyke. Mayor Walsh introduced Kristen Johnson, Assistant Attorney with the City of Green Bay. Court Reporter Stephanie Groshek transcribed the minutes for the hearing. Her transcription has been placed on file with the City Clerk's Office and is attached as an addendum to these minutes. Green Bay City Attorney Kristen Johnson acted as the Common Council's legal advisor for the hearing, as De Pere City Attorney Judith Schmidt-Lehman brought the charges before the Council and acted in the role of prosecutor. Present at the hearing were Police Chief Derek Beiderwieden, Assistant City Attorney Kate Zuidmulder, and Jack Van Dyke. Attorney Kristen Johnson asked for bias in the hearing; no one on the Council wished to express a bias. She asked Jack Van Dyke if he received and understood the content of the complaint; Mr. Van Dyke indicated that he understood the complaint but is denying some of the statements in the complaint.

De Pere City Attorney Judy Schmidt-Lehman began with opening statements and called Police Chief Derek Beiderwieden forward. Police Chief Beiderwieden was sworn in by the Court Reporter and explained the citations received by Mr. Van Dyke. City Attorney Judy Schmidt-Lehman moved for admission of the three exhibits presented to the City Clerk. Jack Van Dyke cross examined Police Chief Derek Beiderwieden. Mr. Van Dyke

was then sworn in and provided testimony regarding the citations he received. City Attorney Judith Schmidt-Lehman provided closing testimony for the City of De Pere. Discussion followed with the City Council and Police Chief Beiderwieden.

4. Deliberations by the Council upon the conclusion of any of the above hearings.

Aldersperson Raasch moved, seconded by Aldersperson Crevier to close the meeting. Upon roll call vote, motion carried unanimously. At 6:51 p.m., Aldersperson Crevier moved, seconded by Aldersperson Carpenter to open the meeting. Upon roll call vote, motion carried unanimously.

5. Decision, if any, on any of the above hearings may be announced by the Council at the conclusion of its deliberations pertaining to that hearing.

Aldersperson Boyd moved, seconded by Aldersperson Nelson to revoke the license issued to Jack Van Dyke. Upon vote, motion carried unanimously.

Attorney Kristen Johnson explained that the Council is revoking the license based on the following facts: that Jack Van Dyke was convicted on both citations presented by the City Attorney; the number of citations issued to underage persons; the age of the underage people in the bar; that several of the underage individuals had no false IDs, and that there were credible witnesses as to Jack Van Dyke's presence for both citations. She explained the revocation to Mr. Van Dyke.

6. Adjournment.

Aldersperson Raasch moved, seconded by Aldersperson Crevier to adjourn the meeting at 6:57 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer

**City of De Pere, Wisconsin****Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** City Clerk-Treasurer

**FROM:** Shana Ledvina

**SUBJECT:** Approval of the Minutes of the February 21, 2018 Common Council Meeting.

---

**ATTACHMENTS:**

- 2-21-2018 Common Council Minutes (DOC)



# Common Council

## Regular Meeting

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

### Draft Minutes

Wednesday, February 21, 2018

7:30 PM

De Pere City Hall Council Chambers

1. Call to Order: The meeting was called to order at 7:30 PM by Mayor Walsh.

| Attendee Name    | Title        | Status  |
|------------------|--------------|---------|
| Michael J. Walsh | Mayor        | Present |
| James Boyd       | Aldersperson | Present |
| Dan Carpenter    | Aldersperson | Present |
| Scott Crevier    | Aldersperson | Present |
| Jonathon Hansen  | Aldersperson | Present |
| Ryan Jennings    | Aldersperson | Present |
| Larry Lueck      | Aldersperson | Present |
| Casey Nelson     | Aldersperson | Present |
| Dean Raasch      | Aldersperson | Present |

2. Pledge of Allegiance to the Flag.
3. Approval of the Minutes of the February 6, 2018 Common Council Meeting.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dan Carpenter, Aldersperson                                       |
| <b>SECONDER:</b> | James Boyd, Aldersperson                                          |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

4. Public comment upon matters not on the agenda and other announcements.

Aldersperson Hansen thanked staff and poll workers for their work on the February Primary Election. Definitely De Pere submitted a call for mural proposals for the 8 buildings in Downtown De Pere that were selected; the deadline for submittals is April 10.

Mayor Walsh thanked police and fire departments for their response to the fire on 9th Street on Saturday night; with their quick thinking they removed 3 people safely and he commended them for their efforts.

Mayor Walsh requested to consider agenda items #20 and 21 before agenda item #5.

5. Recommendation from the Board of Park Commissioners to Consider Locating the Band shell at a Different Park. (Item Tabled at the February 6, 2018 Common Council Meeting).

Aldersperson Hansen moved, seconded by Aldersperson Jennings to deny the request to consider locating the band shell in a different park. Discussion followed with Park and Recreation Director Marty Kosobucki regarding the location options in Voyageur Park, locations outside of Voyageur Park, the user group preferences for location, and the cost allotted for the band shell. The De Pere Chamber of Commerce has volunteered to research the project more thoroughly; City staff will be meeting with the Chamber in early March to discuss. Discussion followed. Aldersperson Boyd moved, seconded by Aldersperson Crevier to open the meeting. Upon vote, motion carried unanimously. Maureen Vandenhogen explained that she doesn't agree with reallocating the funds designated for other projects; she likes the idea of a band shell near the water with a shuttle service to and from the parking lot. Joe Seroogy expressed that he believes the

band shell should be at Voyageur Park. Alderperson Crevier moved, seconded by Alderperson Carpenter to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote on the motion to deny moving the band shell from Voyageur Park, motion carried unanimously. Parks Director Marty Kosobucki explained that they will have the meeting with the De Pere Chamber of Commerce and will go to the Board of Park Commissioners with the results.

6. Recommendation from the Finance/Personnel Committee to approve Fire Department's Operational Change.

Fire Chief Al Matzke explained how the operational change will work and why there is no cost increase to the department.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                        |
| <b>SECONDER:</b> | Ryan Jennings, Alderperson                                        |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

7. Recommendation from the Board of Park Commissioners to Replace the Bleachers at the Ice Arena.

Alderperson Raasch moved, seconded by Alderperson Hansen to approve the replacement of the Ice Arena bleachers. Mayor Walsh explained the funding options presented: unassigned reserves, the ice arena fund, and stadium tax funds designated for either the splash pad or the band shell. Discussion followed regarding funding options. Park and Recreation Director Marty Kosobucki explained that they will ask the user groups to help fund the bleachers, but that the City should fund up front the entire project; if we wait to see what they can contribute the bleachers won't be replaced in time. Discussion followed regarding the proposed bleachers. Alderperson Raasch moved, seconded by Alderperson Hansen to amend the motion to include using funds from the arena fund and from unassigned reserves. Discussion followed. Upon vote on the amendment, motion carried unanimously. Upon vote on the original motion to replace the bleachers, motion carried unanimously.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                          |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                                      |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

8. Recommendation of the Board of Public Works to Award the Contract for Project 18-15 Sewer Cleaning and Televising to Green Bay Pipe and TV, LLC in the Amount of \$46,662.00.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                      |
| <b>SECONDER:</b> | Casey Nelson, Alderperson                                         |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

9. Recommendation of the Board of Public Works to Award the Contract for Project 18-03 Pipe Lining- CIPP to Visu-Sewer in the Amount of \$257,919.75.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                          |
| <b>SECONDER:</b> | Ryan Jennings, Alderperson                                        |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

10. Ordinance #18-05, Creating Section 13-4.1 De Pere Municipal Code Notifying the State of Wisconsin to Distribute Payments for State Property Tax Credits Directly to the City of De Pere.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Ryan Jennings, Alderperson                                        |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                                      |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

11. Ordinance #18-06, Amending Section 9-1 De Pere Municipal Code (Non-Discrimination in Housing, Public Accommodation and Employment) by Incorporating Statutory Language Pertaining to Public Accommodations

Alderperson Nelson moved, seconded by Alderperson Boyd to approve the ordinance. City Attorney Judy Schmidt-Lehman explained that the purpose of this ordinance amendment is to include reference to state statutes within our ordinance. Discussion followed. City Attorney Judy Schmidt-Lehman explained that Stacie Christian of UWGB will be holding a public outreach meeting on Tuesday, February 27 to help introduce the ordinance to the public. Discussion followed. Upon vote on the ordinance, motion carried 5-4 with Alderpersons Boyd, Hansen, Jennings, Nelson and Mayor Walsh voting ay. The ordinance will required a second reading at the March 6, 2018 Common Council Meeting.

|                  |                                             |
|------------------|---------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [5-4]</b>                        |
| <b>MOVER:</b>    | Casey Nelson, Alderperson                   |
| <b>SECONDER:</b> | James Boyd, Alderperson                     |
| <b>AYES:</b>     | Boyd, Hansen, Jennings, Nelson, Mayor Walsh |
| <b>NAYS:</b>     | Carpenter, Crevier, Lueck, Raasch           |

12. Ordinance #18-07, Creating Section 13-15 De Pere Municipal Code Enacting a Motor Vehicle Registration Fee.

Alderperson Nelson moved, seconded by Alderperson Hansen (for purpose of discussion) to approve the ordinance. Alderperson Raasch moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously.

Jim Riedi, Kevin Bauer, and Jim Kuehni spoke against the proposed wheel tax.

Alderperson Lueck moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Alderperson Hansen moved, seconded by Alderperson Nelson to amend the ordinance to impose a \$10 fee and have all proceeds go towards permanently increasing the annual budget for road resurfacing. Discussion followed. Alderperson Hansen expressed that he is not opposed to having those proceeds go towards reducing borrowing for street reconstruction. Vote on the amendment to the ordinance failed 1-7 with Alderperson Hansen voting aye. Alderperson Hansen moved, seconded by Alderperson Nelson to amend the ordinance to impose a \$10 fee and have all proceeds go towards permanently decreasing bonding for street reconstruction projects. Upon vote on the amendment, motion failed 2-6 with Alderpersons Nelson and Hansen voting aye. Mayor Walsh expressed his opinion on the

wheel tax. Motion on the original motion to approve the ordinance failed 1-7 with Alderperson Nelson voting aye.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>DEFEATED [1 TO 7]</b>                                  |
| <b>MOVER:</b>    | Casey Nelson, Alderperson                                 |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                              |
| <b>AYES:</b>     | Casey Nelson                                              |
| <b>NAYS:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Raasch |

13. Resolution #18-10, Authorizing Agreement for Cleaning Services (Fox Cities Janitorial).

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                      |
| <b>SECONDER:</b> | Scott Crevier, Alderperson                                        |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

14. Resolution #18-11, Authorizing Agreement for Contractor Services Between the City of De Pere and ECS Midwest, LLC (2018 Construction Materials Testing and Soil Boring).

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                        |
| <b>SECONDER:</b> | James Boyd, Alderperson                                           |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

15. Resolution #18-12, Authorizing Agreement for Services Between the City of De Pere and Tweet-Garot Mechanical, Inc. (MSC Boiler Replacement Design & Construction Management).

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                          |
| <b>SECONDER:</b> | Ryan Jennings, Alderperson                                        |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

16. Resolution #18-13 Ratifying Submission of Assistance to Firefighters Grant Application.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                      |
| <b>SECONDER:</b> | Casey Nelson, Alderperson                                         |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

17. Resolution #18-14, Authorizing Renewal of Agreement for Consulting Services Between the City of De Pere and Key Benefit Concepts, LLC (Other Post Employment Benefit Liability Study)

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                      |
| <b>SECONDER:</b> | Ryan Jennings, Alderperson                                        |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

18. Resolution #18-15, Opposing 2017 Assembly Bill 748 and 2017 Senate Bill 634 Preempting Local Governments from Regulating Various Employment Matters.

Alderpersons discussed their opinions on the resolution. Upon vote on the resolution, motion carried 5-4 with Alderpersons Boyd, Hansen, Jennings, Nelson and Mayor Walsh voting ay.



|                  |                                             |
|------------------|---------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [5-4]</b>                        |
| <b>MOVER:</b>    | Casey Nelson, Alderperson                   |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                |
| <b>AYES:</b>     | Boyd, Hansen, Jennings, Nelson, Mayor Walsh |
| <b>NAYS:</b>     | Carpenter, Crevier, Lueck, Raasch           |

19. Recommendation from the Finance and Personnel Committee to fund Closed Captioning for Channel 4 Programming

Alderperson Nelson moved, seconded by Alderperson Hansen to approve the funding for closed captioning. City Attorney Judy Schmidt-Lehman explained the proposal from the League of Wisconsin Municipalities to assist municipalities in providing guidance on obtaining ADA compliance. She explained that if the City chooses to participate in the venture with the League, we are allowed to continue providing services while pursuing compliance. Discussion followed. Alderperson Crevier moved, seconded by Alderperson Boyd to amend the motion to recommend using the League of Wisconsin Municipalities proposal for \$1,000. Upon vote on the amendment, motion carried unanimously. Upon vote on the original motion, motion carried unanimously.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Casey Nelson, Alderperson                                         |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                                      |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

20. Recommendation from the Finance and Personnel Committee to postpone any development consideration for Parcels ED-796, ED-794, ED-793, ED-788-1 (also known as Perrot Square) until the Cultural District Master Plan is complete.

Development Services Director Kim Flom explained that the Finance/Personnel Committee recommended postponement of the development until the Cultural District Master Plan is approved. Alderperson Raasch moved, seconded by Alderperson Lueck to open the meeting. Upon vote, motion carried unanimously. Frank Kaster presented the George Street Station plan to the Council. Discussion followed regarding river views and parking. Alderperson Hansen moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously.

Alderperson Jennings moved, seconded by Alderperson Nelson to approve the recommendation to postpone development until the Cultural District Master Plan is approved. Upon vote, motion carried unanimously.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Ryan Jennings, Alderperson                                        |
| <b>SECONDER:</b> | Casey Nelson, Alderperson                                         |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

21. Recommendation from the Finance and Personnel Committee to issue a Request for Proposals (RFP) for the development of Parcel ED-769 (also known as the 123 N Broadway Lot).

Development Services Director Kim Flom explained that the property being discussed is a small parking lot on North Broadway.

Alderperson Crevier moved, seconded by Alderperson Nelson to open the meeting. Upon vote, motion carried unanimously. Kyle Johnson and Karen Classon described the building design being proposed for that location. Alderperson Nelson moved, seconded



by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously. Discussion followed.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                        |
| <b>SECONDER:</b> | James Boyd, Alderperson                                           |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

22. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage License for Heritage Rd, LLC (DBA One Under Golf Center), 801 Heritage Rd, Unit C. Submitted by Heritage Rd, LLC, Agent: Matthew Wood, Green Bay, WI.

Alderperson Carpenter moved, seconded by Alderperson Hansen to deny the application. Upon vote, motion carried unanimously.

23. Operator License Applications.

| CITY OF DE PERE                                                         |                       |
|-------------------------------------------------------------------------|-----------------------|
| License Committee - February 21, 2018                                   |                       |
| New Operator License Applications<br>for the 2016-2018 Licensing Period |                       |
| 1                                                                       | CARTER, PAMELA S.     |
| 2                                                                       | CARTER, TRISHA L.     |
| 3                                                                       | COFFEY, HEATHER M.    |
| 4                                                                       | EGEBRECHT, DEBORAH A. |
| 5                                                                       | HARING, BRANDON M.    |
| 6                                                                       | HEINZ, DANIEL J.      |
| 7                                                                       | LEACH, JOSHUA A.      |
| 8                                                                       | RENARD, CHERYL A.     |
| 9                                                                       | VIEAU, JACOB P.       |
| 10                                                                      | ZELM, GAVIN M.        |

Alderperson Boyd moved, seconded by Alderperson Hansen to approve Operator License Applications #2-7 and 9-10. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to table Operator License Applications #1 and 8. Upon vote, motion carried unanimously.

24. Voucher Approval.

|                  |                                                                   |
|------------------|-------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                        |
| <b>MOVER:</b>    | Scott Crevier, Alderperson                                        |
| <b>SECONDER:</b> | Casey Nelson, Alderperson                                         |
| <b>AYES:</b>     | Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch |

25. Future agenda items.

Alderperson Nelson requested a resolution for state legislature supporting more restrictive gun laws in light of recent school shootings.

26. Consideration of the purchase of property for public purposes (amendment).  
Aldersperson Raasch moved, seconded by Aldersperson Crevier to close the meeting at 10:20 p.m. Upon vote, motion carried unanimously. Aldersperson Carpenter moved, seconded by Aldersperson Nelson to open the meeting at 10:34 p.m. Upon vote, motion carried unanimously.
27. Adjournment.
- Aldersperson Nelson moved, seconded by Aldersperson Jennings to adjourn the meeting at 10:36 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018  
**DEPARTMENT:** Public Works  
**FROM:** Eric Rakers  
**SUBJECT:** Review 2015 Washington Street Improvement Review

---

The memo for this item is the attachment.

**ATTACHMENTS:**

- CL\_CC-2018-3-6-Washington Street (DOCX)

City of De Pere

**Public Works Department****Memo**


---

**To:** Honorable Mayor Walsh  
Members of the Common Council  
**From:** Eric Rakers, P.E., City Engineer  
**Date:** March 6, 2018  
**Subject:** 2015 Washington Street Improvement Review

---

This item is being brought to the Council as requested to review the improvements made to Washington Street in 2015 and the current traffic impacts.

**Background**

In 2015, the City of De Pere was planning on resurfacing and relaying water main on Washington Street at Dickinson School. This is an area that receives a high traffic volume immediately before and after school and is a primary drop off/pick up point for Dickinson School. There were concerns about the congestion immediately in front of the school with people double parking and students being dropped off on the west side of Washington Street.

In addition to the traffic on Washington Street at the school, Washington Street connected to Merrill Street at a five legged intersection. Merrill Street is a collector street in De Pere that services Foxview Middle School and De Pere High school in addition to Dickinson. There was a large amount of traffic (both vehicular and pedestrian) at the five legged intersection during morning and afternoon school arrival and release.

Staff conducted a field review at the school on several different occasions to gather information on Washington Street and at the Washington/Merrill/Jordan/Ontario intersection. Based on the review and discussions with the school, the following issues were identified:

- Double Parking on Washington Street
- Student drop off on the west side of Washington Street (students cross Washington Street in traffic)
- Simultaneous Left Turns onto Washington from Ontario and Merrill
- Northerly Crosswalk Challenges
- Cut Through Traffic on Washington
- Traffic Congestion at the Five Legged Intersection.

Below is additional information on each of these issues.

- **Double Parking** – This was a particular problem in the afternoon with people arriving to pick up students and double parking. Note in the two photos below that the minivan double parked at 2:43 pm and was still double parked at 2:46 pm with a second vehicle double parked at 2:46 pm.
  - Double Parking on Right Side of Washington Street at 2:43 PM



- Double Parking on Right Side of Washington Street at 2:46 PM



- **Simultaneous Left Turns onto Washington from Ontario and Merrill** – With the large amount of pavement and intersection configuration, there were times two drivers would be turning left onto Washington from Merrill and Ontario at the same time. The video shows this at the 28 second point. Additionally, while the two

photos do not show drivers making lefts at the same time, the photos show how easily this could occur.



019.MOV

- Left turn from Ontario to Washington: Note the minivan blocks two left turning vehicles from seeing each other.







- **Northerly Crosswalk Challenges.** With the five legged intersection, there were crossing issued on the north side (Washington and Ontario).
  - The crosswalk on Ontario and Washington was 79 feet wide



- Left turn traffic from Ontario to Washington and impacts for crosswalk



- Cut Through Traffic on Washington Street.** Because of the configuration of streets in the area, Washington Street was the most direct route to get from Merrill to Chicago. During our reviews in 2015, we had 24 vehicles utilizing Washington Street as a cut through in 1.5 hours in both the morning and again in the afternoon while students were being dropped off and picked up. This created safety concerns as many of these vehicles appeared to be going close to the speed limit while students were being dropped off and picked up.



- Traffic Congestion at the Five Legged Intersection.** In addition to Merrill Street servicing three different schools, the five way intersection is also the primary route

C:\users\cdanen\appdata\roaming\iqm2\minutetraql\deperecitywi@deperecitywi.iqm2.com\work\attachment s\11273.docx



for traffic going from areas south of the school to the north (Chicago Street and beyond). As can be seen in the exhibit, this intersection is one of the primary north south connections between Merrill and Chicago/Webster Street. This creates additional congestion during school at the intersection.

- Aerial of Street Network – Lack of north/south connections between Ontario and Swan Road



- Traffic congestion on Jordan Street



- Traffic congestion on Merrill Street





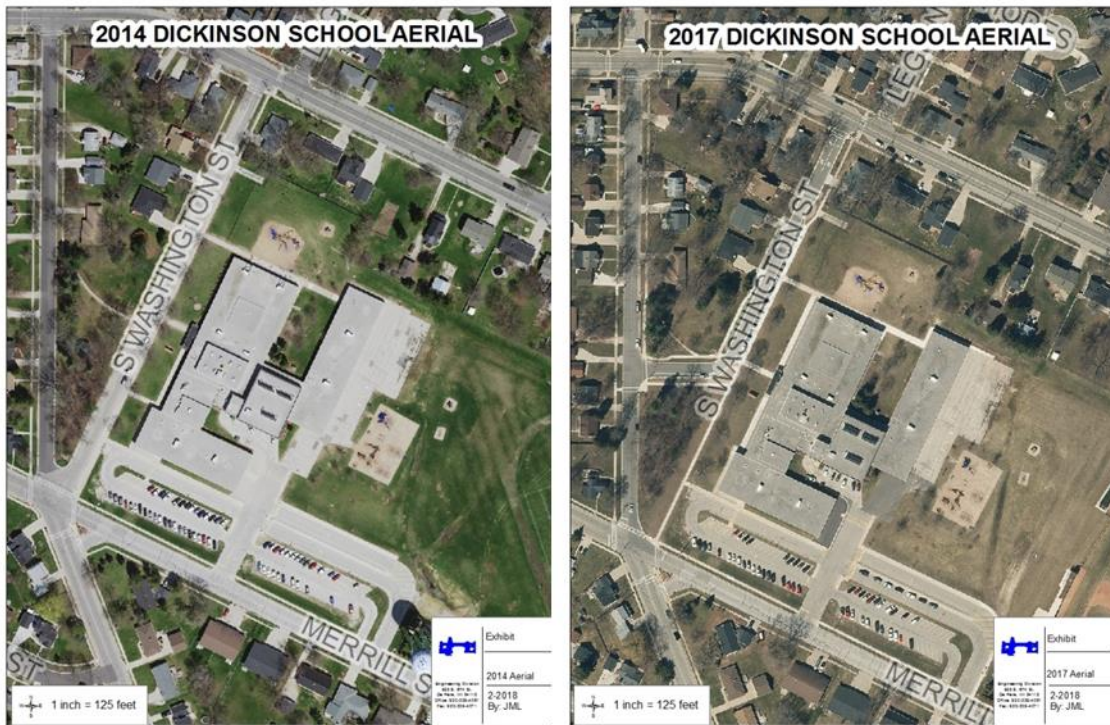
- Traffic congestion on Merrill Street



### **Washington Street Modifications**

With the upcoming construction in 2015, staff held internal meetings involving Planning, Police, and Engineering to review issues with Washington Street. Several concepts were reviewed with the ultimate alternative being the closure of Washington Street at Merrill Street. Washington Street was rerouted to connect to Ontario Street. Below are aerial photos from 2014 and 2017 showing modifications to Washington Street. Some of the changes included:

- Relocation of Washington from Merrill to Ontario.
- Construction of parking lanes on the east side of Washington.
- Addition of sidewalk on Washington and Ontario.
- Installation of crosswalk with bumpouts on Washington.



During this review, staff gathered input from the De Pere School District and Brown County Planning. A public information meeting was held with residents in the area. Ultimately the preferred alternative was presented to the Planning Commission and Common Council and approved for construction.

The Washington Street project was completed in late summer of 2015 for the opening of the 2015 and 2016 school year.

With the modification, there was a loss of parking area on Washington Street. To compensate for this, sidewalk was added on Washington Street and Ontario Street along with the crosswalk on Washington Street to make drop off/pickup more attractive on Ontario Street. The crosswalk on Washington Street was constructed with bumpouts and located to maximize visibility of pedestrians.

### Current Conditions/Field Observations

Staff conducted a field review from 7:30 to 8:00 am and 2:15 to 3:00 pm on Tuesday, February 27, 2018. We had staff stationed at Chicago and Washington, Washington near the crosswalk at the curve, and in the parking lot on the south side of the school. The goal was to document traffic and pedestrian movements and how drop off and pick up is occurring.

Based on the morning observations, we noticed a few vehicles parked on Jordan Road and parent/guardians walking students in to the school. In the afternoon, we added a fourth person to count vehicles on Jordan. This turned out to be a good decision as we had many vehicles parked on Jordan, but also on Merrill, west of the intersection, and on the entire block of Ontario.

#### General Comments and Observations:

- The crossing guard at Chicago and Washington Street pointed out several traffic issues including:
  - There are times that eastbound traffic on Chicago Street will back up to Washington Street from the Chicago and Webster Street intersection.
  - Westbound traffic on Chicago Street periodically backs up to Washington Street due to left turning vehicles at Ontario. While not backing up to the intersection in the photo below, it shows how this could occur.



- The “No Parking Here to Corner” sign is confusing on the south side of Chicago Street.



- He thought that a flashing school zone sign may be helpful on Chicago.
- The crossing guard at Merrill/Jordan/Ontario said that the modifications to the intersection in 2015 have made it safer for pedestrian crossing due to the elimination of Washington Street. The modifications minimized conflicts between turning vehicles and pedestrians.



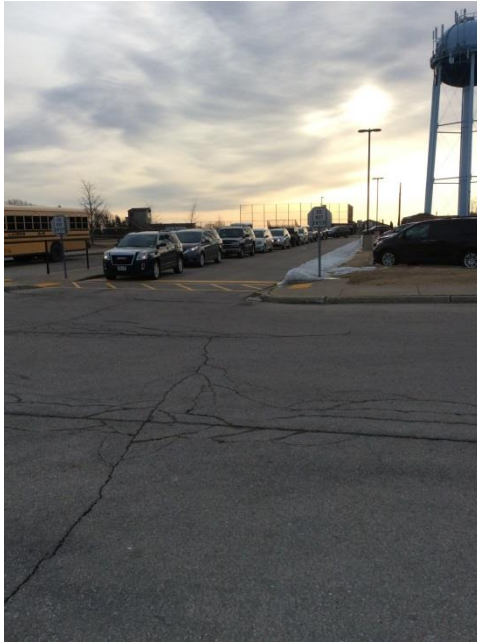
However, there are still two challenges with the intersections:

- There are still a lot of different crossing points with the high traffic volume.
  - There are still conflicts with vehicles in the center of the intersection due to the large intersection. Sometimes more than one vehicle enters the intersection in conflict with another one due to the large distances between crosswalks.
- The crossing guard at Washington Street stated that the changes work well. She directs traffic for drop off to keep things moving. She stated that they have issues on inclement weather days. It appears that most parents wait until later to drop off students. Everyone arrives at the same time which causes issues. She thought that it may help if parents understood that the school is open on rain and snow days so that the children can go in the school and don't need to wait outside.
- At 7:32, 10 cars queued up on westbound Merrill at Jordan. The crossing guard was crossing children at Ontario. Six had their blinkers on to turn north.



- When the guard on Chicago Street crosses children at Chicago, left turning vehicles are able to exit Washington.

- Parents in the southerly parking lot do not drop their children off until they are as close to the school as possible. This causes vehicles to queue all the way back to Merrill Street.



- Left turn out of south drop off to Merrill Street causes traffic backup in parking lot.



- When crossing students at Merrill/Jordan/Ontario, traffic backs up to the parking lot.



- Based on the vehicle counts, there was approximately one trip to the school per two students in the morning. In the morning count, we didn't gather information on cars parked on Jordan Road. In the afternoon, there were fewer parent/guardian trips because some of the students were picked up by busses that went to various afterschool activities.
- The day of the count was relatively nice with temperatures at 32 degrees in the morning and 50 degrees in the afternoon.
- The afternoon traffic is significantly different than the morning traffic. In the afternoon, people arrive early (we arrived at 2:15 and there were already some vehicles on Washington Street) and wait for release which is 2:45. Because of this, vehicle parking is spread throughout the area. Below is a map showing the areas where parents/guardians were parking to pick up students.



○ Overall Parking Numbers  
Morning Drop-Offs



Afternoon Pick Ups



- Chicago Street Parking



- Merrill and Parking Lot Parking



- Jordan Road Parking





- Merrill Street Parking



- Ontario Street Parking



### Additional Changes/Dickinson School Enrollment Changes

Since the modifications have been made to Washington Street, there has been an increase in students at Dickinson.

| School Year | Students |
|-------------|----------|
| 2013-14     | 461      |
| 2014-15     | 451      |
| 2015-16     | 474      |
| 2016-17     | 494      |
| 2017-18     | 520      |

### Summary: Benefits from 2015 Modifications

Based on field observations and discussions with the Police and crossing guards, the modifications to Washington Street improved pedestrian safety at the intersection (Merrill/Jordan/Ontario) and overall drop off and pick up safety on Washington Street at Dickinson School.

The improvements completed address many of the safety concerns identified in the background as discussed below.

- **Double Parking on Washington Street.** With the new layout, the student drop off and pick up area is clearly identified through signage and pavement marking on the east side. The overall width of the street was reduced so that there was not enough width to double park.
- **Student drop off on the west side of Washington Street.** As noted above, the street width was reduced to prohibit vehicles from parking on the west side of Washington Street
- **Simultaneous Left Turns onto Washington from Ontario and Merrill.** With the elimination of Washington Street at Merrill Street, we eliminated vehicles from Ontario and Merrill Street from turning left at the same time. Ontario Street is the only exit north out of the intersection.
- **Northerly Crosswalk Challenges.** The crossing walk distance was reduced down from 79 feet to 54 feet. Additionally, vehicles can no longer make a left turn between

the crosswalk and the curb from Ontario Street onto Washington Street at this location.

- **Cut Through Traffic on Washington.** By relocating Washington Street to Ontario, it is more convenient for through traffic to continue straight on Ontario and avoid Washington Street.
- **Traffic Congestion at the Five Legged Intersection.** Eliminating Washington Street from the five legged intersection improved some of the traffic flow characteristics at the intersection but did not improve the overall congestion at the intersection.
- **School Access.** One additional benefit from the project was that the grades on Washington Street were modified to eliminate the steps at the entrance into the school.

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Parks, Recreation & Forestry

**FROM:** Paula Rahn

**SUBJECT:** Recommendation from the Board of Park Commissioner's to  
Approve Donation of a Little Free Library at Kelly Danen Park by  
Girl Scout Troop 4679

---

The Board of Park Commissioner's, at the February 15, 2018 meeting, approved to accept the donation of a Little Free Library to be located at Kelly Danen Park by Girl Scout Troop #4679. Staff is recommending to approve the donation and installation of a Little Free Library at Kelly Danen Park by Girl Scout Troop 4679. The library will be a great addition to this park which is heavily used from late spring to fall. It will also serve children who live in the neighborhood and allow the scout troupe to achieve their goal of earning the Girl Scout Silver Award. The troupe will work with the city parks maintenance staff in determining the best location and installation of the library. The scout troupe will also be responsible for maintaining the library and taking care of any needed repairs. Attached is a letter of request from the troupe.

Thank you for your time and consideration.

**ATTACHMENTS:**

- P\_Rahn\_De Pere Park and Rec 1.28.18(DOCX)

January 28, 2018

Paula Rahn  
Recreation Superintendent  
De Pere Community Center  
600 Grant St.  
De Pere, WI 54115

Dear Ms. Rahn,

We represent Girl Scout Troop 4679 from De Pere, and we are working on earning our Silver Award. It is the highest award that a Girl Scout Cadette (Middle School) can earn. For our project, we would like to construct and install a Little Free Library at Kelly Danen Park. We think this is important for Kelly Danen as there are not many recreational options for children who attend the park. It would also be available to children who live in the neighborhood.

Below is an outline of how we plan to execute our proposal in order to earn the award.

*Materials:* Using a combination of in-kind donations of lumber and plexiglass, and funds raised through community service to cover additional costs of paint and misc. supplies.

*Construction:* A family member of Alyssa Schultz has agreed to help the girls construct the library, using blueprints provided online (<https://littlefreelibrary.org>, Amish Cabin Style). Construction will take place February 17-18.

*Installation:* Provided by the De Pere Park/Forester Team on a mutually agreed upon date Spring 2018.

*Maintenance:* We plan on creating a calendar to assign each girl in a monthly rotation to monitor the condition of the library and books. If maintenance is needed, the Girl Scout on rotation is responsible to communicate to the other girls and create a plan to repair. If books need to be replenished, the Girl Scout on rotation will restock with gently-used books from garage sales, Good Will, or donations on-hand. The plan is to have at least ten, age-appropriate books in the Library for all to enjoy. Longer term, we will work with the De Pere/Oneida Girl Scout Service Area to maintain the Library.

We are asking for your approval of our proposal to install a Little Free Library locally here in De Pere at Kelly Danen Park. This project will allow us to achieve our goal of earning the Girl Scout Silver Award. We have been working toward this goal for two years, to include attending the "It's Your Planet Love it! Breathe!" Journey sponsored by Foth.

If you have additional questions regarding our project, please contact our Troop Leader, Anne Waystedt at 920-217-8711, or email [waystedta@schneider.com](mailto:waystedta@schneider.com).

Thank you in advance for your consideration,

  
Nicki Waystedt

  
Brooklynn Steier

  
Skylar Schultz



## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Parks, Recreation & Forestry

**FROM:** Marty Kosobucki

**SUBJECT:** Recommendation from the Board of Park Commissioners to Award the Contract for Project 18 -12 Voyageur Park Playground surfacing to Bluemels in the amount of \$113,688.00

---

**The Board of Park Commissioner's, at the February 15, 2018 meeting, approved to accept the bid from Bluemels in the amount of \$113,688.00 for the poured in place surfacing for the Voyageur Park Playground.**

The bids for the poured in place surfacing for Voyageur Park Playground were opened on February 1. We received two qualified bids which are summarized below.

Bluemels - \$113,688.00

Playpower LT Farmington, Inc. - \$123,479.92

Our project budget for the poured in place surfacing was set at \$110,000. We are recommending accepting the bid from Bluemels, and recommend to the City Council approve an additional \$3,688 to complete the project.

The project budget for the playground installation is presently sitting at around \$14,444 under budget as we enter the spring. While there is some landscaping and concrete work that needs to be completed, we should have enough funding to cover the \$3,688.

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Parks, Recreation & Forestry

**FROM:** Don Melichar

**SUBJECT:** Recommendation from the Board of Park Commissioners to Accept the Donation of a Dog Waste Can at the Old Bridge Approach Green Space.

---

**The Board of Park Commissioners, at the February 15, 2018 meeting, approved to accept the donation of a dog waste station to be located at the Old Bridge Approach green space.**

We have received a proposal from resident Dave Richards to fund the installation of a dog waste station at the green space in the old bridge approach area. The station would be identical to the stations we have set up on our trails and Voyageur Park. They are valued at around \$250.

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Parks, Recreation & Forestry

**FROM:** Paula Rahn

**SUBJECT:** Recommendation from the Board of Park Commissioners to  
Approve \$500 Donation from De Pere Optimist Club for Summer  
Day Camp T-Shirts

---

**The Board of Park Commissioners, at the February 15, 2018 meeting, approved to accept a donation of \$500 from the De Pere Optimist Club for Summer Day Camp T-Shirts.**

Staff is seeking the Board of Park Commissioner's approval for the De Pere Community Center to accept a donation of \$500 from the De Pere Optimist Club towards t-shirts for our Summer Day Camp. This is our 11th year running the Summer Day Camp Program and the De Pere Optimist Club has been a terrific supporter for 10 years! The Optimist Club would be recognized as a sponsor of our t-shirts with their logo on the back of the shirts.

Thank you for your time and consideration.

## City of De Pere, Wisconsin

**Request For Common Council Action**


---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Board of Public Works

**FROM:** Eric Rakers

**SUBJECT:** Recommendation from the Board of Public Works to Award of Contract for Project 18-04 Main and Lawrence Roundabout Construction to Triple P, Inc. dba Peters Concrete Company in the amount of \$1,845,668.10.

---

The Engineering Department received bids on Project 18-04 Main and Lawrence Roundabout Construction on February 1, 2018. The project consists of constructing a new roundabout at the intersection of Main Avenue and Lawrence Drive and extending Lawrence Drive to the north. The bids received are as follows:

| <b>Contractor</b>                          | <b>Amount</b>  |
|--------------------------------------------|----------------|
| Triple P, Inc. dba Peters Concrete Company | \$1,845,668.10 |
| Vinton Construction Company                | \$1,880,280.23 |
| Advance Construction, Inc.                 | \$1,997,039.25 |
| Dorner, Inc.                               | \$2,047,706.79 |
| PTS Contractors, Inc.                      | \$2,069,088.00 |

The budgeted amount is \$2,500,000.00 from TID #13. Staff recommendation is to accept the bid from Triple P, Inc. dba Peters Concrete Company in the amount of \$1,845,668.10.

**ATTACHMENTS:**

- 18-04 Bid Tab(PDF)

**PROJECT 18-04 Main and Lawrence Roundabout Construction**  
**BID TAB**



|                       |                                                      |      |     | BIDDER NO. 1                              |              | BIDDER NO. 2                |              | BIDDER NO. 3               |              | BIDDER NO. 4     |              | BIDDER NO. 5          |              |
|-----------------------|------------------------------------------------------|------|-----|-------------------------------------------|--------------|-----------------------------|--------------|----------------------------|--------------|------------------|--------------|-----------------------|--------------|
|                       |                                                      |      |     | Triple P Inc. dba Peters Concrete Company |              | Vinton Construction Company |              | Advance Construction, Inc. |              | Dorner, Inc.     |              | PTS Contractors, Inc. |              |
| ITEM                  | DESCRIPTION                                          | UNIT | QTY | UNIT PRICE                                | AMOUNT BID   | UNIT PRICE                  | AMOUNT BID   | UNIT PRICE                 | AMOUNT BID   | UNIT PRICE       | AMOUNT BID   | UNIT PRICE            | AMOUNT BID   |
| <b>SANITARY SEWER</b> |                                                      |      |     |                                           |              |                             |              |                            |              |                  |              |                       |              |
| SS-01                 | Remove and Relay 10" PVC Sanitary Sewer              | LF   | 400 | \$ 125.95                                 | \$ 50,380.00 | \$ 99.60                    | \$ 39,840.00 | \$ 140.00                  | \$ 56,000.00 | \$ 150.00        | \$ 60,000.00 | \$ 202.00             | \$ 80,800.00 |
| SS-02                 | Provide 8" PVC Sanitary Sewer                        | LF   | 495 | \$ 79.90                                  | \$ 39,550.50 | \$ 83.70                    | \$ 41,431.50 | \$ 93.00                   | \$ 46,035.00 | \$ 100.00        | \$ 49,500.00 | \$ 102.00             | \$ 50,490.00 |
| SS-03                 | Provide 6" PVC Sanitary Sewer Lateral                | LF   | 70  | \$ 77.00                                  | \$ 5,390.00  | \$ 84.50                    | \$ 5,915.00  | \$ 81.00                   | \$ 5,670.00  | \$ 90.00         | \$ 6,300.00  | \$ 124.00             | \$ 8,680.00  |
| SS-04                 | Provide 10" x 6" Sanitary Wye                        | EA   | 1   | \$ 150.00                                 | \$ 150.00    | \$ 475.00                   | \$ 475.00    | \$ 100.00                  | \$ 100.00    | \$ 175.00        | \$ 175.00    | \$ 220.00             | \$ 220.00    |
| SS-05                 | Provide 8" x 6" Sanitary Wye                         | EA   | 3   | \$ 100.00                                 | \$ 300.00    | \$ 53.00                    | \$ 159.00    | \$ 53.00                   | \$ 159.00    | \$ 100.00        | \$ 300.00    | \$ 285.00             | \$ 855.00    |
| SS-06                 | Provide 4' Diameter Sanitary Sewer Manhole           | VF   | 30  | \$ 250.00                                 | \$ 7,500.00  | \$ 322.00                   | \$ 9,660.00  | \$ 300.00                  | \$ 9,000.00  | \$ 315.00        | \$ 9,450.00  | \$ 360.00             | \$ 10,800.00 |
| SS-07                 | Connect to Existing Sanitary Sewer Pipe              | EA   | 1   | \$ 100.00                                 | \$ 100.00    | \$ 290.00                   | \$ 290.00    | \$ 3,000.00                | \$ 3,000.00  | \$ 1,500.00      | \$ 1,500.00  | \$ 1,500.00           | \$ 1,500.00  |
| SS-08                 | Core Drill Sanitary Manhole                          | EA   | 2   | \$ 750.00                                 | \$ 1,500.00  | \$ 1,150.00                 | \$ 2,300.00  | \$ 850.00                  | \$ 1,700.00  | \$ 1,600.00      | \$ 3,200.00  | \$ 612.00             | \$ 1,224.00  |
| SS-09                 | Provide and Adjust Structure Frame Casting           | EA   | 3   | \$ 400.00                                 | \$ 1,200.00  | \$ 660.00                   | \$ 1,980.00  | \$ 1,200.00                | \$ 3,600.00  | \$ 1,340.00      | \$ 4,020.00  | \$ 1,000.00           | \$ 3,000.00  |
| SS-10                 | Reconstruct Sanitary Manhole                         | EA   | 1   | \$ 1,200.00                               | \$ 1,200.00  | \$ 1,360.00                 | \$ 1,360.00  | \$ 2,500.00                | \$ 2,500.00  | \$ 2,300.00      | \$ 2,300.00  | \$ 1,500.00           | \$ 1,500.00  |
| SS-11                 | Abandon/Remove Existing Sanitary Sewer Appurtenances | LS   | 1   | \$ 750.00                                 | \$ 750.00    | \$ 2,000.00                 | \$ 2,000.00  | \$ 3,000.00                | \$ 3,000.00  | \$ 1,100.00      | \$ 1,100.00  | \$ 1,200.00           | \$ 1,200.00  |
| <b>STORM SEWER</b>    |                                                      |      |     |                                           |              |                             |              |                            |              | <b>\$ 175.00</b> |              |                       |              |
| ST-01                 | Provide 30" RCP Class III/PVC/PP Storm Sewer         | LF   | 150 | \$ 101.75                                 | \$ 15,262.50 | \$ 99.50                    | \$ 14,925.00 | \$ 209.00                  | \$ 31,350.00 | \$ 175.00        | \$ 26,250.00 | \$ 160.00             | \$ 24,000.00 |
| ST-02                 | Provide 24" RCP Class III/PVC/PP Storm Sewer         | LF   | 395 | \$ 77.35                                  | \$ 30,553.25 | \$ 71.10                    | \$ 28,084.50 | \$ 110.00                  | \$ 43,450.00 | \$ 91.00         | \$ 35,945.00 | \$ 86.00              | \$ 33,970.00 |
| ST-03                 | Provide 21" RCP Class III/PVC/PP Storm Sewer         | LF   | 290 | \$ 63.80                                  | \$ 18,502.00 | \$ 66.50                    | \$ 19,285.00 | \$ 85.00                   | \$ 24,650.00 | \$ 67.00         | \$ 19,430.00 | \$ 84.00              | \$ 24,360.00 |
| ST-04                 | Provide 18" RCP Class III/PVC/PP Storm Sewer         | LF   | 170 | \$ 62.80                                  | \$ 10,676.00 | \$ 62.00                    | \$ 10,540.00 | \$ 96.00                   | \$ 16,320.00 | \$ 60.00         | \$ 10,200.00 | \$ 72.00              | \$ 12,240.00 |
| ST-05                 | Provide 15" RCP Class III or PVC Storm Sewer         | LF   | 130 | \$ 60.15                                  | \$ 7,819.50  | \$ 61.00                    | \$ 7,930.00  | \$ 92.00                   | \$ 11,960.00 | \$ 75.00         | \$ 9,750.00  | \$ 72.00              | \$ 9,360.00  |
| ST-06                 | Provide 12" RCP Class III or PVC Storm Sewer         | LF   | 420 | \$ 59.15                                  | \$ 24,843.00 | \$ 61.00                    | \$ 25,620.00 | \$ 88.00                   | \$ 36,960.00 | \$ 70.00         | \$ 29,400.00 | \$ 92.00              | \$ 38,640.00 |
| ST-07                 | Provide 15" RCP Class III or PVC Storm Sewer Lateral | LF   | 65  | \$ 66.60                                  | \$ 4,329.00  | \$ 66.00                    | \$ 4,290.00  | \$ 75.00                   | \$ 4,875.00  | \$ 70.00         | \$ 4,550.00  | \$ 79.00              | \$ 5,135.00  |
| ST-08                 | Provide 24" RCP Class III Apron Endwall              | EA   | 1   | \$ 760.00                                 | \$ 760.00    | \$ 966.00                   | \$ 966.00    | \$ 600.00                  | \$ 600.00    | \$ 670.00        | \$ 670.00    | \$ 920.00             | \$ 920.00    |
| ST-09                 | Provide 12" RCP Class III Apron Endwall              | EA   | 1   | \$ 650.00                                 | \$ 650.00    | \$ 680.00                   | \$ 680.00    | \$ 425.00                  | \$ 425.00    | \$ 444.00        | \$ 444.00    | \$ 775.00             | \$ 775.00    |
| ST-10                 | Provide 6' Diameter Storm Manhole                    | VF   | 20  | \$ 469.00                                 | \$ 9,380.00  | \$ 585.00                   | \$ 11,700.00 | \$ 564.00                  | \$ 11,280.00 | \$ 525.00        | \$ 10,500.00 | \$ 845.00             | \$ 16,900.00 |
| ST-11                 | Provide 5' Diameter Storm Manhole                    | VF   | 35  | \$ 416.00                                 | \$ 14,560.00 | \$ 486.00                   | \$ 17,010.00 | \$ 419.00                  | \$ 14,665.00 | \$ 416.00        | \$ 14,560.00 | \$ 640.00             | \$ 22,400.00 |
| ST-12                 | Provide 4' Diameter Storm Manhole                    | VF   | 30  | \$ 295.00                                 | \$ 8,850.00  | \$ 320.00                   | \$ 9,600.00  | \$ 350.00                  | \$ 10,500.00 | \$ 298.00        | \$ 8,940.00  | \$ 440.00             | \$ 13,200.00 |
| ST-13                 | Provide Type B Inlet                                 | EA   | 10  | \$ 1,680.00                               | \$ 16,800.00 | \$ 1,995.00                 | \$ 19,950.00 | \$ 2,000.00                | \$ 20,000.00 | \$ 1,786.00      | \$ 17,860.00 | \$ 2,350.00           | \$ 23,500.00 |
| ST-14                 | Provide Type A Field Inlet                           | EA   | 3   | \$ 1,520.00                               | \$ 4,560.00  | \$ 1,449.00                 | \$ 4,347.00  | \$ 1,459.00                | \$ 4,377.00  | \$ 1,696.00      | \$ 5,088.00  | \$ 2,200.00           | \$ 6,600.00  |
| ST-15                 | Pond Outlet Structure                                | EA   | 1   | \$ 1,600.00                               | \$ 1,600.00  | \$ 2,730.00                 | \$ 2,730.00  | \$ 3,165.00                | \$ 3,165.00  | \$ 2,000.00      | \$ 2,000.00  | \$ 1,930.00           | \$ 1,930.00  |
| ST-16                 | Install Concrete Collar                              | EA   | 3   | \$ 250.00                                 | \$ 750.00    | \$ 475.00                   | \$ 1,425.00  | \$ 550.00                  | \$ 1,650.00  | \$ 680.00        | \$ 2,040.00  | \$ 1,200.00           | \$ 3,600.00  |



**PROJECT 18-04 Main and Lawrence Roundabout Construction  
BID TAB**



|                            |                                                                          |      |      | BIDDER NO. 1                              |               | BIDDER NO. 2                |               | BIDDER NO. 3               |               | BIDDER NO. 4 |               | BIDDER NO. 5          |               |
|----------------------------|--------------------------------------------------------------------------|------|------|-------------------------------------------|---------------|-----------------------------|---------------|----------------------------|---------------|--------------|---------------|-----------------------|---------------|
|                            |                                                                          |      |      | Triple P Inc. dba Peters Concrete Company |               | Vinton Construction Company |               | Advance Construction, Inc. |               | Dorner, Inc. |               | PTS Contractors, Inc. |               |
| ITEM                       | DESCRIPTION                                                              | UNIT | QTY  | UNIT PRICE                                | AMOUNT BID    | UNIT PRICE                  | AMOUNT BID    | UNIT PRICE                 | AMOUNT BID    | UNIT PRICE   | AMOUNT BID    | UNIT PRICE            | AMOUNT BID    |
| ST-17                      | Adjust Existing Structure Frame Casting                                  | EA   | 3    | \$ 300.00                                 | \$ 900.00     | \$ 640.00                   | \$ 1,920.00   | \$ 650.00                  | \$ 1,950.00   | \$ 650.00    | \$ 1,950.00   | \$ 460.00             | \$ 1,380.00   |
| ST-18                      | Reconstruct Storm Sewer Manhole                                          | EA   | 1    | \$ 500.00                                 | \$ 500.00     | \$ 970.00                   | \$ 970.00     | \$ 1,300.00                | \$ 1,300.00   | \$ 1,533.00  | \$ 1,533.00   | \$ 925.00             | \$ 925.00     |
| ST-19                      | Connect to Structure and/or Existing Pipe                                | EA   | 4    | \$ 200.00                                 | \$ 800.00     | \$ 400.00                   | \$ 1,600.00   | \$ 500.00                  | \$ 2,000.00   | \$ 1,500.00  | \$ 6,000.00   | \$ 760.00             | \$ 3,040.00   |
| ST-20                      | Abandon/Remove Existing Storm Sewer Appurtenances                        | LS   | 1    | \$ 9,475.00                               | \$ 9,475.00   | \$ 18,850.00                | \$ 18,850.00  | \$ 5,000.00                | \$ 5,000.00   | \$ 8,500.00  | \$ 8,500.00   | \$ 1,200.00           | \$ 1,200.00   |
| <b>WATERMAIN</b>           |                                                                          |      |      |                                           |               |                             |               |                            |               |              |               |                       |               |
| W-01                       | Provide 12" PVC Water Main                                               | LF   | 370  | \$ 106.00                                 | \$ 39,220.00  | \$ 66.90                    | \$ 24,753.00  | \$ 114.00                  | \$ 42,180.00  | \$ 110.00    | \$ 40,700.00  | \$ 174.00             | \$ 64,380.00  |
| W-02                       | Provide 8" PVC Water Main – Granular Backfill                            | LF   | 100  | \$ 91.50                                  | \$ 9,150.00   | \$ 68.30                    | \$ 6,830.00   | \$ 100.00                  | \$ 10,000.00  | \$ 100.00    | \$ 10,000.00  | \$ 192.00             | \$ 19,200.00  |
| W-03                       | Provide 8" PVC Water Main – Natural Backfill (North Lawrence Drive)      | LF   | 815  | \$ 38.90                                  | \$ 31,703.50  | \$ 41.90                    | \$ 34,148.50  | \$ 51.00                   | \$ 41,565.00  | \$ 50.00     | \$ 40,750.00  | \$ 46.00              | \$ 37,490.00  |
| W-04                       | Provide 6" PVC Water Service- Open Cut                                   | LF   | 115  | \$ 58.30                                  | \$ 6,704.50   | \$ 73.80                    | \$ 8,487.00   | \$ 83.00                   | \$ 9,545.00   | \$ 55.00     | \$ 6,325.00   | \$ 114.00             | \$ 13,110.00  |
| W-05                       | Provide 2" HDPE Water Service – Open Cut                                 | LF   | 145  | \$ 54.50                                  | \$ 7,902.50   | \$ 58.30                    | \$ 8,453.50   | \$ 65.00                   | \$ 9,425.00   | \$ 40.00     | \$ 5,800.00   | \$ 82.00              | \$ 11,890.00  |
| W-06                       | Provide 2" Corporation and Curb Stop                                     | EA   | 2    | \$ 850.00                                 | \$ 1,700.00   | \$ 1,128.00                 | \$ 2,256.00   | \$ 1,200.00                | \$ 2,400.00   | \$ 1,415.00  | \$ 2,830.00   | \$ 1,280.00           | \$ 2,560.00   |
| W-07                       | Provide 12" Valve                                                        | EA   | 1    | \$ 2,400.00                               | \$ 2,400.00   | \$ 2,776.00                 | \$ 2,776.00   | \$ 2,500.00                | \$ 2,500.00   | \$ 3,267.00  | \$ 3,267.00   | \$ 2,700.00           | \$ 2,700.00   |
| W-08                       | Provide 8" Valve                                                         | EA   | 3    | \$ 1,500.00                               | \$ 4,500.00   | \$ 1,768.00                 | \$ 5,304.00   | \$ 1,530.00                | \$ 4,590.00   | \$ 1,720.00  | \$ 5,160.00   | \$ 1,670.00           | \$ 5,010.00   |
| W-09                       | Provide 6" Valve                                                         | EA   | 7    | \$ 1,100.00                               | \$ 7,700.00   | \$ 1,316.00                 | \$ 9,212.00   | \$ 1,110.00                | \$ 7,770.00   | \$ 1,276.00  | \$ 8,932.00   | \$ 1,200.00           | \$ 8,400.00   |
| W-10                       | Provide Connection to Existing Water Main                                | EA   | 5    | \$ 900.00                                 | \$ 4,500.00   | \$ 2,975.00                 | \$ 14,875.00  | \$ 2,500.00                | \$ 12,500.00  | \$ 1,000.00  | \$ 5,000.00   | \$ 2,200.00           | \$ 11,000.00  |
| W-11                       | Provide Connection to Existing Water Main 12" x 6" Tapping Tee and Valve | EA   | 1    | \$ 3,150.00                               | \$ 3,150.00   | \$ 3,650.00                 | \$ 3,650.00   | \$ 4,500.00                | \$ 4,500.00   | \$ 4,550.00  | \$ 4,550.00   | \$ 4,600.00           | \$ 4,600.00   |
| W-12                       | Provide Hydrant (6.5' Bury)                                              | EA   | 4    | \$ 3,300.00                               | \$ 13,200.00  | \$ 3,655.00                 | \$ 14,620.00  | \$ 3,850.00                | \$ 15,400.00  | \$ 3,592.00  | \$ 14,368.00  | \$ 3,800.00           | \$ 15,200.00  |
| W-13                       | Provide 6" PVC Hydrant Lead                                              | LF   | 60   | \$ 55.00                                  | \$ 3,300.00   | \$ 59.90                    | \$ 3,594.00   | \$ 65.00                   | \$ 3,900.00   | \$ 38.00     | \$ 2,280.00   | \$ 106.00             | \$ 6,360.00   |
| W-14                       | Abandon/Remove Existing Water Main Appurtenances                         | LS   | 1    | \$ 600.00                                 | \$ 600.00     | \$ 4,480.00                 | \$ 4,480.00   | \$ 5,000.00                | \$ 5,000.00   | \$ 6,500.00  | \$ 6,500.00   | \$ 2,450.00           | \$ 2,450.00   |
| <b>STREET AND DRAINAGE</b> |                                                                          |      |      |                                           |               |                             |               |                            |               |              |               |                       |               |
| SD-01                      | Provide Clearing and Grubbing                                            | LS   | 1    | \$ 35,000.00                              | \$ 35,000.00  | \$ 1,000.00                 | \$ 1,000.00   | \$ 6,000.00                | \$ 6,000.00   | \$ 7,500.00  | \$ 7,500.00   | \$ 11,500.00          | \$ 11,500.00  |
| SD-02                      | Unclassified Excavation - Street Construction                            | CY   | 9700 | \$ 11.69                                  | \$ 113,393.00 | \$ 11.10                    | \$ 107,670.00 | \$ 11.55                   | \$ 112,035.00 | \$ 11.90     | \$ 115,430.00 | \$ 11.70              | \$ 113,490.00 |
| SD-03                      | Unclassified Excavation – Pond Construction                              | CY   | 2860 | \$ 4.40                                   | \$ 12,584.00  | \$ 5.39                     | \$ 15,415.40  | \$ 6.05                    | \$ 17,303.00  | \$ 6.23      | \$ 17,817.80  | \$ 6.20               | \$ 17,732.00  |
| SD-04                      | Provide 1 1/4" Crushed Aggregate Base Course                             | TON  | 6700 | \$ 10.60                                  | \$ 71,020.00  | \$ 11.00                    | \$ 73,700.00  | \$ 10.40                   | \$ 69,680.00  | \$ 10.71     | \$ 71,757.00  | \$ 10.60              | \$ 71,020.00  |
| SD-05                      | Provide Breaker Run                                                      | TON  | 6000 | \$ 9.00                                   | \$ 54,000.00  | \$ 11.00                    | \$ 66,000.00  | \$ 10.40                   | \$ 62,400.00  | \$ 10.71     | \$ 64,260.00  | \$ 10.60              | \$ 63,600.00  |
| SD-06                      | Provide Asphaltic Concrete Pavement Surface Course, Type 4LT 58-28S      | TON  | 155  | \$ 75.25                                  | \$ 11,663.75  | \$ 76.00                    | \$ 11,780.00  | \$ 75.25                   | \$ 11,663.75  | \$ 77.51     | \$ 12,014.05  | \$ 77.00              | \$ 11,935.00  |
| SD-07                      | Provide Asphaltic Concrete Pavement Binder Course Type 3LT 58-28S        | TON  | 200  | \$ 83.70                                  | \$ 16,740.00  | \$ 84.54                    | \$ 16,908.00  | \$ 83.70                   | \$ 16,740.00  | \$ 86.21     | \$ 17,242.00  | \$ 85.50              | \$ 17,100.00  |

Attachment: 18-04 Bid Tab (6738 : Recommendation from the Board of Public Works to Award Contract

**PROJECT 18-04 Main and Lawrence Roundabout Construction**  
**BID TAB**



|       |                                                                                                         |      |       | BIDDER NO. 1                              |               | BIDDER NO. 2                |               | BIDDER NO. 3               |               | BIDDER NO. 4 |               | BIDDER NO. 5          |              |
|-------|---------------------------------------------------------------------------------------------------------|------|-------|-------------------------------------------|---------------|-----------------------------|---------------|----------------------------|---------------|--------------|---------------|-----------------------|--------------|
|       |                                                                                                         |      |       | Triple P Inc. dba Peters Concrete Company |               | Vinton Construction Company |               | Advance Construction, Inc. |               | Dorner, Inc. |               | PTS Contractors, Inc. |              |
| ITEM  | DESCRIPTION                                                                                             | UNIT | QTY   | UNIT PRICE                                | AMOUNT BID    | UNIT PRICE                  | AMOUNT BID    | UNIT PRICE                 | AMOUNT BID    | UNIT PRICE   | AMOUNT BID    | UNIT PRICE            | AMOUNT BID   |
| SD-08 | Provide Asphaltic Concrete Pavement Driveways, Field Entrances and Asphaltic Flumes, Type 4LT 58-28S    | TON  | 390   | \$ 76.75                                  | \$ 29,932.50  | \$ 77.52                    | \$ 30,232.80  | \$ 76.75                   | \$ 29,932.50  | \$ 79.05     | \$ 30,829.50  | \$ 78.50              | \$ 30,615.0  |
| SD-09 | Provide 30-Inch Type A Curb and Gutter                                                                  | LF   | 3300  | \$ 12.80                                  | \$ 42,240.00  | \$ 16.10                    | \$ 53,130.00  | \$ 12.80                   | \$ 42,240.00  | \$ 13.18     | \$ 43,494.00  | \$ 13.00              | \$ 42,900.0  |
| SD-10 | Provide 24-Inch Type D Curb and Gutter                                                                  | LF   | 1100  | \$ 15.15                                  | \$ 16,665.00  | \$ 15.45                    | \$ 16,995.00  | \$ 13.15                   | \$ 14,465.00  | \$ 13.54     | \$ 14,894.00  | \$ 13.50              | \$ 14,850.0  |
| SD-11 | Provide 18-Inch Type A Curb and Gutter                                                                  | LF   | 1150  | \$ 13.90                                  | \$ 15,985.00  | \$ 16.25                    | \$ 18,687.50  | \$ 13.90                   | \$ 15,985.00  | \$ 14.32     | \$ 16,468.00  | \$ 14.00              | \$ 16,100.0  |
| SD-12 | Provide 4-Inch Sloped 36-Inch Type R Curb and Gutter                                                    | LF   | 315   | \$ 17.75                                  | \$ 5,591.25   | \$ 17.90                    | \$ 5,638.50   | \$ 17.75                   | \$ 5,591.25   | \$ 18.28     | \$ 5,758.20   | \$ 18.00              | \$ 5,670.0   |
| SD-13 | Provide Concrete Median Nose                                                                            | SY   | 17    | \$ 81.00                                  | \$ 1,377.00   | \$ 65.00                    | \$ 1,105.00   | \$ 81.00                   | \$ 1,377.00   | \$ 83.43     | \$ 1,418.31   | \$ 82.00              | \$ 1,394.0   |
| SD-14 | Provide 10" Concrete Pavement                                                                           | SY   | 7950  | \$ 52.95                                  | \$ 420,952.50 | \$ 49.26                    | \$ 391,617.00 | \$ 52.95                   | \$ 420,952.50 | \$ 54.54     | \$ 433,593.00 | \$ 53.00              | \$ 421,350.0 |
| SD-15 | Provide 8" Concrete Driveway                                                                            | SY   | 265   | \$ 48.15                                  | \$ 12,759.75  | \$ 51.60                    | \$ 13,674.00  | \$ 48.15                   | \$ 12,759.75  | \$ 49.59     | \$ 13,141.35  | \$ 49.00              | \$ 12,985.0  |
| SD-16 | Provide 4" Red Stamped Concrete                                                                         | SY   | 700   | \$ 54.90                                  | \$ 38,430.00  | \$ 52.50                    | \$ 36,750.00  | \$ 54.90                   | \$ 38,430.00  | \$ 56.55     | \$ 39,585.00  | \$ 55.00              | \$ 38,500.0  |
| SD-17 | Provide 8" Red Stamped Concrete                                                                         | SY   | 310   | \$ 78.30                                  | \$ 24,273.00  | \$ 71.10                    | \$ 22,041.00  | \$ 78.30                   | \$ 24,273.00  | \$ 80.65     | \$ 25,001.50  | \$ 80.00              | \$ 24,800.0  |
| SD-18 | Provide 10" Concrete Pavement Truck Apron, Colored Red (Broomed Finish)                                 | SY   | 400   | \$ 71.85                                  | \$ 28,740.00  | \$ 65.00                    | \$ 26,000.00  | \$ 71.85                   | \$ 28,740.00  | \$ 74.01     | \$ 29,604.00  | \$ 72.00              | \$ 28,800.0  |
| SD-19 | Provide 10" Concrete Pavement Colored Red (Broomed Finish) with Colored Stamped Concrete Edge Crosswalk | SY   | 220   | \$ 71.85                                  | \$ 15,807.00  | \$ 75.00                    | \$ 16,500.00  | \$ 71.85                   | \$ 15,807.00  | \$ 74.01     | \$ 16,282.20  | \$ 72.00              | \$ 15,840.0  |
| SD-20 | Provide 4" Concrete Sidewalk                                                                            | SY   | 2150  | \$ 35.10                                  | \$ 75,465.00  | \$ 37.95                    | \$ 81,592.50  | \$ 35.10                   | \$ 75,465.00  | \$ 36.15     | \$ 77,722.50  | \$ 35.50              | \$ 76,325.0  |
| SD-21 | Drilled Tie Bars                                                                                        | EA   | 16    | \$ 10.00                                  | \$ 160.00     | \$ 7.00                     | \$ 112.00     | \$ 10.00                   | \$ 160.00     | \$ 10.30     | \$ 164.80     | \$ 10.00              | \$ 160.0     |
| SD-22 | Provide #4 Reinforcement Bars for Curb and Sidewalk                                                     | LF   | 1,240 | \$ 0.95                                   | \$ 1,178.00   | \$ 1.45                     | \$ 1,798.00   | \$ 0.95                    | \$ 1,178.00   | \$ 0.98      | \$ 1,215.20   | \$ 1.00               | \$ 1,240.0   |
| SD-23 | Provide Detectable Warning Field (Natural)                                                              | SF   | 350   | \$ 28.00                                  | \$ 9,800.00   | \$ 30.00                    | \$ 10,500.00  | \$ 28.00                   | \$ 9,800.00   | \$ 28.84     | \$ 10,094.00  | \$ 29.00              | \$ 10,150.0  |
| SD-24 | Pavement Marking Grooved Epoxy 18-Inch (White)                                                          | LF   | 105   | \$ 36.00                                  | \$ 3,780.00   | \$ 36.00                    | \$ 3,780.00   | \$ 36.00                   | \$ 3,780.00   | \$ 37.08     | \$ 3,893.40   | \$ 37.00              | \$ 3,885.0   |
| SD-25 | Pavement Marking Stop Line Epoxy 18-Inch (White)                                                        | LF   | 85    | \$ 16.00                                  | \$ 1,360.00   | \$ 16.00                    | \$ 1,360.00   | \$ 16.00                   | \$ 1,360.00   | \$ 16.48     | \$ 1,400.80   | \$ 16.00              | \$ 1,360.0   |
| SD-26 | Pavement Marking Grooved Contrast Epoxy 8" (White)                                                      | LF   | 1210  | \$ 11.50                                  | \$ 13,915.00  | \$ 11.50                    | \$ 13,915.00  | \$ 11.50                   | \$ 13,915.00  | \$ 11.85     | \$ 14,338.50  | \$ 12.00              | \$ 14,520.0  |
| SD-27 | Pavement Marking Words Grooved Epoxy (YIELD, ONLY) (White)                                              | EA   | 11    | \$ 340.00                                 | \$ 3,740.00   | \$ 340.00                   | \$ 3,740.00   | \$ 340.00                  | \$ 3,740.00   | \$ 350.20    | \$ 3,852.20   | \$ 350.00             | \$ 3,850.0   |
| SD-28 | Pavement Marking Arrows Grooved Epoxy Type 1 (White)                                                    | EA   | 4     | \$ 285.00                                 | \$ 1,140.00   | \$ 285.00                   | \$ 1,140.00   | \$ 285.00                  | \$ 1,140.00   | \$ 293.55    | \$ 1,174.20   | \$ 290.00             | \$ 1,160.0   |
| SD-29 | Pavement Marking Arrows Grooved Epoxy Type 2 (White)                                                    | EA   | 5     | \$ 340.00                                 | \$ 1,700.00   | \$ 340.00                   | \$ 1,700.00   | \$ 340.00                  | \$ 1,700.00   | \$ 350.20    | \$ 1,751.00   | \$ 350.00             | \$ 1,750.0   |
| SD-30 | Pavement Marking Arrows Grooved Epoxy Type 2R (White)                                                   | EA   | 1     | \$ 380.00                                 | \$ 380.00     | \$ 380.00                   | \$ 380.00     | \$ 380.00                  | \$ 380.00     | \$ 391.40    | \$ 391.40     | \$ 390.00             | \$ 390.0     |
| SD-31 | Pavement Marking Arrows Grooved Epoxy Type 3 (White)                                                    | EA   | 7     | \$ 350.00                                 | \$ 2,450.00   | \$ 350.00                   | \$ 2,450.00   | \$ 350.00                  | \$ 2,450.00   | \$ 360.50    | \$ 2,523.50   | \$ 360.00             | \$ 2,520.0   |
| SD-32 | Pavement Marking Arrows Grooved Epoxy Type 3R (White)                                                   | EA   | 5     | \$ 390.00                                 | \$ 1,950.00   | \$ 390.00                   | \$ 1,950.00   | \$ 390.00                  | \$ 1,950.00   | \$ 401.70    | \$ 2,008.50   | \$ 400.00             | \$ 2,000.0   |
| SD-33 | Pavement Marking Arrows Grooved Epoxy Type 6 (White)                                                    | EA   | 1     | \$ 580.00                                 | \$ 580.00     | \$ 580.00                   | \$ 580.00     | \$ 580.00                  | \$ 580.00     | \$ 597.40    | \$ 597.40     | \$ 600.00             | \$ 600.0     |
| SD-34 | Pavement Marking Grooved Contrast Epoxy 4" (White)                                                      | LF   | 410   | \$ 9.00                                   | \$ 3,690.00   | \$ 9.00                     | \$ 3,690.00   | \$ 9.00                    | \$ 3,690.00   | \$ 9.27      | \$ 3,800.70   | \$ 9.00               | \$ 3,690.0   |

Attachment: 18-04 Bid Tab (6738 : Recommendation from the Board of Public Works to Award Contract

**PROJECT 18-04 Main and Lawrence Roundabout Construction  
BID TAB**



|                             |                                                                                   |      |      | BIDDER NO. 1                              |              | BIDDER NO. 2                |              | BIDDER NO. 3               |              | BIDDER NO. 4 |              | BIDDER NO. 5          |             |
|-----------------------------|-----------------------------------------------------------------------------------|------|------|-------------------------------------------|--------------|-----------------------------|--------------|----------------------------|--------------|--------------|--------------|-----------------------|-------------|
|                             |                                                                                   |      |      | Triple P Inc. dba Peters Concrete Company |              | Vinton Construction Company |              | Advance Construction, Inc. |              | Dorner, Inc. |              | PTS Contractors, Inc. |             |
| ITEM                        | DESCRIPTION                                                                       | UNIT | QTY  | UNIT PRICE                                | AMOUNT BID   | UNIT PRICE                  | AMOUNT BID   | UNIT PRICE                 | AMOUNT BID   | UNIT PRICE   | AMOUNT BID   | UNIT PRICE            | AMOUNT BID  |
| SD-35                       | Pavement Marking Crosswalk Grooved Epoxy 6" (White)                               | LF   | 780  | \$ 16.00                                  | \$ 12,480.00 | \$ 16.00                    | \$ 12,480.00 | \$ 16.00                   | \$ 12,480.00 | \$ 16.48     | \$ 12,854.40 | \$ 16.00              | \$ 12,480.0 |
| SD-36                       | Pavement Marking Grooved Epoxy 4" (Yellow)                                        | LF   | 1000 | \$ 6.00                                   | \$ 6,000.00  | \$ 6.00                     | \$ 6,000.00  | \$ 6.00                    | \$ 6,000.00  | \$ 6.18      | \$ 6,180.00  | \$ 6.00               | \$ 6,000.0  |
| SD-37                       | Pavement Marking Epoxy 4" (White)                                                 | LF   | 1100 | \$ 2.00                                   | \$ 2,200.00  | \$ 2.00                     | \$ 2,200.00  | \$ 2.00                    | \$ 2,200.00  | \$ 2.06      | \$ 2,266.00  | \$ 2.00               | \$ 2,200.0  |
| SD-38                       | Pavement Marking Epoxy 4" (Yellow)                                                | LF   | 450  | \$ 2.25                                   | \$ 1,012.50  | \$ 2.25                     | \$ 1,012.50  | \$ 2.25                    | \$ 1,012.50  | \$ 2.32      | \$ 1,044.00  | \$ 3.00               | \$ 1,350.0  |
| SD-39                       | Landscaping – Topsoil, Seed, and Fertilizer, No. 40 Seed Mix                      | SY   | 5540 | \$ 5.76                                   | \$ 31,910.40 | \$ 5.97                     | \$ 33,073.80 | \$ 3.70                    | \$ 20,498.00 | \$ 5.00      | \$ 27,700.00 | \$ 3.20               | \$ 17,728.0 |
| SD-40                       | Landscaping – Topsoil, Seed, and Fertilizer, No. 20 Seed Mix (Pond and Fill Site) | SY   | 4000 | \$ 1.15                                   | \$ 4,600.00  | \$ 1.79                     | \$ 7,160.00  | \$ 2.70                    | \$ 10,800.00 | \$ 4.50      | \$ 18,000.00 | \$ 2.40               | \$ 9,600.0  |
| SD-41                       | Topsoil Stripping at Fill Site                                                    | SY   | 2000 | \$ 0.75                                   | \$ 1,500.00  | \$ 1.39                     | \$ 2,780.00  | \$ 1.35                    | \$ 2,700.00  | \$ 1.39      | \$ 2,780.00  | \$ 1.50               | \$ 3,000.0  |
| SD-42                       | Remove and Replace Doweled 9" Concrete Pavement (Patching)                        | SY   | 30   | \$ 86.00                                  | \$ 2,580.00  | \$ 71.00                    | \$ 2,130.00  | \$ 86.00                   | \$ 2,580.00  | \$ 88.58     | \$ 2,657.40  | \$ 87.00              | \$ 2,610.0  |
| <b>SPECIAL CONSTRUCTION</b> |                                                                                   |      |      |                                           |              |                             |              |                            |              |              |              |                       |             |
| SC-01                       | Pipe Foundation Stabilization                                                     | CY   | 15   | \$ 30.00                                  | \$ 450.00    | \$ 35.00                    | \$ 525.00    | \$ 20.00                   | \$ 300.00    | \$ 25.00     | \$ 375.00    | \$ 44.00              | \$ 660.0    |
| SC-02                       | Provide Silt Fence                                                                | LF   | 1500 | \$ 2.00                                   | \$ 3,000.00  | \$ 2.00                     | \$ 3,000.00  | \$ 1.50                    | \$ 2,250.00  | \$ 2.10      | \$ 3,150.00  | \$ 2.00               | \$ 3,000.0  |
| SC-03                       | Provide Riprap Medium w/Geotextile Fabric, Type HR                                | SY   | 70   | \$ 28.00                                  | \$ 1,960.00  | \$ 42.00                    | \$ 2,940.00  | \$ 60.00                   | \$ 4,200.00  | \$ 60.00     | \$ 4,200.00  | \$ 52.00              | \$ 3,640.0  |
| SC-04                       | Provide Riprap Heavy w/Geotextile Fabric, Type HR                                 | SY   | 45   | \$ 32.00                                  | \$ 1,440.00  | \$ 42.00                    | \$ 1,890.00  | \$ 66.00                   | \$ 2,970.00  | \$ 60.00     | \$ 2,700.00  | \$ 52.00              | \$ 2,340.0  |
| SC-05                       | Provide Inlet Protection Type A                                                   | EA   | 4    | \$ 125.00                                 | \$ 500.00    | \$ 125.00                   | \$ 500.00    | \$ 110.00                  | \$ 440.00    | \$ 130.00    | \$ 520.00    | \$ 130.00             | \$ 520.0    |
| SC-06                       | Provide Inlet Protection Type C                                                   | EA   | 35   | \$ 44.00                                  | \$ 1,540.00  | \$ 44.00                    | \$ 1,540.00  | \$ 40.00                   | \$ 1,400.00  | \$ 55.00     | \$ 1,925.00  | \$ 45.00              | \$ 1,575.0  |
| SC-07                       | Erosion Mat Urban Class 1 Type A                                                  | SY   | 5540 | \$ 1.68                                   | \$ 9,307.20  | \$ 1.68                     | \$ 9,307.20  | \$ 1.75                    | \$ 9,695.00  | \$ 1.81      | \$ 10,027.40 | \$ 1.80               | \$ 9,972.0  |
| SC-08                       | Erosion Mat Class I Type B                                                        | SY   | 1950 | \$ 1.30                                   | \$ 2,535.00  | \$ 1.30                     | \$ 2,535.00  | \$ 1.50                    | \$ 2,925.00  | \$ 1.42      | \$ 2,769.00  | \$ 1.50               | \$ 2,925.0  |
| SC-09                       | Tracking Pad                                                                      | EA   | 3    | \$ 750.00                                 | \$ 2,250.00  | \$ 0.01                     | \$ 0.03      | \$ 1,000.00                | \$ 3,000.00  | \$ 1,500.00  | \$ 4,500.00  | \$ 1,500.00           | \$ 4,500.0  |
| SC-10                       | Traffic Control                                                                   | LS   | 1    | \$ 23,500.00                              | \$ 23,500.00 | \$ 56,500.00                | \$ 56,500.00 | \$ 42,950.00               | \$ 42,950.00 | \$ 50,000.00 | \$ 50,000.00 | \$ 38,000.00          | \$ 38,000.0 |
| SC-11                       | Provide Sign Bridges                                                              | EA   | 2    | \$ 16,985.00                              | \$ 33,970.00 | \$ 16,985.00                | \$ 33,970.00 | \$ 16,985.00               | \$ 33,970.00 | \$ 17,500.00 | \$ 35,000.00 | \$ 15,500.00          | \$ 31,000.0 |
| SC-12                       | Provide Permanent Signing                                                         | LS   | 1    | \$ 8,860.00                               | \$ 8,860.00  | \$ 8,860.00                 | \$ 8,860.00  | \$ 13,785.00               | \$ 13,785.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 9,850.00           | \$ 9,850.0  |
| SC-13                       | Provide LED Lighting Roundabout                                                   | LS   | 1    | \$ 70,550.00                              | \$ 70,550.00 | \$ 70,550.00                | \$ 70,550.00 | \$ 70,550.00               | \$ 70,550.00 | \$ 72,667.00 | \$ 72,667.00 | \$ 72,000.00          | \$ 72,000.0 |
| SC-14                       | Provide Landscape Receptacles                                                     | LS   | 1    | \$ 3,000.00                               | \$ 3,000.00  | \$ 3,000.00                 | \$ 3,000.00  | \$ 3,000.00                | \$ 3,000.00  | \$ 3,090.00  | \$ 3,090.00  | \$ 3,000.00           | \$ 3,000.0  |
| SC-15                       | Revise Lighting Park and Ride                                                     | LS   | 1    | \$ 3,550.00                               | \$ 3,550.00  | \$ 3,550.00                 | \$ 3,550.00  | \$ 3,550.00                | \$ 3,550.00  | \$ 3,657.00  | \$ 3,657.00  | \$ 3,600.00           | \$ 3,600.0  |
| SC-16                       | Provide Roundabout Irrigation System                                              | LS   | 1    | \$ 6,000.00                               | \$ 6,000.00  | \$ 6,485.00                 | \$ 6,485.00  | \$ 6,885.00                | \$ 6,885.00  | \$ 12,000.00 | \$ 12,000.00 | \$ 12,500.00          | \$ 12,500.0 |
| SC-17                       | Signal Work at 10 <sup>th</sup> Street and Main Ave.                              | LS   | 1    | \$ 79,750.00                              | \$ 79,750.00 | \$ 79,750.00                | \$ 79,750.00 | \$ 79,750.00               | \$ 79,750.00 | \$ 82,143.00 | \$ 82,143.00 | \$ 80,000.00          | \$ 80,000.0 |
| SC-18                       | Removing & Salvaging Signals at Lawrence Dr. and Main Ave.                        | LS   | 1    | \$ 2,200.00                               | \$ 2,200.00  | \$ 2,200.00                 | \$ 2,200.00  | \$ 2,200.00                | \$ 2,200.00  | \$ 2,266.00  | \$ 2,266.00  | \$ 2,500.00           | \$ 2,500.0  |

Attachment: 18-04 Bid Tab (6738 : Recommendation from the Board of Public Works to Award Contract

**PROJECT 18-04 Main and Lawrence Roundabout Construction**  
**BID TAB**

|  |                                                              |      |     | BIDDER NO. 1                              |                 | BIDDER NO. 2                |                 | BIDDER NO. 3               |                 | BIDDER NO. 4 |                 | BIDDER NO. 5          |                |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------|------|-----|-------------------------------------------|-----------------|-----------------------------|-----------------|----------------------------|-----------------|--------------|-----------------|-----------------------|----------------|
|                                                                                   |                                                              |      |     | Triple P Inc. dba Peters Concrete Company |                 | Vinton Construction Company |                 | Advance Construction, Inc. |                 | Dorner, Inc. |                 | PTS Contractors, Inc. |                |
| ITEM                                                                              | DESCRIPTION                                                  | UNIT | QTY | UNIT PRICE                                | AMOUNT BID      | UNIT PRICE                  | AMOUNT BID      | UNIT PRICE                 | AMOUNT BID      | UNIT PRICE   | AMOUNT BID      | UNIT PRICE            | AMOUNT BID     |
| SC-19                                                                             | Salvage Chain Link Fence                                     | LS   | 1   | \$ 5,750.00                               | \$ 5,750.00     | \$ 5,720.00                 | \$ 5,720.00     | \$ 5,720.00                | \$ 5,720.00     | \$ 6,200.00  | \$ 6,200.00     | \$ 5,850.00           | \$ 5,850.0     |
| SC-20                                                                             | Asphalt Patch (Cold or Hot Mix) Main Ave.                    | LS   | 1   | \$ 1.00                                   | \$ 1.00         | \$ 4,375.00                 | \$ 4,375.00     | \$ 10,000.00               | \$ 10,000.00    | \$ 25,000.00 | \$ 25,000.00    | \$ 22,000.00          | \$ 22,000.0    |
| SC-21                                                                             | Asphalt Patch (Cold or Hot Mix) N. 10 <sup>th</sup> Street.  | LS   | 1   | \$ 1.00                                   | \$ 1.00         | \$ 1,875.00                 | \$ 1,875.00     | \$ 10,000.00               | \$ 10,000.00    | \$ 20,000.00 | \$ 20,000.00    | \$ 3,500.00           | \$ 3,500.0     |
| SC-22                                                                             | Landscaping Center of Roundabout                             | LS   | 1   | \$ 8,400.00                               | \$ 8,400.00     | \$ 8,400.00                 | \$ 8,400.00     | \$ 11,500.00               | \$ 11,500.00    | \$ 9,682.00  | \$ 9,682.00     | \$ 9,600.00           | \$ 9,600.0     |
| SC-23                                                                             | Barberry, 'Rose Glow' Container, 12-Inch Height              | EA   | 9   | \$ 36.00                                  | \$ 324.00       | \$ 36.00                    | \$ 324.00       | \$ 45.00                   | \$ 405.00       | \$ 37.08     | \$ 333.72       | \$ 36.00              | \$ 324.0       |
| SC-24                                                                             | Feather Reed Grass, 'Karl Foster' CG, 1 Gallon               | EA   | 9   | \$ 16.00                                  | \$ 144.00       | \$ 16.00                    | \$ 144.00       | \$ 25.00                   | \$ 225.00       | \$ 18.54     | \$ 166.86       | \$ 20.00              | \$ 180.0       |
| SC-25                                                                             | Juniper, Pflizer 'Kally's Compact' Container, 18-Inch Height | EA   | 3   | \$ 44.00                                  | \$ 132.00       | \$ 44.00                    | \$ 132.00       | \$ 60.00                   | \$ 180.00       | \$ 49.44     | \$ 148.32       | \$ 50.00              | \$ 150.0       |
| SC-26                                                                             | Hydrangea, Limelight Container, 18-Inch Height               | EA   | 3   | \$ 40.00                                  | \$ 120.00       | \$ 40.00                    | \$ 120.00       | \$ 45.00                   | \$ 135.00       | \$ 45.32     | \$ 135.96       | \$ 45.00              | \$ 135.0       |
| SC-27                                                                             | Spirea, 'Goldmound' Container, 12-Inch Height                | EA   | 9   | \$ 32.00                                  | \$ 288.00       | \$ 32.00                    | \$ 288.00       | \$ 45.00                   | \$ 405.00       | \$ 37.08     | \$ 333.72       | \$ 36.00              | \$ 324.0       |
| SC-28                                                                             | Provide Polystyrene Insulation Board                         | LF   | 20  | \$ 5.00                                   | \$ 100.00       | \$ 8.00                     | \$ 160.00       | \$ 10.00                   | \$ 200.00       | \$ 15.00     | \$ 300.00       | \$ 11.00              | \$ 220.0       |
|                                                                                   |                                                              |      |     |                                           | \$ -            |                             | \$ -            |                            | \$ -            |              | \$ -            |                       | \$ -           |
|                                                                                   |                                                              |      |     |                                           | \$ 1,845,668.10 |                             | \$ 1,880,280.23 |                            | \$ 1,997,039.25 |              | \$ 2,047,706.79 |                       | \$ 2,069,088.0 |

Attachment: 18-04 Bid Tab (6738 : Recommendation from the Board of Public Works to Award Contract

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Plan Commission

**FROM:** Peter Schleinz

**SUBJECT:** Recommendation from Plan Commission to approve the proposed 15 Lot Final Plat of "Southbridge Estates First Addition" at 1700 BLK Bridge Port Lane (Parcel WD-L183-5). Submitted by Jim Boyea, Best Built INC.

---

On February 26, 2018 the Plan Commission unanimously recommended approval with a vote of 4-0.

**ATTACHMENTS:**

- Final Plat - Southbridge Estates First Addition - Plan Commission Report (DOCX)
- Application Form (PDF)
- Final Plat (PDF)

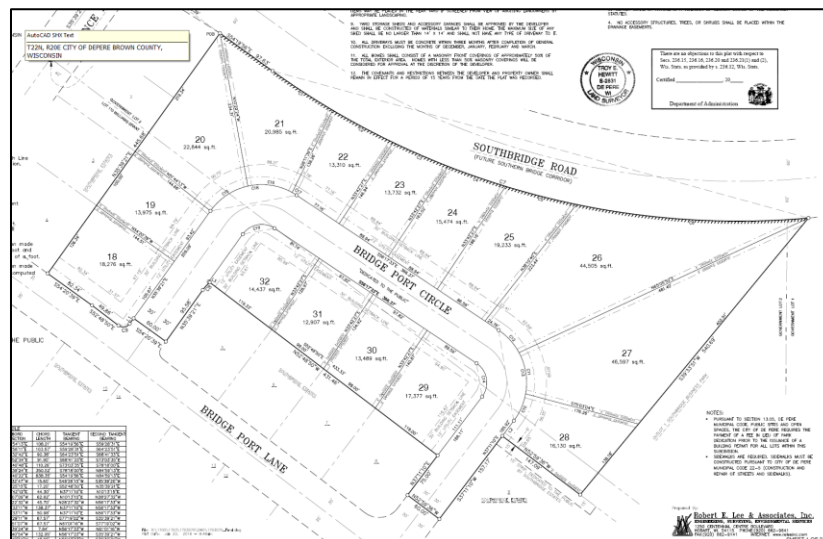


- ITEM 4:** Recommendation regarding the proposed 15 Lot Final Plat of "Southbridge Estates First Addition" at 1700 BLK Bridge Port Lane (Parcel WD-L183-5). Submitted by Jim Boyea, Best Built INC.\*

**SITE MAP**



**PROPOSED FINAL PLAT AREA**



**REQUESTED ACTION:** Final Plat Approval.

**COMMON DESCRIPTION:** 1700 BLK Bridge Port Lane, located northeast from the Bridge Port Lane and Lawrence Drive intersection.

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                            |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>PARCEL NUMBER(S):</b>      | WD-L183-5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                            |
| <b>EXISTING ZONING:</b>       | R-1 (Single Family Residence District)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                            |
| <b>PROPOSED ZONING:</b>       | No Zoning Change Requested                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                            |
| <b>SURROUNDING LAND USES:</b> | <p>Vacant (future residential) to the north.</p> <p>Residential and multi-family residential to the south and west.</p> <p>Vacant (future industrial business) to the east.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                            |
| <b>COMPREHENSIVE PLAN:</b>    | Multi-Family Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                            |
| <b>APPLICANT/OWNER NAME:</b>  | <p>Jim Boyea, Representative</p> <p>Best Built INC</p> <p>3100 Holmgren Way</p> <p>Green Bay, WI 54304</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Owner of Parcel WD-L183-5</p> <p>Best Built INC</p> <p>3100 Holmgren Way</p> <p>Green Bay, WI 54304</p> |
| <b>SITE HISTORY:</b>          | <p>After a review of air photographs, the property and nearby areas were used for agricultural purposes, but have been transitioning to residential uses with a business and industrial park to the east. The site is immediately south of Southbridge Road, which is the targeted future "southern bypass corridor."</p> <p>In February 2012, a rezoning of the property was recommended by Plan Commission to become a denser multi-family residential development, but the rezoning was not approved by Common Council. Thus, the site is still zoned R-1 (Single Family Residence District).</p> <p>The land division is within the sewer service area. A wetland delineation report from 2017 identified no environmentally sensitive areas on the property.</p> <p>Best Built INC proposes a 15 lot single family residential development on a looped circle drive. The preliminary plat and related street name change was reviewed by Plan Commission on January 8, 2018. And approved by Common Council on January 16, 2018.</p> |                                                                                                            |
| <b>STAFF REVIEW:</b>          | <p>When reviewing a final plat, staff considers State Statutes 236, Section 46-8 of the De Pere Platting and Division of Land Code, the future land use recommendation of the Comprehensive Plan, surrounding land uses, and desired development patterns. Staff also verifies that the final plat substantially reflects the layout of the preliminary plat approval.</p> <p>The final plat meets the criteria of State Statutes 236 and Section 46-8 of the De Pere Platting and Division of Land Code. Lot sizes and street frontages are sufficient for property zoned R-1. For lots on the curved portions of the streets, where lines appear narrow, the frontage was measured using a straight line at the setback, which is how the setback width is measured by City Building Inspection.</p>                                                                                                                                                                                                                                    |                                                                                                            |

- The final plat is technically insufficient on the two street curves where tangents should measure 100-feet long between reverse curves. The plat measures 65-feet at the centerline of the street. However, when staff compared the two curves to the other, already built, curve in the subdivision the same 65-foot measurement was identified. Because Southbridge Road prevents the subdivision from being expanded further northward to resolve the shortfall, staff identified that it is an isolated case that the Plan Commission should consider allowing.
  - The shorter curve does not impact the ability for the City to provide garbage, snow plowing, fire, etc. services.
  - Plan commission already recommended approval of the street design during the preliminary plat review.

The city plat is reviewed by the City of De Pere. A courtesy review of technical measurements was also performed by Brown County to expedite the efficient process of recording plats.

#### **REVIEW PROCESS**

For final City plat petitions, the Plan Commission provides either an approval, rejection with reason, or approval with conditions decision. The Common Council does not review final City plats unless City lands or right-of-way dedications are involved. This project will be reviewed by both Plan Commission and Common Council due to right-of-way being dedicated to the public. The Common Council is expected to review the final City plat on March 6, 2018.

Note: The Plan Commission, on January 8, 2018, and Common Council, on January 16, 2018 reviewed and approved the preliminary plat with conditions.

#### **STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the final plat and forwarding the plat to the Common Council for final approval, subject to:

1. Meeting all other state and local regulations.
2. Replace Restrictive Covenant 4 with the following from Code Section 46-4 (e)(2)a. thru h. as follows: "A drainage easement in favor of the city centered on rear and side lot lines for Lots 18, 19, 20, 29, 30, 31, and 32 shall be provided. Such easement shall contain the following restrictions: a. Any obstruction to the flow of water, by any means, shall be prohibited. b. No structure, earthen berm, dam, erection of other improvement, tree, or landscaping shall be permitted. c. The erection of a fence or annual plantings may be allowed provided that same do not obstruct the flow of water. d. Grantor is prohibited from changing the grade elevation of the drainage easement from that established by grantee. e. Grantee shall have full rights of ingress and egress to carry on and all work in connection with the maintenance and operation in, over, under, and across lands of grantor. f. The property covered by said easement shall not be

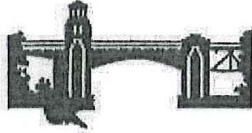
- used in any way or manner that will impair the rights of grantee.  
g. The easement shall run with the land, and shall be binding upon the grantees, lessees, successors, heirs and assigns of grantor and grantee. h. The easement shall be assignable.”
3. Add Restrictive Covenant 5. "Sidewalks are required on all streets."
  4. Add Restrictive Covenant 6. "Private yard drains shall be constructed at the time of home construction for lots 21, 22, 23, 24, 25, and 26. The yard drain shall be connected to the storm lateral. Each of these lots shall grade for proper drainage to the street or the yard drain."
  5. Add Restrictive Covenant 7. "Lots 27 and 28 shall be designed to drain to the street or pond."
  6. Add a 6 foot drainage easement along the back lot line of Lots 18, 19, 20, 31, and 32.
  7. Add a 15 foot drainage and storm sewer easement along the back lot line of Lots 29 and 30.
  8. With the new drainage concept, side drainage easements are not required on lots 21 thru 28. Remove the side drainage easements.



CITY OF DE PERE  
RECEIVED

FEB 12 2018

PLANNING DEPT.



# CITY OF DE PERE

## APPLICATION FOR PLAT REVIEW

Fee: \$ 195.00

Receipt #: 129429

Date: 2-12-18

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

### SECTION 1: Applicant / Permittee Information

|                                                           |                                                |                                              |                   |
|-----------------------------------------------------------|------------------------------------------------|----------------------------------------------|-------------------|
| Applicant Name (Ind., Org. or Entity)<br>REL & ASSOCIATES | Authorized Representative<br>TROY HEWITT       | Title<br>PROFESSIONAL LAND SURVEYOR          |                   |
| Mailing Address<br>1250 Centennial Centre Blvd            | City<br>HOBART                                 | State<br>WI                                  | ZIP Code<br>54155 |
| Email Address<br>thew.14@relinc.com                       | Phone Number (incl. area code)<br>920-544-4436 | Fax Number (incl. area code)<br>920-662-9141 |                   |

### SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

|                                          |                                                |                              |                   |
|------------------------------------------|------------------------------------------------|------------------------------|-------------------|
| Name (Ind. Org. or Entity)<br>BEST BUILT | Contact Person<br>JIM BOYE                     | Title<br>PRESIDENT           |                   |
| Mailing Address<br>3100 HOUNGREN WAY     | City<br>DE PERE                                | State<br>WI                  | ZIP Code<br>54304 |
| Email Address<br>Jim@BestBuiltInc.com    | Phone Number (incl. area code)<br>920-337-6488 | Fax Number (incl. area code) |                   |

### SECTION 3: Project or Site Location

|                                                 |                         |
|-------------------------------------------------|-------------------------|
| Project Address/Description<br>BRIDGE PORT LANE | Parcel No.<br>WD-L183-5 |
|-------------------------------------------------|-------------------------|

### SECTION 4: Plat Review

|                        |                                                                                          |          |
|------------------------|------------------------------------------------------------------------------------------|----------|
| Review Type:           | <input type="checkbox"/> Preliminary Plat <input checked="" type="checkbox"/> Final Plat |          |
| Fee:                   | Preliminary Plat Fee: \$278 + ( # of lots x \$68)<br>Final Plat Fee: \$195               | \$195.00 |
| Present Use of Parcel: | AG                                                                                       |          |
| Proposed Use of Lots:  | RESIDENTIAL                                                                              |          |

Please submit 1 hard copy and 1 PDF copy of the Plat if the property is located within the City or if the property is located within the extraterritorial jurisdiction.

### SECTION 5: Certification and Permission

**Certification:** I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

**Permission:** I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

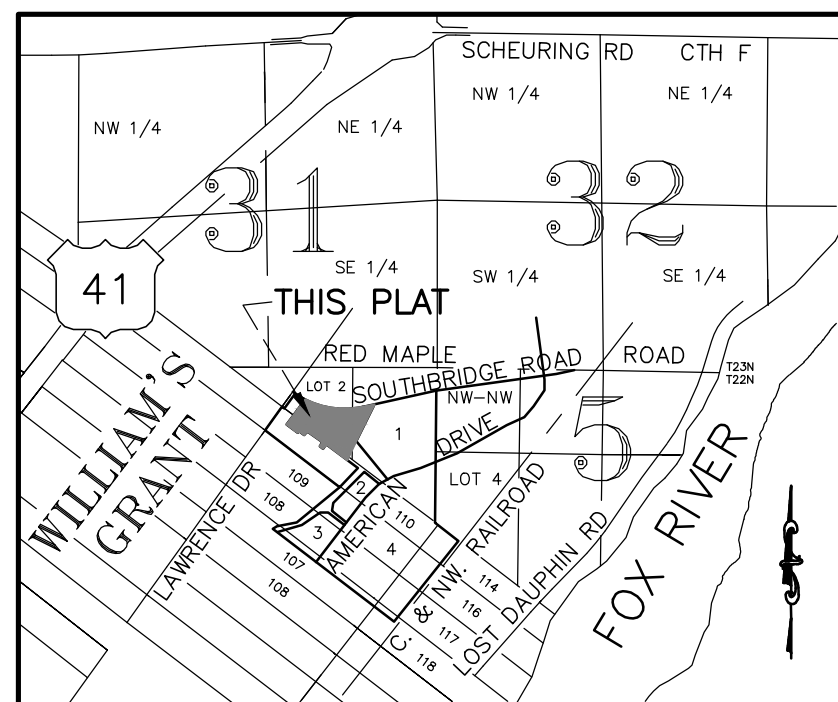
|                                                                     |                    |                              |
|---------------------------------------------------------------------|--------------------|------------------------------|
| Name of Owner/Authorized Representative (please print)<br>Jim Boyea | Title<br>President | Phone Number<br>920-337-6488 |
| Signature of Applicant<br>Jim Boyea                                 |                    | Date Signed<br>1-31-18       |

### TO BE COMPLETED BY CITY STAFF

Plat Review authorized by the De Pere Municipal Code, Chapter 46.

Attachment: Application Form (6721 : Recommendation from Plan Commission to approve the proposed 15 Lot Final Plat of "Southbridge





NOT TO SCALE  
LOCATION SKETCH  
T22N, R20E  
CITY OF DEPERE  
BROWN COUNTY, WISCONSIN

SCALE: 1"=50'  
0 25 50 100'

Bearings are referenced to the North Line  
of Lot 110, Williams Grant Subdivision,  
Recorded to bear S52°54'06"E.

#### LEGEND

- Set 2" x 30" Iron Pipe  
weighing 3.65 lbs./lin. ft.
- Recorded County Monument
- POB Point Of Beginning  
Set 1" x 24" iron pipe wt.  
1.13 lbs. per lin. ft. at all  
other lot corners

All linear measurements have been made  
to the nearest hundredth of a foot and  
computed to the nearest hundredth of a foot.

All angular measurements have been made  
to the nearest three seconds and computed  
to the nearest half second.

STREETS DEDICATED TO THE PUBLIC  
57,445 SQ.FT.  
1.32 ACRES

| LINE TABLE |        |             |
|------------|--------|-------------|
| LINE       | LENGTH | BEARING     |
| L1         | 10.00' | S35°39'21"W |
| L2         | 28.74' | S37°11'10"W |
| L3         | 1.87'  | S52°48'50"E |

| CURVE TABLE |           |          |         |             |         |                |
|-------------|-----------|----------|---------|-------------|---------|----------------|
| CURVE       | DELTA     | RADIUS   | LENGTH  | CHORD       | TANGENT | SECOND TANGENT |
| C1          | 5°08'35"  | 1205.92' | 108.24' | S56°54'13"E | 108.21' | S59°28'31"E    |
| C2          | 4°55'20"  | 1205.92' | 103.60' | S61°56'11"E | 103.57' | S64°23'51"E    |
| C3          | 4°17'42"  | 1205.92' | 90.40'  | S66°32'42"E | 90.38'  | S68°41'33"E    |
| C4          | 4°22'02"  | 1205.92' | 91.92'  | S70°52'34"E | 91.90'  | S73°03'35"E    |
| C5          | 5°14'25"  | 1205.92' | 110.30' | S75°40'48"E | 110.26' | S78°18'00"E    |
| C6          | 16°42'47" | 1205.92' | 351.76' | S86°39'24"E | 350.52' | N84°59'13"E    |
| C7          | 40°40'51" | 1205.92' | 856.22' | S74°40'22"E | 838.35' | N84°59'13"E    |
| C8          | 13°46'54" | 65.00'   | 15.63'  | S42°32'47"W | 15.60'  | S49°26'15"W    |
| C9          | 91°31'49" | 12.00'   | 19.17'  | N81°25'15"E | 17.20'  | S52°48'50"E    |
| C10         | 26°57'55" | 95.00'   | 44.71'  | N23°42'12"E | 44.30'  | N37°11'10"E    |
| C11         | 38°40'46" | 95.00'   | 64.13'  | N09°07'09"W | 62.92'  | N10°13'15"E    |
| C12         | 27°50'01" | 95.00'   | 46.15'  | N42°22'32"W | 45.70'  | N28°27'32"W    |
| C13         | 93°28'43" | 95.00'   | 154.99' | N09°33'11"W | 138.37' | N37°11'10"E    |
| C14         | 93°28'43" | 35.00'   | 57.10'  | N09°33'11"W | 50.98'  | N37°11'10"E    |
| C15         | 41°39'42" | 95.00'   | 69.08'  | S56°29'11"W | 67.57'  | S77°19'02"W    |
| C16         | 41°39'42" | 95.00'   | 69.08'  | N81°51'07"W | 67.57'  | N61°01'16"W    |
| C17         | 4°43'44"  | 95.00'   | 7.84'   | S58°39'24"W | 7.84'   | N56°17'33"W    |
| C18         | 88°03'07" | 95.00'   | 146.00' | S79°40'54"W | 132.05' | N56°17'33"W    |
| C19         | 88°03'07" | 35.00'   | 53.79'  | S79°40'54"W | 48.65'  | N56°17'33"W    |

File: R:\1700\1703\1703070\DWG\1703070\_Final.dwg  
Plot Date: Jan 23, 2018 - 8:48am

#### RESTRICTIVE COVENANTS BETWEEN DEVELOPER AND PROPERTY OWNER

- ALL PLANS FOR NEW CONSTRUCTION MUST BE APPROVED BY THE DEVELOPER PRIOR TO START OF CONSTRUCTION.
- A SITE PLAN SHOWING THE LOCATION OF THE HOME UPON LOT MUST BE APPROVED BY DEVELOPER PRIOR TO START OF CONSTRUCTION.
- ALL HOME CONSTRUCTION MUST BE STARTED WITHIN TWO YEARS OF THE ACTUAL LOT CLOSING DATE.
- THE EXTERIOR, ALONG WITH GENERAL CONSTRUCTION OF A BUILDING ERECTED ON THE PREMISES MUST BE COMPLETED WITHIN SIX MONTHS AFTER START OF BUILDING CONSTRUCTION.
- NO CONSTRUCTION OF ANY DWELLING SHALL BE COMMENCED UNTIL PLANS FOR SUCH DWELLING MEET THE MINIMUM REQUIREMENT OF 1,300 SQUARE FEET OF LIVING SPACE FOR A RANCH STYLE HOME AND 1,600 SQUARE FEET OF LIVING SPACE FOR A TWO STORY HOME. SPLIT LEVEL AND STORY AND A HALF HOMES WILL BE APPROVED BY DEVELOPER AFTER VIEW OF PLANS.
- EACH DWELLING SHALL HAVE AN ATTACHED GARAGE OF NOT LESS THAN 20 FEET IN WIDTH.
- THE GRADING, SEEDING, OR SODDING OF LOTS SHALL BE COMPLETED WITHIN THREE MONTHS AFTER COMPLETION OF GENERAL CONSTRUCTION ON THE PROPERTY, EXCLUDING THE MONTHS OF DECEMBER, JANUARY, FEBRUARY AND MARCH.
- NO BOAT, CAMPER, OR TRAILER MAY BE STORED OR PLACED IN THE FRONT OR SIDE YARD OF ANY LOT DURING THE MONTHS OF OCTOBER THROUGH APRIL. NO ANIMAL SHELTER, PEN OR SATELLITE DISH MAY BE STORED OR PLACED IN THE FRONT OR SIDE YARD OF ANY LOT. SUCH ITEMS MAY BE PLACED IN THE REAR YARD IF SCREENED FROM VIEW OF ADJUTING LANDOWNERS BY APPROPRIATE LANDSCAPING.
- YARD STORAGE SHEDS AND ACCESSORY GARAGES SHALL BE APPROVED BY THE DEVELOPER AND SHALL BE CONSTRUCTED OF MATERIALS SIMILAR TO THEIR HOME. THE MAXIMUM SIZE OF ANY SHED SHALL BE NO LARGER THAN 14' X 14' AND SHALL NOT HAVE ANY TYPE OF DRIVEWAY TO IT.
- ALL DRIVEWAYS MUST BE CONCRETE WITHIN THREE MONTHS AFTER COMPLETION OF GENERAL CONSTRUCTION EXCLUDING THE MONTHS OF DECEMBER, JANUARY, FEBRUARY AND MARCH.
- ALL HOMES SHALL CONSIST OF A MASONRY FRONT COVERINGS OF APPROXIMATELY 50% OF THE TOTAL EXTERIOR AREA. HOMES WITH LESS THAN 50% MASONRY COVERINGS WILL BE CONSIDERED FOR APPROVAL AT THE DISCRETION OF THE DEVELOPER.
- THE COVENANTS AND RESTRICTIONS BETWEEN THE DEVELOPER AND PROPERTY OWNER SHALL REMAIN IN EFFECT FOR A PERIOD OF 15 YEARS FROM THE DATE THE PLAT WAS RECORDED.

# SOUTHBRIDGE ESTATES FIRST ADDITION

Part of Government Lot 2, Section 6,  
Part of Lot 110, Williams Grant Subdivision,  
T22N, R20E, City of DePere, Brown County, Wisconsin

#### RESTRICTIVE COVENANTS BETWEEN CITY OF DE PERE AND PROPERTY OWNER

- THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE DEVELOPER AND MAINTAINED BY THE ADJUTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.
- EACH LOT OWNER SHALL GRADE THE PROPERTY ADJUTING A STREET TO CONFORM TO THE ADOPTED SIDEWALK GRADE ELEVATION AND MAINTAIN SAID ELEVATION FOR FUTURE SIDEWALKS.
- NO POLES, PEDESTALS OR BURIED CABLE ARE TO BE PLACED SO AS TO DISTURB ANY SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINES OR STREET LINES. A DISTURBANCE OF SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF THE WISCONSIN STATUTES.
- NO ACCESSORY STRUCTURES, TREES, OR SHRUBS SHALL BE PLACED WITHIN THE DRAINAGE EASEMENTS.



There are no objections to this plat with respect to  
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),  
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_

Department of Administration



#### NOTES:

- PURSUANT TO SECTION 13.05, DE PERE MUNICIPAL CODE, PUBLIC SITES AND OPEN SPACES, THE CITY OF DE PERE REQUIRES THE PAYMENT OF A FEE IN LIEU OF PARK DEDICATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ALL LOTS WITHIN THIS SUBDIVISION.
- SIDEWALKS ARE REQUIRED. SIDEWALKS MUST BE CONSTRUCTED PURSUANT TO CITY OF DE PERE MUNICIPAL CODE 22-5 (CONSTRUCTION AND REPAIR OF STREETS AND SIDEWALKS).

Prepared By:

**Robert E. Lee & Associates, Inc.**  
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
1250 CENTENNIAL CENTRE BOULEVARD  
HOBART, WI. 54115 PHONE:(920) 662-9641  
FAX:(920) 662-9141 INTERNET: www.releeinc.com



SOUTHBRIDGE ESTATES  
FIRST ADDITION  
Part of Government Lot 2, Section 6,  
Part of Lot 110, Williams Grant Subdivision,  
T22N, R20E, City of DePere, Brown County, Wisconsin

UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY

BEST BUILT INC., TO

WISCONSIN PUBLIC SERVICE CORPORATION, A WISCONSIN CORPORATION, GRANTEE,

TIME WARNER CABLE, AT&T AND CITY OF DE PERE,

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS, WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THEREON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENTAL TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN SIX INCHES WITHOUT WRITTEN CONSENT OF GRANTEES. THIS UTILITY EASEMENT PROVISION DOES NOT PREVENT OR PROHIBIT OTHERS FROM UTILIZING OR CROSSING THE UTILITY EASEMENT AS THE UTILITY EASEMENT(S) ARE NON-EXCLUSIVE.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

CORPORATE OWNER'S CERTIFICATE

BEST BUILT, INC. HEREBY CERTIFIES THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. I ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

CITY OF DE PERE  
DEPARTMENT OF ADMINISTRATION  
BROWN COUNTY PLANNING COMMISSION

BEST BUILT, INC.  
JIM BOYEA, PRESIDENT.

STATE OF WISCONSIN)  
COUNTY OF BROWN ) SS

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,  
THE ABOVE NAMED OWNER, TO ME KNOWN TO BE THE PERSON WHO  
EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC  
BROWN COUNTY, WISCONSIN

MY COMMISSION EXPIRES \_\_\_\_\_

COMMON COUNCIL RESOLUTION

RESOLVED THAT A PLAT KNOWN AS "SOUTHBRIDGE ESTATES FIRST ADDITION", WHICH HAS BEEN DULY FILED FOR APPROVAL OF THE COMMON COUNCIL OF THE CITY OF DE PERE, BE AND IS HEREBY APPROVED AS REQUIRED BY CHAPTER 236, OF THE WISCONSIN STATUTES.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF DE PERE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

SHANA D. LEDVINA  
DE PERE CITY CLERK

APPROVED FOR THE CITY OF DE PERE PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

PETER SCHLEINZ  
CITY PLANNER

TREASURER'S CERTIFICATE

AS DULY APPOINTED/ELECTED DE PERE CITY TREASURER AND BROWN COUNTY TREASURER, WE HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICES SHOW NO UNPAID TAXES, NO UNREDEEMED TAX SALES AND NO UNPAID SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS IN THE PLAT KNOWN AS "SOUTHBRIDGE ESTATES FIRST ADDITION", AS OF THE DATES LISTED BELOW.

SHANA D. LEDVINA DATE  
DE PERE CITY TREASURER

PAUL D. ZELLER DATE  
BROWN COUNTY TREASURER

SURVEYOR'S CERTIFICATE

I, TROY E. HEWITT, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY: THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236, WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE CITY OF DE PERE, AND UNDER THE DIRECTION OF THE OWNERS LISTED HEREON, I HAVE SURVEYED, DIVIDED, AND MAPPED "SOUTHBRIDGE ESTATES FIRST ADDITION", AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION OF IT.

SAID SUBDIVISION IS LOCATED IN PART OF GOVERNMENT LOT 2, SECTION 6 AND PART OF LOT 110, WILLIAMS GRANT SUBDIVISION, ALL BEING IN T22N, R20E, CITY OF DE PERE, BROWN COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 110;  
THENCE N35°39'21"E, 179.74 FEET ALONG THE CENTERLINE OF LAWRENCE DRIVE;  
THENCE S54°19'56"E, 185.39 FEET ALONG THE NORTH LINE OF LOT 1 OF SOUTHBRIDGE SUBDIVISION TO THE POINT OF BEGINNING;  
THENCE S35°39'21"W, 445.68 FEET TO THE NORTHERLY RIGHT OF WAY OF BRIDGE PORT LANE;  
THENCE S54°20'39"E, 82.34 FEET ALONG SAID NORTHERLY RIGHT OF WAY;  
THENCE S52°48'50"E, 49.86 FEET ALONG SAID NORTHERLY RIGHT OF WAY;  
THENCE 19.17 FEET ALONG THE ARC OF A 12.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A LONG CHORD WHICH BEARS N81°25'15.5"E, 17.20 FEET;  
THENCE S54°20'39"E, 60.00 FEET TO THE WESTERLY LINE OF LOT 5 OF SAID SOUTHBRIDGE SUBDIVISION;  
THENCE N35°39'21"E, 95.58 FEET ALONG SAID WESTERLY LINE;  
THENCE CONTINUING ON SAID LINE 15.64 FEET ON THE ARC OF A 65.00 FOOT CURVE TO THE RIGHT, HAVING A LONG CHORD WHICH BEARS N42°32'53"E, 15.60 FEET TO THE NORTHWEST CORNER OF SAID LOT 5;  
THENCE S52°48'50"E, 431.46 FEET TO THE NORTHEAST CORNER OF LOT 8 OF SAID SOUTHBRIDGE SUBDIVISION;  
THENCE S37°11'10"W, 75.00 FEET ALONG THE EASTERLY LINE OF SAID LOT 8;  
THENCE S52°59'36"E, 60.00 FEET TO THE WESTERLY LINE OF LOT 9 OF SAID SOUTHBRIDGE SUBDIVISION;  
THENCE N37°11'10"E, 157.17 FEET TO THE NORTHWEST CORNER OF SAID LOT 9;  
THENCE S52°59'36"E, 147.09 FEET ALONG THE NORTHERLY LINE OF SAID LOT 9 TO THE SOUTHWESTERLY CORNER OF OUTLOT 1 OF SOUTHBRIDGE BUSINESS PARK;  
THENCE N39°33'51"E, 540.69 FEET ALONG THE WESTERLY LINE OF SAID OUTLOT 1 TO THE SOUTHERLY RIGHT OF WAY OF SOUTHBRIDGE ROAD;  
THENCE 856.22 FEET ALONG SAID SOUTHERLY RIGHT OF WAY ON THE ARC OF A 1205.92 FOOT RADIUS CURVE TO THE RIGHT, HAVING A LONG CHORD WHICH BEARS N74°40'21.5"W, 838.35 FEET;  
THENCE N54°19'56"W, 97.63 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 360,728 SQUARE FEET OR 8.282 ACRES OF LAND MORE OR LESS.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

TROY E. HEWITT, PLS #2831  
ROBERT E. LEE & ASSOCIATES, INC.



There are no objections to this plat with respect to  
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),  
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_, 20\_\_\_\_

Department of Administration

Prepared By:

**Robert E. Lee & Associates, Inc.**  
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
1250 CENTENNIAL CENTRE BOULEVARD  
HOBART, WI. 54115 PHONE:(920) 662-9641  
FAX:(920) 662-9141 INTERNET: www.releeinc.com

SHEET 2 OF 2

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Plan Commission

**FROM:** Peter Schleinz

**SUBJECT:** Recommendation from Plan Commission to approve a Proposed Extraterritorial Two Lot Certified Survey Map at 1445 Viking Lane in the Town of Ledgeview (Parcel D-77). Submitted by Richard A. Huxford, PLS.

---

On February 26, 2018 the Plan Commission unanimously recommended approval with a vote of 4-0.

**ATTACHMENTS:**

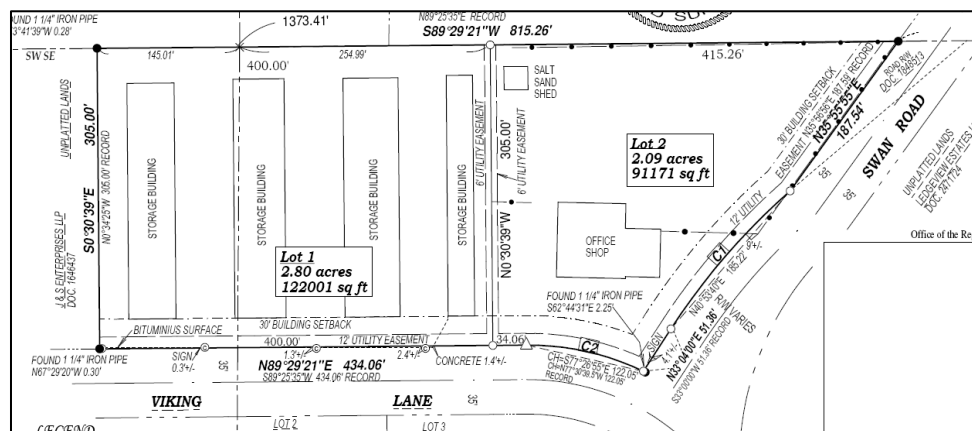
- Extraterritorial CSM - 1445 Viking LN in Ledgeview Plan Commission Report (DOCX)
- Application Form (PDF)
- Preliminary CSM (PDF)

**ITEM 3: Recommendation regarding a Proposed Extraterritorial Two Lot Certified Survey Map at 1445 Viking Lane in the Town of Ledgeview (Parcel D-77). Submitted by Richard A. Huxford, PLS.\***

## SITE MAP



**PROPOSED CERTIFIED SURVEY MAP AREA**



**REQUESTED ACTION:** Extraterritorial Certified Survey Map Review.

**COMMON DESCRIPTION:** Town of Ledgeview, located at the Viking Lane and Swan Road intersection, east from S. Broadway Street (CTH PP).



|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                 |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>PARCEL NUMBER(S):</b>      | GL-94                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                 |
| <b>EXISTING ZONING:</b>       | Town of Ledgeview identifies zoning as "Light Industrial."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                 |
| <b>PROPOSED ZONING:</b>       | None proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                 |
| <b>SURROUNDING LAND USES:</b> | Agricultural/vacant and Industrial to the north, south, and west.<br>Multi-family residential to the east.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                 |
| <b>COMPREHENSIVE PLAN:</b>    | Located in Town of Ledgeview.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                 |
| <b>APPLICANT/OWNER NAME:</b>  | Richard A. Huxford, PLS<br>Authorized Representative<br>5020 Leonard PT. RD<br>Oshkosh, WI 54904                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Carter Joint Revocable Trust<br>Owner<br>(Lawrence & Edna Carter)<br>3401 Carter Lane<br>De Pere, WI 54115-8780 |
| <b>SITE HISTORY:</b>          | <p>After a review of air photographs, the property has been used for mini-warehouse storage and an excavation office business since 2000. The uses were expanded over time but did not exist prior to 1992.</p> <p>The property is within the Sewer Service Area for the Town of Ledgeview. There are no known environmentally sensitive areas identified.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                 |
| <b>STAFF REVIEW:</b>          | <p>When reviewing an extraterritorial Certified Survey Map, staff considers State Statutes 236, Section 46-8 of the De Pere Platting and Division of Land Code for general requirements and design standards, required improvements, and public sites and open spaces. Staff also considers the future land use recommendation of the Comprehensive Plan, surrounding land uses, and desired development patterns.</p> <ul style="list-style-type: none"> <li>The proposed division will place an existing mini warehousing use and an existing excavation office use onto separate lots.</li> </ul> <p>The original parcel is 4.9 acres in size. The proposed Lot 1 on the CSM is 2.8 acres in size with 400.0 feet of street frontage and proposed Lot 2 is 2.9 acres in size with 581.8 feet of street frontage.</p> <p>The proposed lots each meet the city requirements of 75 feet of street frontage and 0.2 acres of lot area. The proposed lots also meet the Town of Ledgeview requirements of 150 feet frontage, 0.5 acres of lot area, 30-foot street setback, 10 foot side yard setback, and 20/25 foot rear yard setback.</p> <p>In summary, the extraterritorial Certified Survey Map meets the criteria of State Statutes 236 and Section 46-8 of the De Pere Platting and Division of Land Code. The proposed land division does not impact the Comprehensive Plan negatively. The proposed lot size, street frontage, and setbacks meet acceptable City requirements.</p> |                                                                                                                 |



**REVIEW PROCESS**

For extraterritorial Certified Survey Map petitions the Plan Commission recommends either approval, rejection, or approval with conditions. The Common Council reviews the Plan Commission recommendation and makes the final decision on the Certified Survey Map. The anticipated Common Council review date is March 6, 2018.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the extraterritorial Certified Survey Map and forwarding the map to the Common Council for final approval, subject to:

1. Meeting all other state and local regulations, including the Town of Ledgeview and Brown County Planning Commission.



CITY OF DE PERE

APPLICATION FOR  
CSM REVIEW

Fee: \$ 368.00

Receipt #: 129025

Date: 1-26-18

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

## SECTION 1: Applicant / Permittee Information

|                                                                 |                                                 |                                      |                   |
|-----------------------------------------------------------------|-------------------------------------------------|--------------------------------------|-------------------|
| Applicant Name (Ind., Org. or Entity)<br>Lawrence & Edna Carter | Authorized Representative<br>Richard A. Huxford | Title<br>Prof. Land Surveyor         |                   |
| Mailing Address<br>2589 Oak Ridge Circle                        | City<br>De Pere                                 | State<br>Wi.                         | ZIP Code<br>54115 |
| Email Address<br>wasesdas937@gmail.com                          | Phone Number (incl. area code)<br>920-336-4011  | Fax Number (incl. area code)<br>None |                   |

## SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

|                                                       |                                |                              |                        |
|-------------------------------------------------------|--------------------------------|------------------------------|------------------------|
| Name (Ind. Org. or Entity)<br>Carter Joint Rev. Trust | Contact Person                 | Title                        |                        |
| Mailing Address<br>3401 Carter LN                     | City<br>De Pere                | State<br>WI                  | ZIP Code<br>54115-8780 |
| Email Address                                         | Phone Number (incl. area code) | Fax Number (incl. area code) |                        |

## SECTION 3: Project or Site Location

|                                                                              |                         |
|------------------------------------------------------------------------------|-------------------------|
| Project Address/Description<br>1415 & 1445 Viking Lane ( Town of Ledgeview ) | Parcel No.<br>ED-- D-77 |
|------------------------------------------------------------------------------|-------------------------|

## SECTION 4: CSM Information

|                        |                                                                |
|------------------------|----------------------------------------------------------------|
| Existing Zoning:       | Light Industrial                                               |
| Present Use of Parcel: | Storage Units and Excavation/Trucking Business                 |
| Proposed Use of Lots:  | Use to remain the same: proposal to split business onto 2 Lots |

Please submit 1 hard copy and 1 PDF copy of the CSM if the property is located within the City  
or if the property is located within the extraterritorial jurisdiction.

## SECTION 5: Certification and Permission

**Certification:** I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

**Permission:** I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

|                                                                                         |              |                              |
|-----------------------------------------------------------------------------------------|--------------|------------------------------|
| Name of Owner/Authorized Representative (please print)<br>Auth. Rep. Richard A. Huxford | Title<br>PLS | Phone Number<br>920-336-4011 |
| Signature of Applicant AUTH REP.<br>Richard A. Huxford                                  |              | Date Signed<br>26 Jan. 2018  |

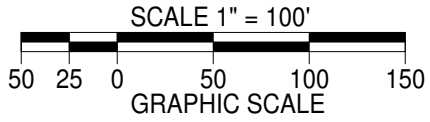
## TO BE COMPLETED BY CITY STAFF

CSM Review authorized by the De Pere Municipal Code, Chapter 46.

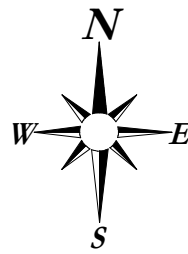
Attachment: Application Form (6716 : Recommendation from Plan Commission to approve a Proposed Extraterritorial Two Lot Certified Survey)

CERTIFIED SURVEY MAP

PART OF GOVERNMENT LOT 2 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 ALL IN SECTION 34, TOWNSHIP 23 NORTH, RANGE 20 EAST, TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN



OWNER:  
CARTER JOINT REVOCABLE TRUST  
3401 CARTER LANE  
DE PERE, WI 54115  
DOC. # 2179409

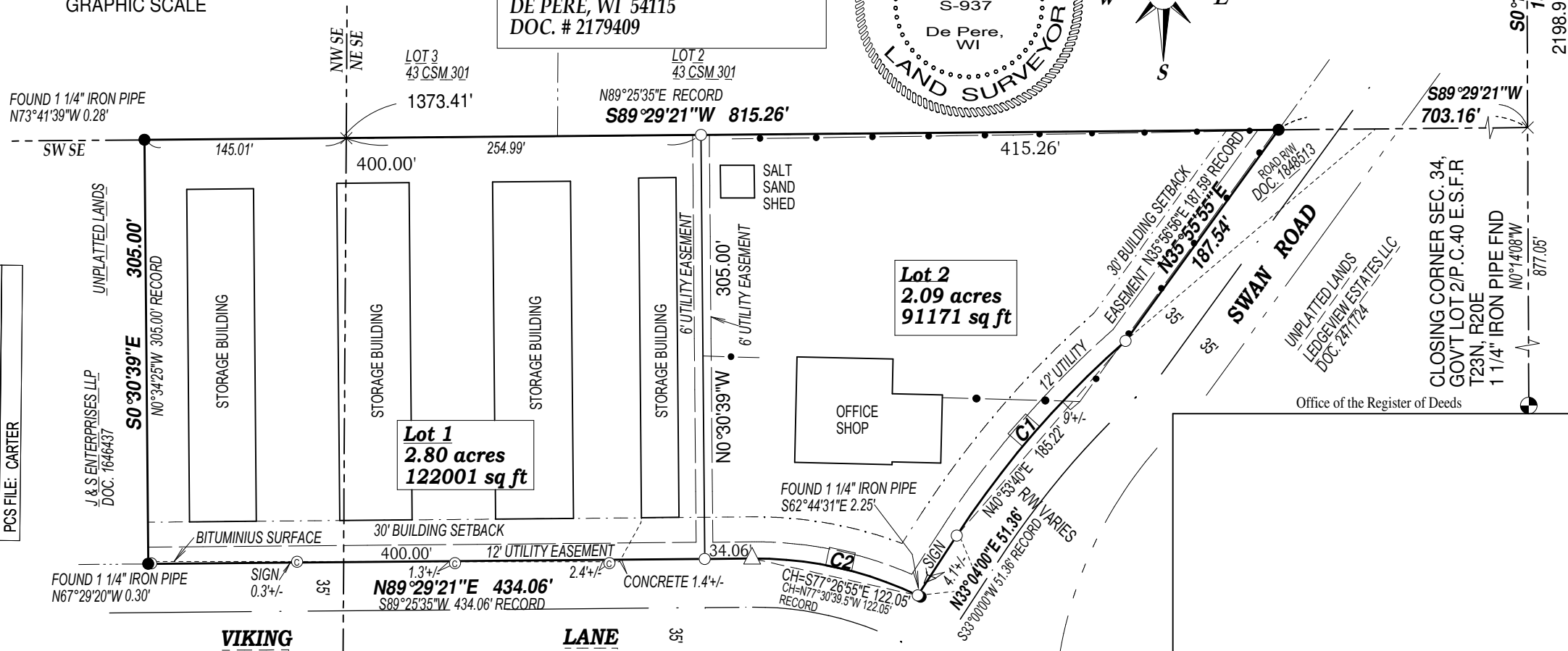


E 1/4 CORNER SECTION 34-23-20  
MAG NAIL & B.C. WASHER FND

BEARINGS REFERENCED TO THE  
BROWN COUNTY COORDINATE SYSTEM  
NAD 83(91) THE EAST LINE OF THE  
SOUTHEAST 1/4, SECTION 34-23-20  
BEARS N0°14'08"W.

Huxford Surveyor's, Inc. 920-336-4011  
2589 OAK RIDGE CIRCLE, DE PERE WI  
DATE: 11/15/2017  
PCS FILE: CARTER

J & S ENTERPRISES LLP  
DOC. 1646437



- LEGEND**
- COUNTY MONUMENT MATERIAL AS NOTED
  - 1 1/4" O.D. x 18" IRON PIPE SET 1.42 LBS/FT & ID CAP
  - 1 1/4" O.D. IRON PIPE FND
  - △ MAG NAIL SET IN BITUMINIOUS SURFACE
  - CHAINLINK FENCE
  - × COMPUTED POINT NOTHING SET
  - Ⓢ CAMERA

LOT 2  
58 CSM 80

LOT 3  
58 CSM 80

CURVE TABLES

| Id | Delta     | Radius  | Arc Length | Tangent | Degree    | Chord   | Ch Bear     | PC Tangent  |
|----|-----------|---------|------------|---------|-----------|---------|-------------|-------------|
| C1 | 15°39'19" | 680.00' | 185.80'    | 93.48'  | 8°25'33"  | 185.22' | N40°53'40"E | N33°04'00"E |
| C2 | 26°07'29" | 270.00' | 123.11'    | 62.64'  | 21°13'14" | 122.05' | S77°26'55"E | N89°29'21"E |



**SURVEYOR'S CERTIFICATE:**

I, RICHARD A. HUXFORD, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY: THAT I HAVE SURVEYED, DIVIDED AND MAPPED PART OF GOVERNMENT LOT 2 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 ALL IN SECTION 34, TOWNSHIP 23 NORTH, RANGE 20 EAST, TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN DESCRIBED AS FOLLOWS.

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 34; THENCE S0°14'08"E ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 34, 1321.86 FEET TO THE NORTH LINE OF SAID GOVERNMENT LOT 2; THENCE S89°29'21"W ALONG SAID NORTH LINE, 703.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°29'21"W ALONG SAID NORTH LINE AND THE EXTENSION THEREOF, 815.26 FEET; THENCE S0°30'39"E, 305.00 FEET TO THE NORTH LINE OF VIKING LANE; THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID NORTH LINE; N89°29'21"E, 434.06 FEET TO A 270.00 FOOT NON-TANGENT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEAR S77°26'55"E, 122.05 FEET; THENCE ALONG SAID CURVE, 123.11 FEET TO THE END OF SAID COURSES AND TO THE WEST LINE OF SWAN ROAD; THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID WEST LINE; N33°04'00"E 51.36 FEET TO A 680.00 FOOT NON-TANGENT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS N40°53'40"E, 185.22 FEET; THENCE ALONG SAID CURVE 185.80 FEET; THENCE N35°55'55"E, 187.54 FEET TO THE END OF SAID COURSES AND TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 4.89 ACRES MORE OR LESS AND BEING PART OF LANDS DESCRIBED ON DOCUMENT NUMBER 2179409 OF BROWN COUNTY RECORDS. SAID PROPERTY SUBJECT TO ALL EXCEPTIONS, RESERVATIONS, RESTRICTIONS, CONDITIONS AND EASEMENTS CONTAINED IN PRIOR CONVEYANCES OF RECORD.

I, ALSO HEREBY CERTIFY THAT THE MAP SHOWN HEREON WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT IT IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY AND THE DIVISION OF THAT LAND, IT'S EXTERIOR BOUNDARIES, LOCATION OF ALL BOUNDARY FENCES, HIGHWAY CONVEYANCES, APPARENT EASEMENTS AND ENCROACHMENTS, IF ANY, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I FURTHER CERTIFY THAT I HAVE MADE SUCH SURVEY BY THE ORDER OF LAWRENCE J. CARTER AND EDNA R. CARTER, TRUSTEE'S FOR CARTER JOINT REVOCABLE TRUST, OWNERS, AND I HAVE FULLY COMPLIED WITH SECTION 236.34 REVISED STATUTES OF WISCONSIN AND THE SUBDIVISION REGULATIONS OF BROWN COUNTY AND THE TOWN OF LEDGEVIEW.

RICHARD A. HUXFORD      RLS 937      \_\_\_\_\_  
DATE

**NOTES:**

1) THE PROPERTY OWNERS, AT THE TIME OF CONSTRUCTION, SHALL IMPLEMENT THE APPROPRIATE SOIL EROSION CONTROL METHOD OUTLINED IN "WISCONSIN CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL TECHNICAL STANDARDS " (AVAILABLE FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES) TO PREVENT SOIL EROSION. HOWEVER, IF AT THE TIME OF CONSTRUCTION THE TOWN HAS ADOPTED A SOIL EROSION CONTROL ORDINANCE IT SHALL GOVERN OVER THIS REQUIREMENT. THIS PROVISION APPLIES TO ANY GRADING, CONSTRUCTION OR INSTALLATION RELATED ACTIVITIES.

**RESTRICTIVE COVENANTS:**

THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE LOT OWNER AND MAINTAINED BY THE ABUTTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.

|                                                                            |
|----------------------------------------------------------------------------|
| Huxford Surveyor's, Inc. 920-336-4011<br>2589 OAK RIDGE CIRCLE, DE PERE WI |
| DATE: 11/15/2017                                                           |
| PCS FILE: CARTER                                                           |



OWNER'S CERTIFICATE:

AS OWNERS, WE CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. WE ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: BROWN COUNTY PLANNING COMMISSION AND THE TOWN OF LEDGEVIEW.

\_\_\_\_\_  
LAWRENCE J. CARTER TRUSTEE  
CARTER REVOCABLE TRUST  
STATE OF WISCONSIN

\_\_\_\_\_  
EDNA R. CARTER TRUSTEE  
CARTER REVOCABLE TRUST

\_\_\_\_\_  
COUNTY

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017,  
THE ABOVE NAMED, LAWRENCE J. CARTER AND EDNA R. CARTER, TO ME KNOWN TO BE THE SAME PERSONS  
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_

NOTARY PUBLIC, \_\_\_\_\_, WISCONSIN

MY COMMISSION EXPIRES \_\_\_\_\_.

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by

Lawrence J.Carter and Edna R. Carter owner(s) of Property , Grantor, to

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

|                                       |
|---------------------------------------|
| Huxford Surveyor's, Inc. 920-336-4011 |
| 2589 OAK RIDGE CIRCLE, DE PERE WI     |
| DATE: 11/15/2017                      |
| PCS FILE: CARTER                      |

**CERTIFICATION OF THE TOWN OF LEDGEVIEW**

APPROVED BY THE TOWN OF LEDGEVIEW BOARD

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
SARAH BURDETTE  
LEDGEVIEW CLERK

**CERTIFICATION OF THE CITY OF DE PERE:**

APPROVED BY THE CITY OF DE PERE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
SHANA D. LEDVINA  
CITY CLERK/TREASURER

**BROWN COUNTY TREASURER'S CERTIFICATE:**

AS DULY ELECTED BROWN COUNTY TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAXES AND NO UNPAID OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP AS OF THE DATE LISTED BELOW.

\_\_\_\_\_  
PAUL D. ZELLER, BROWN COUNTY TREASURER                      \_\_\_\_\_  
DATE

**CERTIFICATE OF THE BROWN COUNTY PLANNING COMMISSION:**

APPROVED BY THE BROWN COUNTY PLANNING COMMISSION THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
DAN TEATERS, SENIOR PLANNER

|                                       |
|---------------------------------------|
| Huxford Surveyor's, Inc. 920-336-4011 |
| 2589 OAK RIDGE CIRCLE, DE PERE WI     |
| DATE: 11/15/2017                      |
| PCS FILE: CARTER                      |

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** City Clerk-Treasurer

**FROM:** Shana Ledvina

**SUBJECT:** Ordinance #18-06, Amending Section 9-1 De Pere Municipal Code (Non-Discrimination in Housing, Public Accommodation and Employment) by Incorporating Statutory Language Pertaining to Public Accommodations (second reading required)

---

**ATTACHMENTS:**

- Ord18-06 (DOCX)
- Mayor CC - Non-discrimination clarifications (DOCX)
- Non-Discrimination Revisions - red lined (2) (DOCX)

## ORDINANCE #18-06

AMENDING SECTION 9-1 DE PERE MUNICIPAL CODE  
(NON-DISCRIMINATION IN HOUSING, PUBLIC  
ACCOMMODATION AND EMPLOYMENT) BY INCORPORATING STATUTORY  
LANGUAGE PERTAINING TO PUBLIC ACCOMODATIONS

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

SECTION 1. Section 9-1(b), *Definitions*, is hereby amended by:

1. Adding the following definitions thereto in alphabetical order:

*Adult* means a person aged 18 years and older.

*Lodging establishment* means any of the following:

- (1) A bed and breakfast establishment, as defined in Wis. Stats. § 97.01 (1g).
- (2) A hotel, as defined in Wis. Stats. § 97.01 (7).
- (3) A tourist rooming house, as defined in Wis. Stats. § 97.01 (15k).
- (4) A campground.

*Service animal* means a guide dog, signal dog, or other animal that is individually trained or is being trained to do work or perform tasks for the benefit of a person with a disability, including the work or task of guiding a person with impaired vision, alerting a person with impaired hearing to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

2. Repealing and replacing the definition of *Place of Public Accommodation* as follows:

*Place of public accommodation* shall be interpreted broadly to include, but not be limited to, places of business or recreation; lodging establishments; restaurants; taverns; barber, cosmetologist, aesthetician, electrologist, or manicuring establishments; nursing homes; clinics; hospitals; cemeteries; and any physical location in the city where accommodations, amusement, goods or services are provided either free or for a consideration. A place of public accommodation does not include:



- (1) any institution or club which by its nature is distinctly private;
- (2) A place where a bona fide private, nonprofit organization or institution provides accommodations, amusement, goods or services during an event in which the organization or institution provides the accommodations, amusement, goods or services to the following individuals only:
  - (a) Members of the organization or institution.
  - (b) Guests named by members of the organization or institution.
  - (c) Guests named by the organization or institution.

SECTION 2. Section 9-1(e), *Discrimination in Public Accommodations Prohibited*, is repealed and recreated as follows:

It shall be unlawful for a business establishment or place of public accommodation to deny, directly or indirectly, any person the full enjoyment of the goods, services, facilities, privileges, advantages, and accommodations wholly or partially for a discriminatory reason.

**(1) No person may do any of the following:**

- (A)** Deny to another or charge another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of any protected class identified herein.
- (B)** Deny to an adult or charge an adult a higher price than the regular rate for the full and equal enjoyment of a lodging establishment because of age, subject to Wis. Stats. §125.07.
- (C)** Give preferential treatment to some classes of persons in providing services or facilities in any public place of accommodation or amusement because of any protected class identified herein other than disability and military service or veteran status.
- (D)** Directly or indirectly publish, circulate, display or mail any written communication which the communicator knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of any protected class identified herein or that the patronage of a person is unwelcome, objectionable or unacceptable for any of those reasons.
- (E)** Directly or indirectly publish, circulate, display or mail any written communication which the communicator knows is to the effect that any of the facilities of a lodging establishment will be denied to an adult because of age, subject to Wis. Stats. §125.07.
- (F)** Refuse to furnish or charge another a higher rate for any automobile insurance because of any protected class identified herein other than sex or sexual orientation.
- (G)** Refuse to rent, charge a higher price than the regular rate or give preferential treatment, because of any protected class identified herein other than disability, regarding the use of any private facilities commonly rented to the public.

(2)

(A) Subject to paragraphs (B), (C) and (D), no person may do any of the following:

1. Refuse to permit entrance into, or use of, or otherwise deny the full and equal enjoyment of any public place of accommodation or amusement to a person with a disability or to a service animal trainer because the person with a disability or the trainer is accompanied by a service animal.
2. Charge a person with a disability or a service animal trainer a higher price than the regular rate, including a deposit or surcharge, for the full and equal enjoyment of any public place of accommodation or amusement because the person with a disability or the trainer is accompanied by a service animal.
3. Directly or indirectly publish, circulate, display, or mail any written communication that the communicator knows is to the effect that entrance into, or use of, or the full and equal enjoyment of any of the facilities of the public place of accommodation or amusement will be denied to a person with a disability or a service animal trainer because the person with a disability or the trainer is accompanied by a service animal or that the patronage of a person with a disability or a service animal trainer is unwelcome, objectionable, or unacceptable because the person with a disability or the trainer is accompanied by a service animal.

(B) The prohibitions specified in paragraph (A) apply to a service animal trainer only if the animal accompanying the service animal trainer is wearing a harness or a leash and special cape. Paragraph (A) does not prohibit a person who is accompanied by an animal from being asked whether the animal is a service animal that is required because of a disability or is an animal that is being trained to be a service animal and does not prohibit a service animal trainer from being required to produce a certification or other credential issued by a school for training service animals that the animal is being trained to be a service animal. Paragraph (A) prohibits a person with a disability from being required to produce documentation of his or her disability or a certification or other credential that the animal is trained as or is being trained to be a service animal.

(C) A person may exclude a service animal from a public place of accommodation or amusement if accommodation of the service animal would result in a fundamental alteration in the nature of the accommodations, amusement, goods, or services provided or would jeopardize the safe operation of the public place of accommodation or amusement. If a service animal must be separated from the person whom the service animal is accompanying, it is the responsibility of that person to arrange for the care and supervision of the service animal during the period of separation.

(D) A public place of accommodation or amusement shall modify its policies, practices, and procedures to permit the full and equal enjoyment of the public place of

accommodation or amusement by a person with a disability or a service animal trainer who is accompanied by a service animal. Those policies, practices, and procedures shall ensure that a person with a disability or a service animal trainer who is accompanied by a service animal is not separated from the service animal, that the service animal is permitted to accompany the person with a disability or the service animal trainer to all areas of the public place of accommodation or amusement that are open to the general public, and that the person with a disability or the service animal trainer is not segregated from other patrons of the public place of accommodation or amusement.

(3) Nothing in this subsection prohibits separate dormitories at higher educational institutions or separate public toilets, showers, saunas and dressing rooms for persons of different sexes.

(4) Nothing in this subsection prohibits separate treatment of persons based on sex with regard to public toilets, showers, saunas and dressing rooms for persons of different sexes.

(5) Nothing in this subsection prohibits a domestic abuse services organization, as defined in Wis. Stats. §995.67(1) (b), from providing separate shelter facilities, private home shelter care, advocacy, counseling or other care, treatment or services for persons of different sexes or from providing for separate treatment of persons based on sex with regard to the provision of shelter facilities, private home shelter care, advocacy, counseling or other care, treatment or services for persons of different sexes.

(6) Nothing in this section prohibits a fitness center whose services or facilities are intended for the exclusive use of persons of the same sex from providing the use of those services or facilities exclusively to persons of that sex, from denying the use of those services or facilities to persons of the opposite sex, or from directly or indirectly publishing, circulating, displaying, or mailing any written communication to the effect that the use of those services or facilities will be provided exclusively to persons of the same sex and will be denied to persons of the opposite sex.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: It is hereby declared to be the intention of the City Council that the several provisions of this ordinance are separable. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

SECTION 5: This ordinance shall take effect on March 1, 2018.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of February, 2018.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana D. Ledvina, Clerk-Treasurer

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Publication Date: \_\_\_\_\_

Effective Date: 03/01/2018

## CITY OF DE PERE

## MEMO

To: Michael J. Walsh, Mayor  
 Members of the Common Council  
 From: Judith Schmidt-Lehman, City Attorney  
 RE: Proposed Clarifications for Non-Discrimination Ordinance (§9-1, De Pere  
 Municipal Code)  
 Date: February 21, 2018

---

Since the Non-Discrimination Ordinance was adopted on November 17, 2017, I have spent a great deal of time thinking about suggesting language clarifications for this ordinance in order to attempt to address the concerns of vagueness expressed during the November debate on passage of this ordinance.

I am recommending that the city's ordinance be amended to include definitions and language directly from the state public accommodations law to flesh out those areas of the ordinance that caused people the most concern. These changes will not affect the impact of the ordinance; however they will provide guidance in the text of the ordinance that was absent in its original form.

Attached you will find a "red-lined" version of the suggested revisions. As noted above, the sum of the red-lining comes solely from state law definitions and conduct regulations found in the public accommodations law (Wis. Stats. §106.52).

If you have any questions or concerns regarding these revisions, feel free to call me at 339-4042 at your convenience.

JSL



Section 9-1, *Non-Discrimination in Housing, Public Accommodation and Employment*

**Sec. 9-1.**

**(a) Policy and Intent.**

A vibrant, productive and economically successful city is made possible by the talents, contributions and well-being of its diverse residents. It is the policy of the City of De Pere that equal rights and equal opportunity within the context of the larger commercial and social fabric of the De Pere community are promoted.

Provision for adequate safeguards against discrimination is a proper and necessary function of city government. To protect the health, safety and general welfare of all inhabitants of the city, and all persons employed and living within the city, it is declared to be the public policy of this city to foster and enforce to the fullest extent of the law equal opportunity employment, housing and public accommodations without regard to actual or perceived age, color, family status, gender identity and/or gender expression, marital status, national origin/ancestry, race, religion, military service or veteran status, person with disability, sex, sexual orientation, source of lawful income or victims of domestic violence, sexual assault or stalking.

Where applicable, this chapter shall be interpreted and applied consistently with the provisions of Title VII of the Civil Rights Act of 1968, 42 U.S.C. sections 2000a, et seq., 42 U.S.C. sections 3601, et seq., 24 C.F.R. sections 100, et seq., and ss. 66.1011, 106.50, 106.52 and 111.31, Wis. Stats., and any successor provisions of state and federal law.

**(b) Definitions.**

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

[Adult means a person aged 18 years and older.](#)

Age means being age 40 or older.

**Ancestry** means the country, nation, tribe or other identifiable group from which one descends.

**Color** means color of skin.

**Committee** means the City Finance/Personnel Licensing Committee.

**Disability** means, with respect to a person, any of the following:

- (1) A physical or mental impairment which substantially limits one or more of the person's major life activity.

- (2) A record of having impairment.
- (3) Being perceived as having impairment.
- (4) This term does not include current, illegal use of or addiction to a controlled substance. The behavioral manifestations of a mental disability may be taken into consideration in determining whether or not the applicant is qualified.

***Discriminate, discrimination or discriminatory*** shall mean any intentional act, policy, advertisement or practice which has the effect of subjecting any person to differential treatment as a result of that person's actual or perceived age, color, family status, gender identity and/or gender expression, marital status, national origin/ancestry, military service or veteran status, race, religion, color, persons with disability, sex, sexual orientation, source of lawful income or victims of domestic violence, sexual assault or stalking.

***Dwelling*** means any building, structure or portion thereof which is occupied as or designed or intended for occupancy as a residence by one (1) or more families, and vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

***Employee*** shall mean any individual employed or seeking employment from an employer.

***Employer*** shall mean any person who, for compensation, regularly employs five or more individuals, not including the employer's parents, spouse or children. For purposes of [this ordinance] an "employer" is also any person acting on behalf of an employer, directly or indirectly, or any employment agency.

***Gender identity and/or gender expression*** means a person's gender-related self-identity, appearance, expression or behavior, regardless of the person's assigned sex at birth.

***Family*** includes one or more natural person.

***Family status*** means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:

- (1) A person is pregnant.
- (2) A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
- (3) A person's household includes one (1) or more minor or adult relatives.
- (4) A person's household includes one (1) or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
- (5) A person's household includes one (1) or more adults or minor children placed in his or her care under a court order, under guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child, or adopted person.

***Lodging establishment*** means any of the following:

- (1) A bed and breakfast establishment, as defined in Wis. Stats. § 97.01 (1g).

**Formatted:** Font: Bold

**Formatted:** List Paragraph, Indent: Left 3, ... + Start at: 1 + Alignment: Left + / at: 1" + Indent at: 1.25"

(2) A hotel, as defined in Wis. Stats. § 97.01 (7).

(3) A tourist rooming house, as defined in Wis. Stats. § 97.01 (15k).

(4) A campground.

**Marital Status** means the status of being married, single, divorced, separated or widowed.

**Military Service or Veteran Status** means current or former service in the U.S. armed forces, the state defense force, the national guard of any state, or any other reserve component of the U.S. armed forces.

**National origin** means generally a member of a nation by origin, birth or naturalization or having common origins.

**Person** shall mean one or more individuals, firms, corporations, partnerships or other organizations, associations or groups of persons however arranged, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries.

**Place of public accommodation** shall be interpreted broadly to include, but not be limited to, places of business or recreation; lodging establishments; restaurants; taverns; barber, cosmetologist, aesthetician, electrologist, or manicuring establishments; nursing homes; clinics; hospitals; cemeteries; and any physical location in the city where accommodations, amusement, goods or services are provided either free or for a consideration.~~mean all establishments within the City of De Pere which offers goods, services, accommodations and entertainment to the public.~~ A place of public accommodation does not include:

(1) -any institution or club which by its nature is distinctly private;-

(2) A place where a bona fide private, nonprofit organization or institution provides accommodations, amusement, goods or services during an event in which the organization or institution provides the accommodations, amusement, goods or services to the following individuals only:

(a) Members of the organization or institution.

(b) Guests named by members of the organization or institution.

(c) Guests named by the organization or institution.

**Protected classes** are defined as:

(1) **Age.** Persons 40 years of age or older.

(2) **Color.** A person's skin color.

(3) **Disability/Handicap.** A physical or mental impairment that substantially limits one or more major life activities.

(4) **Domestic Abuse, Sexual Assault and Stalking Victims.** Persons who have been or are victims of domestic abuse, sexual assault or stalking.

(5) **Family Status.** Household composition, including the presence of children.

Formatted: Indent: Left: -0.5"

Formatted: Numbered + Level: 1 +  
Numbering Style: 1, 2, 3, ... + Start at:  
Alignment: Left + Aligned at: 0.25" + I  
at: 0.5"

Formatted: Numbered + Level: 1 +  
Numbering Style: a, b, c, ... + Start at:  
Alignment: Left + Aligned at: 0.75" + I  
at: 1"

- (6) **Gender Identity and/or Gender Expression.** A person's gender-related self-identity, appearance, expression or behavior, regardless of the person's assigned sex at birth.
- (7) **Lawful Source of Income.** A person's legal means of income, including such subsidized forms as Social Security, food stamps, unemployment compensation, etc.
- (8) **Marital Status.** Married, unmarried, single, divorced, widowed or separated.
- (9) **Military Service or Veteran Status.** Active or former military service, including retirement or honorable discharge therefrom.
- (10) **National Origin/Ancestry.** The country of one's birth and/or the nationality of one's ancestors.
- (11) **Race.** A person's race or the race of persons with whom one associates.
- (12) **Religion.** A person's religious beliefs or denominational affiliation.
- (13) **Sex.** A person's sex, including sexual harassment or intimidation.
- (14) **Sexual Orientation.** Individuals identified as heterosexual, gay, lesbian, bisexual or any sexual orientation identity.

**Race** means generally a member of a group united or classified together on the basis of common history, nationality or geography.

**Religion or creed** means a system of religious beliefs including moral or ethical beliefs about right and wrong that are sincerely held with the strength of traditional religious views.

**Service animal** means a guide dog, signal dog, or other animal that is individually trained or is being trained to do work or perform tasks for the benefit of a person with a disability, including the work or task of guiding a person with impaired vision, alerting a person with impaired hearing to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

**Sex/gender** means being female or male.

**Sexual Orientation** means a person's actual or perceived heterosexuality, homosexuality, asexuality, or bisexuality.

**To rent** includes to lease, to sublease, to let and to otherwise grant for consideration the right to occupy premises not owned by the occupant.

### (c) **Discrimination in Housing Prohibited.**

- (1) Subject to other provisions of this article, no person may discriminate in the rental of housing, procurement of property owner's insurance or commit any sale or discriminatory housing practice against a person on the basis of actual or perceived: age, color, family status, gender identity and/or gender expression, marital status, national origin/ancestry, race, religion, color, military service or veteran status, person

with disability, sex, sexual orientation, source of lawful income or victims of domestic violence, sexual assault or stalking.

(2) ***Discriminatory housing practice*** means:

- (A) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of any basis listed in this chapter.
- (B) To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of any basis listed in this chapter.
- (C) To make, print or publish or cause to be made, printed or published any notice, statement or advertisement with respect to the sale, financing or rental of a dwelling that indicates any preference, limitation or discrimination because of any basis listed in this chapter or an intention to make such preference, limitation or discrimination.
- (D) To represent to any person because of any basis listed in this chapter that any dwelling is not available for inspection, sale or rental when such dwelling is, in fact, so available.
- (E) To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of persons of a particular economic status or a member of a protected class as set forth in this chapter or by representations to the effect that such present or prospective entry will or may result in any of the following:
  - i. The lowering of real estate values in the area concerned.
  - ii. A deterioration in the character of the area concerned.
  - iii. An increase in criminal or antisocial behavior in the area concerned.
  - iv. A decline in the quality of the schools or other public service facilities in the area.
- (F) For any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part of the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against such person in the fixing of the amount, interest, rate, duration or other terms or conditions of such loan or other financial assistance, because of any basis listed in this chapter applicable to such person or to any associated person in connection with such loan or financial assistance, or of the present or prospective owners, lessees, tenants or occupants of the dwelling in relation to which such loan or other financial assistance is given.
- (G) By advertising in a manner that indicates discrimination by a preference or limitation based upon the classes of persons protected by this chapter.
- (H) For a person in the business of insuring against hazards, by refusing to enter into, or to do so by exacting terms, conditions or privileges with respect to a contract of insurance against hazards to a dwelling based upon the classifications of persons protected by this chapter.



- (3) ***Discrimination against victims of domestic abuse prohibited.*** A person may not evict a tenant or refuse to rent or lease residential property based on the fact that a tenant or prospective tenant or a member of the tenant's or prospective tenant's household has been or may be the victim of domestic abuse, as defined in §813.12(1)(a), Wis. Stats., or has been a victim of a crime prohibited by Chapter 948, Wis. Stats.
- (4) ***Discrimination against persons with disabilities prohibited.*** For the purposes of this section, "discrimination" includes but is not limited to:
- (A) A refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications may be necessary to afford the person full enjoyment of the premises, except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.
  - (B) A refusal to make reasonable accommodation in rules, policies, practices or services, when the accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling.
  - (C) In connection with the design and construction of covered multi-family dwellings for first occupancy after March 31, 1991, a failure to design and construct the dwelling in a manner that the public use and common use areas of the dwelling are easily accessible to and useable by disabled persons; or, a failure to comply with the appropriate requirements providing accessibility and usability for physically disabled people as set forth within, or adopted by, this code including the American National Standard for buildings and facilities requirements.
- (5) ***Animals assisting persons with disabilities.***
- (A) If an individual's vision, hearing or mobility is impaired, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from an individual as a condition of continued residence in housing or engage in the harassment of the individual because he or she keeps an animal that is specially trained to lead or assist the individual with impaired vision, hearing or mobility if all of the following apply:
    - i. Upon request, the individual shows to the lessor, seller or representative of the condominium association credentials issued by a school recognized by the department as accredited to train animals for individuals with impaired vision, hearing or mobility.
    - ii. The individual accepts liability for sanitation with respect to, and damage to the premises caused by, the animal.
  - (B) Subdivision (A) does not apply in the case of the rental of owner-occupied housing if the owner or a member of his or her immediate family occupying the housing

possesses and, upon request, presents to the individual a certificate signed by a physician which states that the owner or family member is allergic to the type of animal the individual possesses.

**(d) Discrimination in Employment Prohibited**

With regard to employment, it shall be unlawful for any employers or labor organizations, to engage in any of the following acts, wholly or partially for a discriminatory reason:

- (1) To discriminate against any individual, with respect to failure to hire, refusal to hire, discharge, compensation, terms, conditions, or privileges of employment, including promotion; however nothing in this subsection shall be construed to require any employer to provide benefits, such as insurance, to individuals not employed by the employer;
- (2) To limit, segregate, or classify employees in any way which would deprive or tend to deprive any employee of employment opportunities, or which would otherwise tend to adversely affect his or her status as an employee; or
- (3) To fail or refuse to refer for employment, or to give negative information to a potential employer of any individual, in such a manner that would deprive or limit an individual's employment opportunities or that would otherwise adversely affect an individual's status as an applicant or prospective employee.

**(e) Discrimination in Public Accommodations Prohibited**

It shall be unlawful for a business establishment or place of public accommodation to deny, directly or indirectly, any person the full enjoyment of the goods, services, facilities, privileges, advantages, and accommodations wholly or partially for a discriminatory reason.

(1) No person may do any of the following:

(A) Deny to another or charge another a higher price than the regular rate for the full and equal enjoyment of any public place of accommodation or amusement because of any protected class identified herein.

(B) Deny to an adult or charge an adult a higher price than the regular rate for the full and equal enjoyment of a lodging establishment because of age, subject to Wis. Stats. §125.07

(C) Give preferential treatment to some classes of persons in providing services or facilities in any public place of accommodation or amusement because of any protected class identified herein other than disability and military service or veteran status.

(D) Directly or indirectly publish, circulate, display or mail any written communication which the communicator knows is to the effect that any of the facilities of any public place of accommodation or amusement will be denied to any person by reason of any protected class identified herein or that the patronage of a person is unwelcome, objectionable or unacceptable for any of those reasons.

- (E) Directly or indirectly publish, circulate, display or mail any written communication which the communicator knows is to the effect that any of the facilities of a lodging establishment will be denied to an adult because of age, subject to Wis. Stats. §125.07.
- (F) Refuse to furnish or charge another a higher rate for any automobile insurance because of any protected class identified herein other than sex or sexual orientation.
- (G) Refuse to rent, charge a higher price than the regular rate or give preferential treatment, because of any protected class identified herein other than disability, regarding the use of any private facilities commonly rented to the public.

(2)

(A) Subject to paragraphs (B), (C) and (D), no person may do any of the following:

1. Refuse to permit entrance into, or use of, or otherwise deny the full and equal enjoyment of any public place of accommodation or amusement to a person with a disability or to a service animal trainer because the person with a disability or the trainer is accompanied by a service animal.
2. Charge a person with a disability or a service animal trainer a higher price than the regular rate, including a deposit or surcharge, for the full and equal enjoyment of any public place of accommodation or amusement because the person with a disability or the trainer is accompanied by a service animal.
3. Directly or indirectly publish, circulate, display, or mail any written communication that the communicator knows is to the effect that entrance into, or use of, or the full and equal enjoyment of any of the facilities of the public place of accommodation or amusement will be denied to a person with a disability or a service animal trainer because the person with a disability or the trainer is accompanied by a service animal or that the patronage of a person with a disability or a service animal trainer is unwelcome, objectionable, or unacceptable because the person with a disability or the trainer is accompanied by a service animal.

(B) The prohibitions specified in paragraph (A) apply to a service animal trainer only if the animal accompanying the service animal trainer is wearing a harness or a leash and special cape. Paragraph (A) does not prohibit a person who is accompanied by an animal from being asked whether the animal is a service animal that is required because of a disability or is an animal that is being trained to be a service animal and does not prohibit a service animal trainer from being required to produce a certification or other credential issued by a school for training service animals that the animal is being trained to be a service animal. Paragraph (A) prohibits a person with a disability from being required to produce documentation of his or her disability or a certification or other credential that the animal is trained as or is being trained to be a service animal.

(C) A person may exclude a service animal from a public place of accommodation or amusement if accommodation of the service animal would result in a fundamental alteration in the nature of the accommodations, amusement, goods, or services provided or would jeopardize the safe operation of the public place of accommodation or

amusement. If a service animal must be separated from the person whom the service animal is accompanying, it is the responsibility of that person to arrange for the care and supervision of the service animal during the period of separation.

(D) A public place of accommodation or amusement shall modify its policies, practices, and procedures to permit the full and equal enjoyment of the public place of accommodation or amusement by a person with a disability or a service animal trainer who is accompanied by a service animal. Those policies, practices, and procedures shall ensure that a person with a disability or a service animal trainer who is accompanied by a service animal is not separated from the service animal, that the service animal is permitted to accompany the person with a disability or the service animal trainer to all areas of the public place of accommodation or amusement that are open to the general public, and that the person with a disability or the service animal trainer is not segregated from other patrons of the public place of accommodation or amusement.

(3) Nothing in this subsection prohibits separate dormitories at higher educational institutions or separate public toilets, showers, saunas and dressing rooms for persons of different sexes.

(4) Nothing in this subsection prohibits separate treatment of persons based on sex with regard to public toilets, showers, saunas and dressing rooms for persons of different sexes.

(5) Nothing in this subsection prohibits a domestic abuse services organization, as defined in Wis. Stats. §995.67(1) (b), from providing separate shelter facilities, private home shelter care, advocacy, counseling or other care, treatment or services for persons of different sexes or from providing for separate treatment of persons based on sex with regard to the provision of shelter facilities, private home shelter care, advocacy, counseling or other care, treatment or services for persons of different sexes.

(6) Nothing in this section prohibits a fitness center whose services or facilities are intended for the exclusive use of persons of the same sex from providing the use of those services or facilities exclusively to persons of that sex, from denying the use of those services or facilities to persons of the opposite sex, or from directly or indirectly publishing, circulating, displaying, or mailing any written communication to the effect that the use of those services or facilities will be provided exclusively to persons of the same sex and will be denied to persons of the opposite sex.

**(f) Exceptions.**

(1) Nothing in this chapter shall prohibit:

(A) A religious organization, association or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons.

- (B) A private club, not in fact open to the public, which as incident to its primary purpose provides lodging which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.
  - (C) Discrimination on the basis of age or persons with disability in relation to housing designed to meet the needs of the elderly or persons with disabilities.
- (2) With the exception of prohibitions against discriminatory advertising and statements, this chapter shall not apply to:
- (A) An owner-occupied building containing no more than four units when the units are being sold or rented without the assistance of a real-estate broker, agent or such facilities or services in the business of selling or renting dwellings.
  - (B) A single-family residence if it is rented or sold by an owner who does not own more than three such single-family residences at any one time and; provided that in the case of the sale of any such single-family residence by a private individual owner not residing in the house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within a twenty-four (24) month period and; provided any such single-family residence is being sold or rented without the assistance of a real-estate broker, agent or such facilities or services in the business of selling or renting dwelling.

**(g) Enforcement.**

- (1) Any person who claims to have been aggrieved or injured under this ordinance may file a written complaint with the City Administrator (or authorized designee), setting forth therein the details, including location of property, names, dates, witnesses, and other factual matters. All such complaints shall be signed by the complainant. Such complaints shall be filed within 300 days after the alleged violation of this ordinance.
- (2) The City Administrator shall provide a copy of a timely-filed complaint to the City Attorney for review and jurisdictional determination.
- (3) The City Administrator may receive and provide resolution to complaints on a voluntary, informal dispute resolution basis, may adopt rules, policies and regulations, and involve City staff as deemed appropriate and consistent with this ordinance and the laws of this state to carry out the policy and provisions of this ordinance and the powers and duties of the City Administrator.
- (4) Any complaint not voluntarily resolved through an informal dispute resolution process shall be forwarded to the City Attorney's Office for an ordinance enforcement determination.

**(h) Jurisdiction.**

- (1) The City shall not exercise jurisdiction over any complaint that sets forth or states any facts or allegations that are subject matter within the jurisdiction of any state or federal



Page 11 of 11

agency, including but not limited to the U.S. Equal Employment Opportunity Commission or the State of Wisconsin, Department of Workforce Development, regardless of whether the complainant has chosen to file with that said agency or not. If it appears that the City does not have jurisdiction over a filed complaint, the complainant shall be referred to the appropriate state or federal enforcement agency.

- (2) It shall not be an unlawful discriminatory practice for an employer to observe the conditions of a bona fide seniority system or a bona fide employee benefit system based on age such as a retirement, pension or insurance plan which is not a subterfuge or pretext to evade the purposes of this ordinance.
- (3) Nothing contained in this ordinance shall be deemed to prohibit selection or rejection based solely upon a bona fide occupational qualification, a bona fide physical requirement, or, as to a religious or denominational institution, based upon a preference for applicants of the same religion or denomination.

**(i) Penalty for violation of Chapter.**

*Penalty for violation of chapter.* Any person who violates any provision of this chapter shall be subject to a municipal ordinance forfeiture in such amount as determined by resolution of the common council. Each such violation shall constitute a separate offense.

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** City Attorney

**FROM:** Judith Schmidt-Lehman

**SUBJECT:** Ordinance #18-08 Amending §150-22 and Schedule G Thereto, De Pere Municipal Code, Regarding Traffic Regulations

---

**ATTACHMENTS:**

- Ord18-08 (DOCX)
- Parking 150-22 and 23-Redlined (PDF)
- Parking Ord Amend River Thyme (PDF)

## ORDINANCE #18-08

AMENDING §150-22 AND SCHEDULE G THERETO, DE PERE MUNICIPAL CODE,  
REGARDING TRAFFIC REGULATIONS

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

Section 1: §150-22(4), *Reserved*, is hereby repealed and recreated as follows:

(4) *Handicap Parking.*

a. *Parking spaces.* No vehicle shall be parked upon any portion of a street, highway or parking facility reserved for handicapped persons by official traffic signs or distinct markings indicating the restriction, unless such parking is permitted under Wis. Stats. §§346.503 and 346.505.

b. *Curb ramps.* No vehicle shall be parked as to obstruct access to or from a handicapped curb ramp.

Section 2: §150-22(7), *Posted/regulated areas*, is hereby repealed and recreated as follows:

(7) *Posted/regulated areas.* No person shall permit a motor vehicle under that person's custody, ownership or control to be parked contrary to a posted sign bearing any of the following regulations, which signs shall be posted in the areas designated in Schedule G, found in [section 150-23](#):

- a. No parking.
- b. No parking here to corner.
- c. No standing, stopping or parking between signs.
- d. No parking during school hours.
- e. No parking, 4:00 p.m. to 9:00 p.m., Monday through Friday, June through August.
- f. Loading zone.
- g. Loading zone during school hours.
- h. Twenty-minute parking, 9:00 a.m. to 6:00 p.m., Monday through Saturday.

Ordinance #18-08  
Page 2 of 3

- i. Two-hour parking, 9:00 a.m. to 6:00 p.m., Monday through Saturday.
- j. No stopping or standing during school hours when children are present 7:30 a.m. to 3:30 p.m.
- k. No stopping or standing during school hours when children are present 7:30 a.m. to 4:00 p.m.
- l. Two-hour parking, 9:00 a.m. to 6:00 p.m. Monday through Saturday except Thursdays 10:00 a.m. to 8:00 p.m. from the third Thursday in June through and including the last Thursday in September.
- m. Long-term parking, except Thursdays from 10:00 a.m. to 8:00 p.m. from the third Thursday in June through and including the last Thursday in September.
- n. Buses only during school hours.
- o. Two-hour parking during school hours.
- p. Two-hour parking 7:00 a.m. to 4:00 pm. on school days.
- q. No stopping or standing.
- r. Long-term parking.
- s. Two-hour parking with long term permit.
- t. Reserved parking for River Thyme May 1 through October 31.
- u. Park parking only.
- v. Handicap parking.
- w. Buses loading and unloading only.
- x. Long-term parking November 1 through April 30.

Section 3: Section 15-23, Schedule G (Parking) is hereby amended as follows:

**DELETIONS:**

| <i>Long-term parking, Except Thursdays 10:00 a.m.-8:00 p.m. from the Third Thursday in June Through Last Thursday in September</i> |                   |                              |                                        |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------|----------------------------------------|
| <i>Parking Lot</i>                                                                                                                 | <i>No. Stalls</i> | <i>Parking ROW/From Dir.</i> | <i>Located No. of Stalls/From Dir.</i> |
| Bridge Lot                                                                                                                         | 2                 | 1/N                          | 1/W through 2/W                        |

Ordinance #18-08  
Page 3 of 3

**ADDITIONS:**

| <i>Long-term parking November 1-April 30</i> |                   |                              |                                        |
|----------------------------------------------|-------------------|------------------------------|----------------------------------------|
| <i>Parking Lot</i>                           | <i>No. Stalls</i> | <i>Parking ROW/From Dir.</i> | <i>Located No. of Stalls/From Dir.</i> |
| Bridge Lot                                   | 2                 | 1/N                          | 1/W through 2/W                        |

| <i>Reserved Parking for River Thyme May 1-October 31</i> |                   |                              |                                        |
|----------------------------------------------------------|-------------------|------------------------------|----------------------------------------|
| <i>Parking Lot</i>                                       | <i>No. Stalls</i> | <i>Parking ROW/From Dir.</i> | <i>Located No. of Stalls/From Dir.</i> |
| Bridge Lot                                               | 2                 | 1/N                          | 1/W through 2/W                        |

Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5: This ordinance shall take effect on and after its passage and publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of  
March, 2018.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana D. Ledvina, Clerk-Treasurer

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Board/Committee Approval: 02/15/2018

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_



**Sec. 150-22. - Parking.**

When signs are erected giving notice of regulation, limitation or prohibition of parking, no person shall park a vehicle in violation of such regulation, limitation or prohibition.

(1) *Parking within designated space.* Where parking is allowed and parking spaces are marked upon the surface, all vehicles shall park within the marked spaces except vehicles that are longer than the spaces.

(2) *Overnight parking.*

a. *General rule.* Except as provided herein, no person shall permit any trailer, camper or other property capable of being towed, or any motor vehicle licensed in their name or under their use or custody to be parked upon any street, alleyway, parking mall, public parking lot or other public off-street parking area, between the hours of 2:00 a.m. and 5:00 a.m., Monday through Friday.

b. *Exceptions.* This prohibition shall not apply to:

1. Long-term parking permitted under subsection (3) of this Code.
2. Parking in those areas designated as 24-hour parking.
3. The day before, the day of, and the day after the following holidays:

- i. January 1;
- ii. Memorial Day;
- iii. July 4;
- iv. Labor Day;
- v. Thanksgiving Day;
- vi. Day after Thanksgiving;
- vii. December 24; and
- viii. December 25.

4. Exceptions granted by the police department to residents under the following circumstances:

- i. The request is made during regular police office business hours (Monday—Friday, 8:00 a.m.—4:30 p.m.) or in an emergency, to the sergeant on duty if after 4:30 p.m.;
- ii. The requester provides information to the police department regarding good cause for the requested exception. "Good cause" means uncommon circumstances experienced by the resident such that motor vehicle parking on private property is improbable or impractical. Examples of "good cause" include: driveway construction or maintenance, overnight houseguests, or owner/passenger medical condition.
- iii. During each calendar year, no exception shall be granted for longer than three consecutive days and no more than 15 total days of exceptions shall be granted by the

police department to any one address within the city unless the police department determines that the "good cause" shown to exist continues through no fault of the resident.

iv. No exception granted by the police department shall supersede any snow emergency declared.

- c. In addition to the penalties provided for violations of this section, the street superintendent or designee may cause any vehicle to be removed from such street, alleyway, or parking area if such vehicle interferes with snow removal or other public purpose. The costs of towing such vehicle and all other associated charges shall be charged to the owner of such vehicle.

(3) *Long term parking.*

a. *No permit required.* Notwithstanding other parking restrictions set forth in this section, long term parking not exceeding 72 hours is permitted without a permit in certain areas identified in Schedule G, found in [section 150-23](#).

b. *Permit required.* Notwithstanding other parking restrictions set forth in this section, long term parking not exceeding 72 hours is permitted only by annual permit, obtained in advance from the police department, in those areas identified in Schedule G, found in [section 150-23](#).

c. *Violators subject to parking limitation.* Persons parking in such designated areas without a proper permit are subject to a two-hour parking limitation for such parking area.

d. *Permit eligibility.* No permit shall be issued by the police department pursuant to subsection b. above except as follows:

(i) To owners of businesses abutting Nicolet Square parking lot for use by the business owner or the business owner's employee(s); or

(ii) To an employee of a business abutting the Nicolet Square parking lot; or

(iii) To a tenant residing in a residential unit of a building abutting the Nicolet Square parking lot.

(4) ~~Reserved~~ *Handicap Parking.*

~~a. *Parking spaces.* No vehicle shall be parked upon any portion of a street, highway or parking facility reserved for handicapped persons by official traffic signs or distinct markings indicating the restriction, unless such parking is permitted under Wis. Stats. §§ 346.503 or 346.505.~~

~~b. *Curb ramps.* No vehicle shall be parked as to obstruct access to or from a handicapped curb ramp.~~

(5) *Exception to parallel parking on streets.* Except as set forth in this subsection, all vehicles parking on public streets in the city shall be parked parallel to the curbline bearing in the direction of traffic on the right side of the street except that on one-way streets, vehicles may be parked on the left side of the street unless otherwise prohibited. Angle parking, or perpendicular parking, in relation to the curbline of the following designated streets or parts of such streets, is hereby permitted. Vehicles shall be parked at the angle designated by official signs, pavement markings or curbs:

a. James Street, south side, easterly from North Broadway to the public alleyway.

- b. James Street, north side, from Wisconsin Street to Michigan Street.
- c. Wisconsin Street, east side, from Cass Street southerly a distance of 120 feet.
- d. Allard Street, east side, from Morning Glory Lane to Park Street.
- e. Charles Street, south side, from Adams Street to Webster Avenue.
- f. Wisconsin Street, east side, from Charles Street to Lewis Street.

(6) *Overtime parking.* No person shall permit a motor vehicle under that person's ownership, custody or control to be parked in any public street, alleyway, parking mall or public parking lot in excess of the time prescribed for such area or space as provided at subsection (10)f and g of this section, as such areas are specifically described in Schedule G, found in [section 150-23](#).

(7) *Posted/regulated areas.* No person shall permit a motor vehicle under that person's custody, ownership or control to be parked contrary to a posted sign bearing any of the following regulations, which signs shall be posted in the areas designated in Schedule G, found in [section 150-23](#):

- a. No parking.
- b. No parking here to corner.
- c. No standing, stopping or parking between signs.
- d. No parking during school hours.
- e. No parking, 4:00 p.m. to 9:00 p.m., Monday through Friday, June through August.
- f. Loading zone.
- g. Loading zone during school hours.
- h. Twenty-minute parking, 9:00 a.m. to 6:00 p.m., Monday through Saturday.
- i. Two-hour parking, 9:00 a.m. to 6:00 p.m., Monday through Saturday.
- j. No stopping or standing during school hours when children are present 7:30 a.m. to 3:30 p.m.
- k. No stopping or standing during school hours when children are present 7:30 a.m. to 4:00 p.m.
- l. Two-hour parking, 9:00 a.m. to 6:00 p.m. Monday through Saturday except Thursdays 10:00 a.m. to 8:00 p.m. from the third Thursday in June through and including the last Thursday in September. No stopping or standing during school hours when children are present 8:00 a.m. to 3:00 p.m.
- m. Long-term parking, except Thursdays from 10:00 a.m. to 8:00 p.m. from the third Thursday in June through and including the last Thursday in September. No standing, stopping or parking from 7:00 a.m. to 4:00 p.m. on school days.
- n. Buses only during school hours.

- o. Two-hour parking during school hours.
- p. Two-hour parking 7:00 a.m. to 4:00 pm. on school days.
- q. No stopping or standing.
- r. Long-term parking.
- s. Two-hour parking with long term permit.
- t. Reserved parking for River Thyme May 1 through October 31.
- u. Park parking only.
- v. Handicap parking.
- w. Buses loading and unloading only.
- x. Long-term parking November 1 through April 30.

## CITY OF DE PERE

## MEMO

To: Michael J. Walsh, Mayor  
Members of the Common Council

From: Judith Schmidt-Lehman, City Attorney

RE: Amendment to License Agreement with Fox River Boat Holding Company (River Thyme) and Parking Ordinance Amendments

Date: March 6, 2018

---

River Thyme requested the City amends its License Agreement to provide for an area for River Thyme to park a trailer to house a boat tour ticket booth, light concession sales, and dish washing station (for washing dishes used on boat tours). The License Amendment is covered by Resolution 18-XX on the March 6, 2018 Council Agenda. Attached is a map showing the area of the Bridge Parking Lot identified as the location for parking the River Thyme trailer.

Making the spaces shown on the attached "reserved" for River Thyme required changes to the City's parking ordinance. A review of the parking ordinance revealed that many parking designations in §150-22 De Pere Municipal Code (DPMC) had become dated or otherwise in need of revision. A red-lined version of the changes to the parking ordinance is also attached so you can follow all of the revisions being proposed.

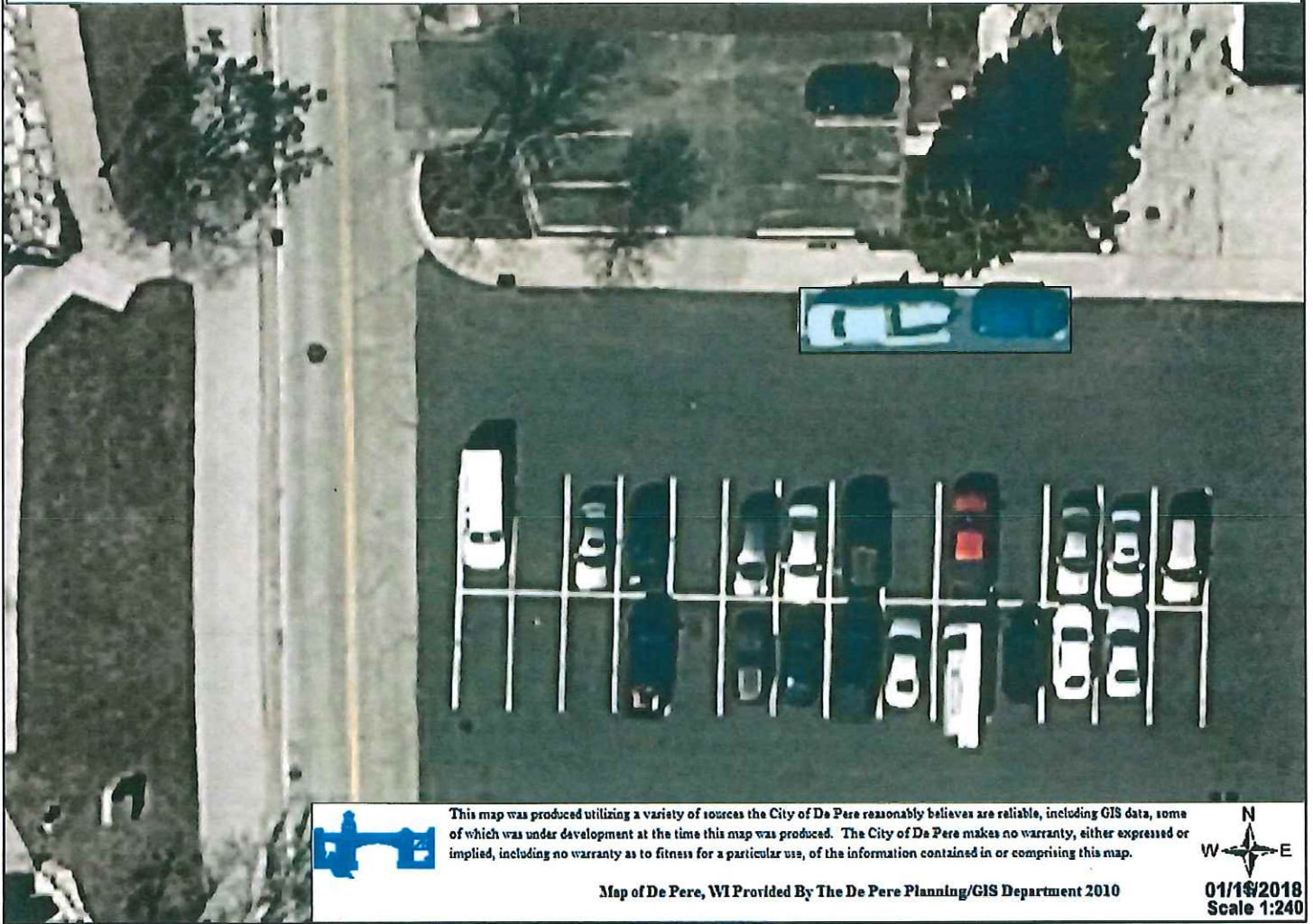
If you have any questions or concerns, feel free to call me at 339-4042 at your convenience.

JSL

H:\azills\Memos\2017\Traffic Regulation Ordinance Amendment-Parking1-13-17.docx



<Title>



## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Parks, Recreation & Forestry

**FROM:** Marty Kosobucki

**SUBJECT:** Resolution #18-16 Authorizing Second Amendment to License Agreement Between the City of De Pere and Fox River Boat Holding Company, LLC.

---

**The Board of Park Commissioners, at the February 15, 2018 meeting, approved the amendment to the License Agreement with Fox River Tours and moved to send it to Common Council for approval.**

Consider amending the agreement with Fox River Tours to allow for permanent parking in the Front Street Parking Lot to accommodate a trailer designed to wash dishes, sell tickets and sell minor concessions.

Staff brought the issue up with our City's Development Team and came up with the included proposal. This proposal was also reviewed by Fox River Tours and they have supported the language in the proposed amendment.

**ATTACHMENTS:**

- Reso18-16 (DOCX)
- Exhibit 1-Fox River Boat Holding Second Amendment1-12-18-151-001-16 (DOCX)
- FRBH Second Amendment-Exhibit B (PDF)

## RESOLUTION #18-16

AUTHORIZING SECOND AMENDMENT TO LICENSE AGREEMENT  
BETWEEN THE CITY OF DE PERE AND FOX RIVER  
BOAT HOLDING COMPANY, LLC

WHEREAS, the City of De Pere (“City”) and Fox River Boat Holding Company, LLC (“Licensee”) are parties to a License Agreement dated February 2, 2016, as amended on August 31, 2016 (the “Agreement”); and

WHEREAS, Licensee wishes to locate a movable trailer to assist in its River Boat Tour operations in the City “Bridge Lot” parking lot and City wishes to promote this use; and

WHEREAS, this matter has been reviewed by the Board of Park Commissioners, which recommends approval thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Mayor and Clerk-Treasurer are authorized and directed to execute the Second Amendment to License Agreement Between the City of De Pere and Fox River Boat Holding Company, LLC, as is attached hereto and incorporated as Exhibit 1.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of March, 2018.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana D. Ledvina, Clerk-Treasurer

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

**SECOND AMENDMENT TO LICENSE AGREEMENT BETWEEN THE  
CITY OF DE PERE AND FOX RIVER BOAT HOLDING COMPANY, LLC**

This Second Amendment is entered into this \_\_\_\_ day of \_\_\_\_\_, 2018, with respect to that certain License Agreement between the City of De Pere and Fox River Boat Holding Company, LLC, dated February 8, 2016, as amended on August 31, 2016, (“Agreement”), which Agreement is incorporated herein by reference.

1. Section III is amended to include the following:

D. (1.) City shall designate the two (2) parking stalls shown on the attached map, incorporated herein by reference as Exhibit “B,” for Licensee to place thereon during the Operational Period (May 1-October 31) a movable trailer for purposes of ticket sales, dishwashing station and limited food vending.

(2.) Licensee shall obtain all permits/licenses necessary for the aforementioned uses to occur in the movable trailer.

(3.) Licensee shall be responsible to ensure that access to its movable trailer by the public complies with all laws, including the Americans with Disabilities Act as amended.

2. Section I.A. Licensed Premises is hereby amended to include the area described in Exhibit B.

3. Section VI.A. Insurance and Indemnification is amended to require Licensee to: (a) provide \$1,000,000 in products liability insurance in addition to the other insurance requirements of that section; and (b) provide a revised Certificate of Insurance, naming the City as an additional insured thereunder, evidencing that all required insurance coverage pertains to the revised Licensed Premises as set forth herein, together with an updated additional insured endorsement therefor.

4. Terms not otherwise defined in this Amendment shall have the meanings set forth in the Agreement. In the event of any inconsistency between the terms of this Amendment and the Agreement, this Amendment shall control. All other terms, covenants and conditions contained in the Agreement shall remain in full force and effect.

5. This Amendment may be executed in any number of counterparts, all of which together shall constitute a single Amendment. Facsimile and email (pdf. format) signatures shall be accepted by the parties and shall be deemed original signatures for all purposes.

**IN WITNESS WHEREOF**, the Parties hereto have caused this Amendment to be executed as of the date and year first written above.

FOX RIVER BOAT HOLDING COMPANY,  
 LLC  
 By:

STATE OF WISCONSIN)  
 : SS  
 BROWN COUNTY )

\_\_\_\_\_  
 Candice L. Mortara, Member

This instrument was acknowledged before me  
 on the \_\_\_\_ day of \_\_\_\_\_, 2018,  
 by Candice L. Mortara of Fox River Boat  
 Holding Company, LLC

\_\_\_\_\_  
 Notary Public, State of Wisconsin  
 My commission expires on \_\_\_\_\_.

CITY OF DE PERE  
 By:

STATE OF WISCONSIN)  
 : SS  
 BROWN COUNTY )

\_\_\_\_\_  
 Michael J. Walsh, Mayor

This instrument was acknowledged before me  
 on the \_\_\_\_ day of \_\_\_\_\_, 2018,  
 by Michael J. Walsh, Mayor and Shana D.  
 Ledvina, Clerk-Treasurer of the City of De  
 Pere.

\_\_\_\_\_  
 Shana D. Ledvina, Clerk-Treasurer

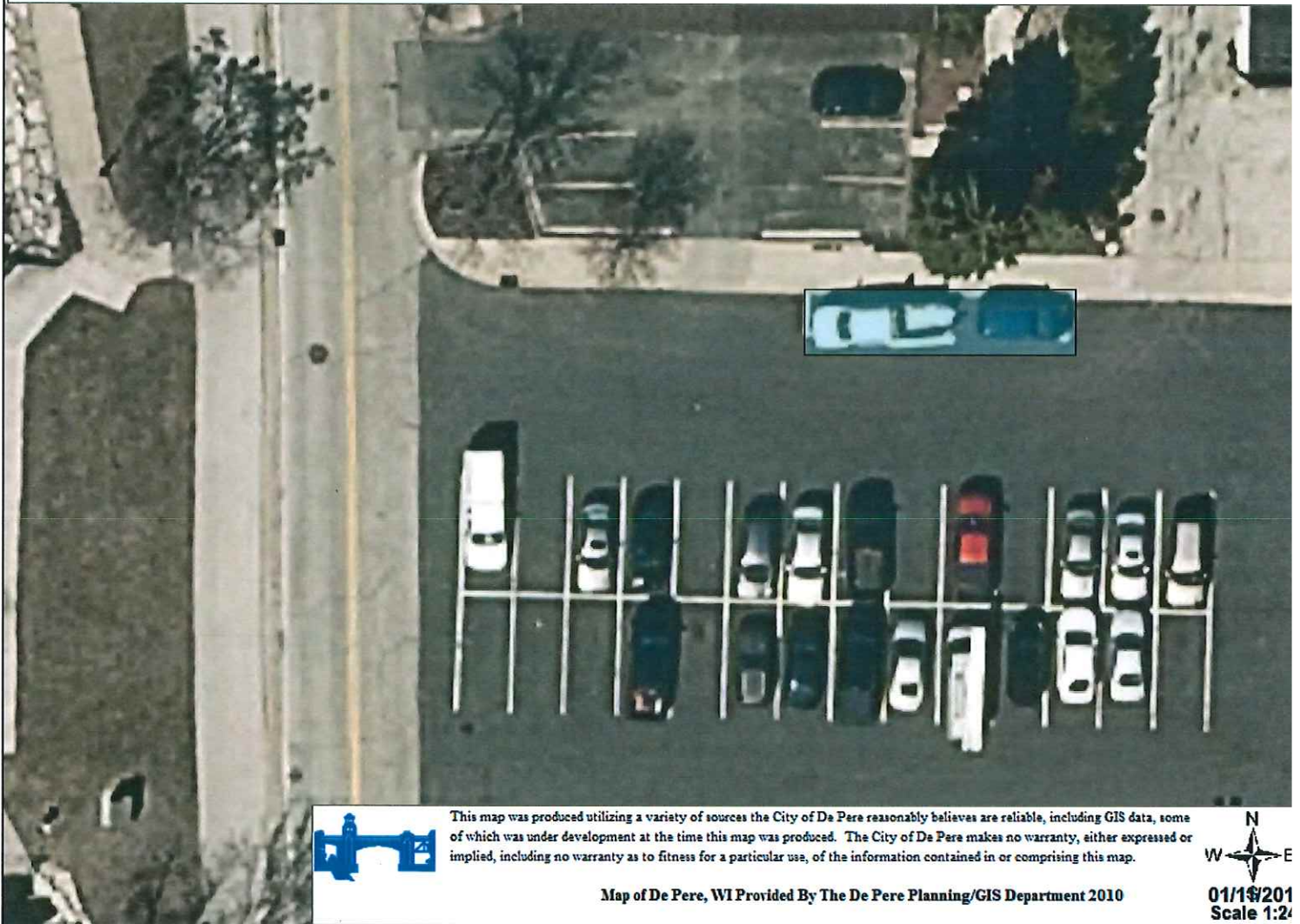
\_\_\_\_\_  
 Notary Public, State of Wisconsin  
 My commission expires on \_\_\_\_\_.

Drafted by: Judith Schmidt-Lehman

H:\azills\Agreements\2018\Fox River Boat Holding Second Amendment 1-12-18-151-001-16.docx



&lt;Title&gt;



## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Public Works

**FROM:** Scott Thoresen

**SUBJECT:** Resolution #18-17 Supporting the Village of Ashwaubenon's Application for a Wisconsin Department of Transportation (WisDOT) Transportation Alternatives Program (TAP) Grant for Bicycle and Pedestrian Improvements on West Main Avenue

---

The Village of Ashwaubenon is submitting an application for a Wisconsin Department of Transportation (WisDot) Transportation Alternatives Program (TAP) grant for construction of bicycle and pedestrian facility improvements on the south side of West Main Avenue from Sand Acres Drive in Ashwaubenon to Mid Valley Drive in De Pere. Since part of this project is within the City limits of De Pere, the Village of Ashwaubenon has requested the City's support of this project so they can include this as part of the grant application process. The City will not be responsible for any project costs.

**ATTACHMENTS:**

- Reso18-17 (DOCX)

## RESOLUTION #18-17

SUPPORTING THE VILLAGE OF ASHWAUBENON'S APPLICATION FOR A  
WISCONSIN DEPARTMENT OF TRANSPORTATION (WisDOT) TRANSPORTATION  
ALTERNATIVES PROGRAM (TAP) GRANT FOR BICYCLE AND PEDESTRIAN  
IMPROVEMENTS ON WEST MAIN AVENUE

WHEREAS, the Village of Ashwaubenon intends to apply to the WisDOT for a grant for the 2018-2022 TAP cycle; and

WHEREAS, the Village of Ashwaubenon has support of their Village Board and administrative staff for completion of said TAP application and future construction of said project upon receipt of an award; and

WHEREAS, the proposed project is located on the south side of West Main Avenue, west of I-41 from the western-most traffic circle in De Pere to Sand Acres Drive in Ashwaubenon; and

WHEREAS, the City of De Pere and the Village of Ashwaubenon share a municipal boundary on West Main Avenue; and

WHEREAS, the City of De Pere generally supports the improvement of bicycle and pedestrian access and mobility within the City and larger region; and

WHEREAS, the City of De Pere adopted a Comprehensive Plan in 2010 which includes Chapter 10: De Pere Bicycle and Pedestrian Plan; and

WHEREAS, the proposed project is generally consistent with the De Pere Comprehensive Plan, including Chapter 10; and

WHEREAS, the City of De Pere is not responsible for project costs.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Common Council of the City of De Pere supports the application by the Village of Ashwaubenon for a 2018-2022 WisDOT TAP grant for the construction of a multi-use trail along the south side of West Main Avenue.

Adopted by the Common Council of the City of De Pere, Wisconsin this 6th day of March, 2018.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana D. Ledvina, Clerk-Treasurer

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Finance/Personnel Committee

**FROM:** Peter Schleinz

**SUBJECT:** Resolution #18-18 Authorizing Agreement for Consulting Services Between the City of De Pere and Duncan Associates (Zoning Code Rewrite).

---

On February 13, 2018 the Finance and Personnel Committee unanimously recommended approval with a vote of 3-0.

**ATTACHMENTS:**

- Reso18-18 (DOCX)
- Consultant Agreement-Duncan Associates(Zoning Code Rewrite)2-14-18-157-002-18 (PDF)
- Exhibit A - Rezoning RFP FINAL FOR DISTRIBUTION (PDF)
- Exhibit B Duncan - Codametrics - KH\_Proposal (PDF)
- 02-13-18 Zoning RFP Finance-Personnel Memo Consultant (DOCX)
- RE City of De Pere Zoning Code RFP Response A couple of extra questions for Duncan Associates (MSG)

## RESOLUTION #18-18

AUTHORIZING AGREEMENT FOR CONSULTING SERVICES BETWEEN THE  
CITY OF DE PERE AND DUNCAN ASSOCIATES  
(Zoning Code Rewrite)

WHEREAS, the City is in need of contracting with a consulting firm to provide a review, comprehensive rewrite and plan implementation services for City's zoning code; and

WHEREAS, Duncan Associates has available and offers to provide personnel and professional assistance necessary to accomplish the zoning code rewrite within the required timeframe.

WHEREAS, this matter has been reviewed by the Finance/Personnel Committee which recommends its approval thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Mayor and Clerk-Treasurer are authorized and directed to execute the Agreement for Consulting Services Between the City of De Pere and Duncan Associates as is attached hereto.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of March, 2018.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana D. Ledvina, City Clerk-Treasurer

Ayes: \_\_\_\_\_  
Nays: \_\_\_\_\_



**AGREEMENT FOR CONSULTING SERVICES BETWEEN THE  
CITY OF DE PERE AND DUNCAN ASSOCIATES  
(Zoning Code Rewrite)**

THIS AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between the City of De Pere, a Wisconsin municipal corporation ("City"), and Duncan Associates ("Consultant").

WITNESSETH

WHEREAS, City is in need of a comprehensive rewrite of its current zoning code, consistent with the goals and objectives of City's Comprehensive Plan, that is easy for the public to read and interpret; and

WHEREAS, Consultant has available and offers to provide personnel, professional assistance and facilities necessary to accomplish the work within the required timeframe.

NOW THEREFORE, City and Consultant agree as follows:

I. DESCRIPTION OF PROJECT

The project is as described in the City Request for Proposals, dated October 6, 2017, (Exhibit A) and Consultant's Proposal thereto, dated November 9, 2017, and as augmented by its January 24, 2018 supplemental submission (collectively Exhibit B), attached hereto and incorporated by reference. If a conflict exists between Exhibit A and Exhibit B, the terms of Exhibit A shall prevail. If there is a conflict between the terms and conditions of Exhibit A and this Agreement, the terms of this Agreement shall prevail.

If, during the course of performing the work, City and Consultant agree that it is necessary to make changes in the project as described in the exhibits, such changes will be incorporated into this Agreement only by written amendment, signed by the parties.

II. SCOPE OF CONSULTING SERVICES

Consultant agrees to perform those services described Exhibits A and B. Any change to the scope of services as identified therein shall be defined in writing and authorized by both parties prior to performing such work. Such writing shall include the scope of work to be done, the schedule for commencing and completing the work and the basis for compensation for such work.

### III. SCOPE OF CITY SERVICES

City agrees to provide the Consultant such background and reference information as are available concerning the project that may be applicable for Consultant's independent, comprehensive review of City's current zoning code in order for Consultant to make a retention determination analysis in connection with the rewrite, consistent with City's Project Overview and Objectives described in Exhibit A.

### IV. AUTHORIZATION, PROGRESS, AND COMPLETION

In signing this Agreement, the City grants the Consultant specific authorization to proceed with the work described herein.

### V. OWNERSHIP AND FORM OF DOCUMENTS

All documents created, drawings, specifications and other documents maintained or received during the course of this Agreement, including those in electronic form, shall be deemed the property of City and Consultant shall not be considered the owner of any such document nor shall the Consultant retain any common law, statutory, or other right therein, including copyright, patent, or trademark. To that end, Consultant agrees to and hereby does assign and transfer to City all rights, title, and other interests in such drawings, specifications, or other documents, which rights shall including copyright, trademark, or patent rights therein, unless City fails to pay Consultant for such drawings specifications and other documents, in which case the ownership and all rights shall revert to the Consultant.

City hereby grants Consultant a non-exclusive license to use the documents created pursuant to this Agreement, including any standard details used herein.

Consultant acknowledges that, as the Consultant to City, a Wisconsin municipality, Wis. Stats. §19.36(3) applies to it and records produced by it pursuant to this contract are subject to the public records law to the extent they would otherwise be if maintained by the City. Consultant agrees that, within 10 business days of a written request of City, it shall forward to City any such contract or records maintained by Consultant as are requested by City. Such records shall be in the format requested by City provided that such records are kept and maintained in that format. City shall reimburse Consultant for its reasonable costs incurred in complying with this paragraph.

Consultant further agrees to indemnify the City from all costs City incurs should Consultant fail to comply with these requirements.

### VI. CONFIDENTIALITY OF INFORMATION

Consultant understands that, during the course of work under this contract, Consultant may become privy to confidential information of City. Consultant shall maintain the confidentiality of all information specifically designated confidential by City unless withholding

such information would violate the law, create a significant harm to the public, or create a risk of significant harm to the public.

## VII. TIME FOR COMPLETION

The parties hereto agree that time is of the essence in completion of the project as required under Exhibit A, not to exceed 18 months from execution of this Agreement. Should Consultant encounter any circumstances, which, in the Consultant's opinion, will delay their response time, Consultant shall so inform the City as soon as the delay in response time is known.

## VIII. COMPENSATION

The City agrees to pay, and the Consultant agrees to accept, compensation as identified in Exhibit B. Payment to the Consultant is due within 30 days after receipt of invoice by the City. Compensation for special services shall be as agreed upon by the City and Consultant and set forth in the written authorization for special services.

## IX. RESPONSIBILITY OF CONSULTANT

The Consultant is employed to render a professional service only, and any payments made to the Consultant are compensation solely for such services rendered and recommendations made in carrying out the work. The Consultant shall follow the practice of its profession to make findings, opinions, factual presentations, and professional advice and recommendations.

## X. NON-DISCRIMINATION

The Consultant agrees that, in performing under this Agreement with the City, it will not discriminate against any employee, applicant for employment or any other person or member of the public on the basis of age, race, creed, color, disability, marital status, sex, national origin, ancestry, arrest record, conviction record, military service, use or non-use of lawful products off the employer's premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, or any other basis provided under Wis. Stats. §111.321.

## XI. INSURANCE

A. The Consultant shall maintain during the life of the Agreement, the following minimum public liability and property damage insurance to cover claims for injuries, including accidental death, as well as from claims for property damages which may arise from the performance of work under the Agreement as stated below:

1. Comprehensive general liability insurance, including personal injury liability, blanket contractual liability and broad form property damage liability. The combined single limit for bodily injury and property damage shall not be less than

\$1,000,000; with additional umbrella liability insurance coverage for a total of not less than \$2,000,000.

2. Automobile bodily injury and property damage liability insurance covering owned, non-owned, rented and hired cars. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
3. Statutory workers compensation and employers' liability insurance as required by the state having jurisdiction.
4. Professional liability insurance covering damages resulting from errors and omissions of the Consultant. The limit of liability shall be \$1,000,000 or the total consultant's fee on the project, whichever is greater.

B. Proof of Insurance. The Consultant shall furnish the City with a Certificate of Insurance and additional insured endorsement countersigned by a Wisconsin Resident Agent or Authorized Representative of the insurer indicating that the Consultant meets the insurance requirements identified above. The Certificate of Insurance shall include a provision prohibiting cancellation of said policies except upon 30 days' prior written notice to the City and shall name the City as an additional insured under Consultant's general and professional liability policies for the specific contract or project covered. A copy of the Certificate of Insurance and endorsement shall be delivered to the City prior to execution of the agreement for final approval.

## XII. ALLOCATION OF RISKS

To the fullest extent permitted by law, the Consultant shall indemnify and hold harmless the City, City's officers, directors, partners, and employees from and against any and all costs, losses, and damages (including, but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court, mediation or other dispute resolution costs) caused by the negligent acts or omissions of Consultant or Consultant's officers, directors, partners, employees, and Consultant's Consultants in the performance and furnishing of Consultant's services under this Agreement.

To the fullest extent permitted by law, Consultant's total liability to City and anyone claiming by, through or under City for any cost, loss or damages caused in part by the negligence of Consultant or Consultant's subcontractor and in part by the negligence of City or any other negligent entity or individual, shall not exceed the percentage share that Consultant's or Consultant's subcontractor negligence bears to the total negligence of City, Consultant and all other negligent entities and individuals.

## XIII. SUBCONTRACTS

Consultant shall obtain the written consent of the City prior to subcontracting any portion of the work to be performed under this project, other than work designated to Codametrics and/or Kimley-Horn under Consultant's Proposal. The Consultant shall be responsible to the City for the actions of person and firms performing subcontract work.

#### XIV. ASSIGNMENT

This Agreement is binding on the heirs, successors, and assigns of the parties hereto. This Agreement is not to be assigned by either the City or Consultant without the prior written consent of the other.

#### XV. INTEGRATION

This Agreement represents the entire understanding of the City and Consultant as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by both parties.

#### XVI. JURISDICTION

This Agreement shall be administered and interpreted under the laws of the State of Wisconsin. Jurisdiction of litigation arising from this Agreement shall be in that state. If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said laws, but the remainder of this Agreement shall be in full force and effect.

#### XVII. SUSPENSION OF WORK

The City may suspend, in writing, all or a portion of the work under this Agreement in the event unforeseen circumstances beyond the control of the Consultant make normal progress in the performance of the work impossible. The Consultant may request that the work be suspended by notifying the City, in writing, of circumstances which are interfering with normal progress of the work. If agreed, the time for completion of the work shall be extended by the number of days the work is suspended by Contractor through no fault of Contractor. In the event that the period of suspension exceeds 90 days, the terms of this Agreement are subject to renegotiation and both parties are granted the option to terminate work on the suspended portion of the project in accordance with Article XVIII.

#### XVIII. TERMINATION OF WORK

The City may terminate all or a portion of the work covered by this Agreement for its convenience. Either the City or the Consultant may terminate work in the event the other party fails to perform in accordance with the provisions of this Agreement. Termination of this Agreement is accomplished by 15 days prior written notice from the party initiating termination to the other. Notice of termination shall be delivered by certified mail with receipt for delivery returned to the sender.

In the event of termination, the Consultant shall perform such additional work as is necessary for the orderly filing of documents and closing of the project. The additional time for filing and closing shall not exceed 10 percent of the total time expended on the completed portion of the project prior to the effective date of termination.



The Consultant shall be compensated for the completed portion of the work on the basis of work actually performed prior to the effective date of termination plus the work required for filing and closing.

#### XIX. MEDIATION

All claims, disputes and other matters in question between the parties of this Agreement arising out of or relating to this Agreement or breach thereof, which are not disposed of by mutual agreement of the parties, shall be subject to mediation as a condition precedent to the institution of legal proceedings by either party. If such claim, dispute or other matter involves a lien arising out of the Consultant's services, the Consultant may proceed in accordance with applicable law to comply with lien notice and filing deadlines prior to resolution of the matter by mediation.

The City and Consultant shall attempt to resolve claims, disputes and other matters in question between them by mediation. A request for mediation shall be filed in writing with the other party to this Agreement. The request may be made concurrently with the filing of a civil action, but mediation shall proceed in advance of legal proceedings.

The parties shall share the mediator's and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

#### XX. NOTICES

Any notification required or needed under the contract shall be sent via First Class Mail to the following:

If to City:  
City Clerk-Treasurer  
City of De Pere  
335 South Broadway Street  
De Pere, WI 54115

If to Consultant:  
Duncan Associates  
Attn: Kirk R. Bishop, Principal  
116 West Illinois; Suite 700  
Chicago, IL 60654

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first above written.

DUNCAN ASSOCIATES

CITY OF DE PERE, WISCONSIN

By: \_\_\_\_\_  
Name: Kirk R. Bishop, Principal

By: \_\_\_\_\_  
Michael J. Walsh, Mayor

By: \_\_\_\_\_  
Name: \_\_\_\_\_

By: \_\_\_\_\_  
Shana D. Ledvina, Clerk-Treasurer

H:\azills\Agreements\2018\Consultant Agreement-Duncan Associates(Zoning Code Rewrite)2- 14-18-157-002-18.docx

# Request For Proposals

## City of De Pere Zoning Ordinance Rewrite



RFP Release Date: October 6, 2017  
RFP Proposal Due Date: November 13, 2017, 4:30PM

### **Notice and Instructions for Proposal Submittals**

1. Proposals must be received at the below address no later than 4:30p.m. on November 13, 2017.

2. Submit one digital and five hard copies to:

City of De Pere Economic Development and Planning Department  
ATTN: Peter Schleinz, City Planner  
335 S. Broadway Street  
De Pere, WI 54115  
[pschleinz@mail.de-pere.org](mailto:pschleinz@mail.de-pere.org)

3. Email submittals of the digital copy are acceptable in PDF format if file size is less than 10MB.

## **A. General Request Information**

The City of De Pere, through its Request for Proposals (RFP), is seeking qualified planning and zoning consultants, multi-disciplinary firms or teams to undertake a complete zoning ordinance rewrite project. The new zoning code must be easy to read, understandable by the public, and enforceable by the City. The project is NOT a simple update to the existing ordinance.

The original zoning code was written in the 1970's with a rewrite in the late 1990's and minor maintenance corrections made over the years. Parts of the code are no longer consistent. Effective code review by staff becomes difficult when working with developers who are used to De Pere's known history of being very efficient. The existing code does not function in an era of technology that provides fast answers.

## **B. City of De Pere Background**

The 24,721 residents that call De Pere, Wisconsin home know that the community provides a high quality of life in the Greater Green Bay metropolitan area. With two excellent school districts, an urban private college, a dynamic downtown, successful business parks and safe residential neighborhoods served by ample parks and natural areas, the community has a considerable amount of loyalty and pride.

The residential, business and commercial areas are connected via a transportation and green space network that accommodates cars, bicycles, and pedestrians. The beautiful Fox River is the focal point of the City Center. The modern Claude Allouez Bridge unites the two sides of the dynamic downtown, which includes new and historic buildings. Whether one is on the east side or west side of the City, historic buildings are thoughtfully blended with redevelopment that provides a desirable mix of housing, employment, shopping, dining and entertainment.

- The City consistently ranks high on livability indexes, and the housing market has become very competitive.

The main thrust of the project is to establish a new zoning code that is easy to read, understandable by the public, and enforceable by the City of De Pere. The ordinance should consider form-based or context sensitive applications, creating design and infill standards for development in the City's downtown district, the college campus, the historic districts, the business and industrial parks, as well as development and growth areas, as identified in the City's 2011 Comprehensive Plan. Key to these areas would be connectivity, walkability, and mixed use nodes that enhance community life in the City of De Pere.

The City of De Pere would like to establish zoning regulations that are more reflective of the character of newer development while preserving the historic characteristics of an older city that is a suburb of a larger metropolitan area.

### **C. Project Overview and Objectives**

The general purpose of the project is the comprehensive rewrite of the City of De Pere Zoning Ordinance in order to make the ordinance consistent with the goals and objectives of the City's Comprehensive Plan.

The City has a desire to develop a zoning ordinance that defines regulations using a combination of text, graphics and images/photographs. The ordinance must ensure predictable, high-quality outcomes that are sensitive to the character of surrounding development, while allowing economic growth in areas where that growth can benefit the identity of the community. This would ideally include a blending of zoning districts, sub-categories within each district, and overlays that allow special uses for districts depending on the district location geographically within the City.

The new ordinance should be designed to accommodate the following document design features:

1. The ordinance needs to be easy to navigate and translate by the public, and simple to be enforced by the City.
2. Text that is supported and enhanced with charts, graphics, images, and photos is needed. A graphic rich ordinance is of utmost importance.
3. The ordinance needs to be colorful.
4. The ordinance needs to function online with MuniCode.
5. The text needs to clearly identify how and when elements are allowed and specifically identify when elements, that are assumed approvable, are not allowed.
6. The ordinance must be designed and formatted in such a way that the document provides flexibility when desired, without constant text revision, yet there is a solid foundation for regulation.
7. "Interactive maps" and graphics that link directly to ordinance subsections that the maps or graphics area represent are desired.
8. The ordinance should minimize need for the user to flip back and forth between lists and different sections.
9. Clear, concise and well defined permitted and conditional land uses.
10. The ordinance should have flexibility and a process defined for when a new or unique land use is not on any list.

The new ordinance must specifically address the following:

- The existing ordinance is based on broad city-wide zoning categories. The new ordinance needs to link to details that will be unique for specific geographical areas (neighborhoods) and translate to specific urban and rural commercial nodes, industrial parks, downtowns, highway frontage corridors, etc.

- The ordinance must link strongly to the Comprehensive Plan to better demonstrate how people want to live in or use an area.
- Special use districts need to be identified (i.e. – businesses in an entertainment district).
- A process for addressing non-conforming uses. Terminating the continuation of non-conforming uses needs to be spelled out
- The sign code applies to all areas and malfunctions when, for example, a downtown property and highway property are treated as equals. A sign code that addresses signage in different areas of the City is needed. Recent variance applications provide direction on additional signage district changes.
- Zoning categories that address the same “use” in different areas of the City is needed.
- Minimize the use of Planned Development Districts (PDD).
- Parking needs to be flexible for a diversity of locations. On-site needs in a downtown with public lots and on-site needs in an industrial park with hundreds of employees working three shifts, for example, need to be addressed.
  - There are no parameters for shared parking based on the “time of day” that a parking stall is used (i.e. – a mall with a daytime salon and a night time bar can use the same stalls rather than doubling up).
- Ordinance requirements are oftentimes found within the “definition” section of the ordinance only. Items need to be located in a logical location.
- Discrepancies in different sections of the ordinance need to be eliminated.
  - Parking lot sizes do not match.
  - ADA requirements need review for compliance with Federal law.
  - Landscaping requirements are not clear and consistent for all zoning categories.
  - Should include references to geographic location (like first bullet) rather than just the zoning district.
- Allowances for acceptable “required” building materials, with flexibility to add and revise newer and more modern technologies, needs to be incorporated because the development sections of the code do not allow flexibility to accommodate modern building materials.
- Design standards that address the desired appearance of the building and site based on geographical location (industrial park, downtown, commercial corridor).

#### **D. Expected Tasks and Services**

The successful respondent is expected to perform many tasks for the development of the zoning ordinance rewrite including, but not limited to the following:



1. **Diagnostic Review:** A comprehensive review and executive summary of deficiencies identified in the current zoning code. This should include a review of the zoning code against the following measures, at a minimum:
  - Meeting and discussions with City Staff
  - Concurrency with the City's Comprehensive Plan
  - Compliance with State and Federal laws and case law
  - Overall cohesiveness and consistency
  - Enforceability
  - Workability for staff and the general public
  - Public Outreach comments (see below)
  - Understanding of Wisconsin State Statutes as related to Municipal Zoning
2. **Public Outreach:** Conduct individual or small-group interviews and public open houses with community stakeholders. Consider a public meeting for the general public and/or online methods of engagement to gain public input throughout the process. The consultant should provide a written summary and analysis of the comments made by the individuals and groups.
3. **Solutions and Code Outline:** Develop an outline of solutions to the problems identified in the above outreach and diagnostics steps. Determine if elements from the original zoning ordinance can be incorporated into the rewrite text. Develop a working outline of the newly updated ordinance.
4. **Draft Code:** Complete an initial draft of the new Zoning Ordinance. Facilitate a process of presentation of the draft to stakeholders and the general public; ongoing refinement of the draft based on feedback from staff, stakeholders, and citizens; and tracking of all changes. Identify changes needed on the Zoning Map. Assist City staff with public outreach and explanation of the proposed changes.
5. **Maps and Graphics:** Provide maps and graphics identifying parcels with uses and structures that become inconsistent with proposed standards and zoning regulations.
6. **Legal Consultation:** Provide legal opinions regarding specific questions that arise during the process as well as a full legal review of the final draft.
  - **Reference Guide:** Create a reference guide that summarizes key parts of the Code. See following sample of City of Philadelphia Sign Code Reference Guide--  
[http://www.phila.gov/CityPlanning/projectreviews/PDF/Quick Reference Guide.pdf](http://www.phila.gov/CityPlanning/projectreviews/PDF/Quick%20Reference%20Guide.pdf)
7. **Adoption:** Assistance with presentations to the City Zoning Board of Appeals, Plan Commission, Common Council, and any additional revisions requested from these meetings until final adoption of the rewritten Zoning Ordinance is made by the Common Council.

Throughout the entire process, extensive interaction is expected with City Staff. The detailed schedule for the project shall be included in the consultant's proposal, and should be limited to 12 to 18 months.

## **E. Deliverables**

All items delivered as part of this project shall be the sole property of the City of De pere. The consultant shall be responsible for the submittal and execution of the following:

1. **Progress Reports and Research:** The consultant shall be responsible for submitting monthly progress reports and research information relative to the project. The consultant shall clearly communicate how the regulatory effects of the proposed ordinance may differ from the effects of the current ordinance. Background information regarding subjects addressed in the new ordinance, which are not addressed in the current ordinance shall also be submitted by matrix.
2. **Draft Ordinances/Maps:** Copies of the draft documents are required, quarterly, during the development stages of the project for review, presentation, and use by the Plan Commission and staff.
3. **Meetings:** The consultant will be responsible for meeting with the Plan Commission for plan updates on a quarterly basis. The consultant will also meet with staff as the project develops on a regular basis. The number and frequency of the meetings will be determined in consultation with all parties before the project begins. The purpose of the meetings will be to establish objectives, discuss alternatives, provide direction and review progress. In addition, the consultant may be expected to attend periodic meetings of the Common Council.
4. **Final Work Products:** The new zoning ordinance must be provided in both print and electronic format compatible with UniCode. Easy-to-use charts, checklists, graphics, and images/photos within the document are required. The consultant shall provide the following specific ordinance products:
  - One (1) electronic Microsoft Word version and PDF version of the ordinance..
  - A copy of the zoning map data that is compatible with the City's GIS System, in a format that can be edited by the City of De Pere staff.

The final zoning map shall be included as part of the zoning ordinance document. The City shall be provided with the following map products:

- A digital version/shape files of the individual parcel level for use in and compatible with the City's Geographic Information System, which uses ESRI platform and can be edited by the City of De Pere staff.

## F. Existing Ordinance

The City of De Pere Zoning Code of Ordinances include Chapters 14 and 98 of the City's Municipal Code. With the exception of area specific edits and law required changes, the majority of the ordinances have not been revised for 20 years or longer. Chapters 14 and 98 are anticipated to require the most substantial amount of review and rewrite.

The consultant will be expected to complete a comprehensive, independent review of the Zoning Ordinance to determine if items should be retained as part of the rewrite. Below is a list of the overall ordinance elements that the consultant will be expected to update and review independently:

### Reference Links

Municipal Code: [https://library.municode.com/wi/de\\_pere/codes/code\\_of\\_ordinances](https://library.municode.com/wi/de_pere/codes/code_of_ordinances)

City of De Pere: <https://www.de-pere.org/>

Comprehensive Plan, Downtown Master Plan, Historic Neighborhood Preservation Plan:  
<https://www.de-pere.org/egov/apps/document/center.egov?view=item&id=730>

## G. RFP Requirements

Consultants are asked to respond to this RFP by developing a proposal to fully meet the work associated with this project. Consultants are asked to submit a concise proposal describing their capacity to manage the project and their experience with similar projects. Samples of zoning ordinances/rewrites and public participation plans are expected. The proposals should include a clear outline of how the consultant will meet the objectives of the project.

The City of De Pere does not have a specific proposal format; however, the City expects the following information to be included with the proposals:

1. **Contact Information:** Consultant's name, address, phone number, email, along with the name and signature of the authorized agent and contact person.
2. **Firm History:** Brief history of the firm, including short case studies of similar projects carried out by the firm.
3. **Project Statement:** Statement of overall project understanding and general approach to meet project objectives and tasks of the project, description and modifications or expansion of the information provided.

4. **Time Schedule:** A detailed project time schedule for accomplishing the expected tasks and services, including start dates, major project milestones and anticipated completion dates. Time schedule should specifically identify how and when outreach to the public, staff, and elected officials occurs. The timeframe for project completion should be approximately twelve (12) months.
5. **Examples:** Demonstrate related projects that were completed for other communities that are similar to the City. Emphasis placed on projects include logical graphics and imagery within or as a supplement to a zoning ordinance should be emphasized.
6. **References:** A list of client references for whom the consultant has provided similar services including name, address, e-mail and phone number of a contact person for each reference. Indicate the type, scope and duration of the work done for each client.
7. **Project Manager Qualifications:** A statement indicating the qualifications of the key person who will be assigned as the project manager by the consultant and their responsibilities within the scope of services.
8. **Budget Proposal:** A proposed budget with level of effort for each member of the team and for each major task.
9. **Fee Schedule:** A fee schedule for personnel involved with the project.

#### **H. General Selection Process**

A selection committee comprised of the City Attorney, Director of Economic Development and Planning, Zoning Administrator, and the City Planner will review the proposals based on the following criteria:

1. **Qualifications:** Qualifications and previous related work experience particularly related to similar sized communities.
2. **Understanding:** Demonstrated understanding of project objectives, tasks, and services.
3. **Price:** The proposed price/cost will be considered.
4. **Related projects:** Examples of related completed and in-progress projects.
5. **Proposal Quality:** Quality of requested submission requirements, including sample materials and proposal package.

The City of De Pere will select a short list of applicants to meet with the selection committee to clarify submitted proposals, provide supplemental information, confirm proposal representations and answer any questions.

#### **I. Terms**

The City of De Pere reserves the right to accept or reject all proposals or parts thereof and reissue the RFP without stated cause. Upon selection of a consultant, the City of De Pere shall attempt to negotiate and reach a final agreement. If the City, for any reason, is unable to reach a final agreement with the selected consultant, the City then reserves the right to reject the selected consultant and negotiate with others.

The City of De Pere is not bound to accept the proposal with the lowest cost, but may accept the proposal that best meets the needs of the City.

## **J. RFP Schedule**

1. RFP Issued:
  - a. October 6, 2017
2. Questions due to the City: (sent via email to [pschleinz@mail.de-pere.org](mailto:pschleinz@mail.de-pere.org))
  - a. By October 20, 2017
3. Responses to questions posted on City website:
  - a. By October 27, 2017
4. Proposals due to the City:
  - a. By November 13, 2017 at 4:30p.m.
5. Possible interviews with finalists:
  - a. November - December 2017
6. Plan Commission Consultant Selection:
  - a. December 2017 - January 2018
7. Common Council Consultant Selection:
  - a. January - February 2018

## **K. Project Budget**

The consultants for this project will be retained by the City. Interested parties should provide a total cost to prepare the zoning ordinance to include hourly rates and estimated expenses associated with the project. The proposed budget should not exceed \$125,000 including all travel and incidental project costs.

## **L. Contact and Questions**

This Request For Proposals has been distributed by the City of De Pere Economic Development and Planning Department. All questions or inquiries concerning this RFP should be directed to:

Peter Schleinz, City Planner  
 City of De Pere  
 335 S. Broadway Street  
 De Pere, WI 54115  
 Phone: 920.339.4043 x2  
 Fax: 920.330.9491  
 Email: [pschleinz@mail.de-pere.org](mailto:pschleinz@mail.de-pere.org)



# CITY OF DE PERE Wisconsin ZONING ORDINANCE REWRITE

**PROPOSAL** in response to RFP dated October 6, 2017



**Duncan Associates**  
Codametrics  
with Kimley-Horn







November 9, 2017

City of De Pere  
Economic Development and Planning Department  
335 S. Broadway St.  
De Pere, WI 54115  
Attn: Peter Schleinz

Dear Mr. Schleinz:

On behalf of Duncan Associates and Codametrics, I am pleased to submit this proposal to prepare a new, modern zoning ordinance for the city of De Pere. Our firms joined forces in pursuit of this project after careful consideration of the city's expectations, as presented in the request for proposals and the 2011 Comprehensive Plan Update. Kimley-Horn will provide GIS support for the project.

Our team partners specialize in providing planning, zoning, and urban design services to local governments. We have prepared zoning & subdivision ordinances, unified development ordinances, form-based codes, and other plan implementation tools for jurisdictions throughout the midwest region and across the U.S. This is the type of project that interests us greatly and that we are uniquely qualified to perform. Among our team's many strengths:

- Each of our firms has a solid base of directly related experience that we will call upon as needed to ensure timely and successful completion of the project and a seamless transition from planning to the critically important implementation work;
- Each of our team partners has prepared plans, ordinances (conventional, form-based and hybrid) and planning studies for jurisdictions throughout the U.S.;
- Each of our team partners has a unique focus on smart growth and sustainable development practices; and
- Duncan Associates, the project "prime," has built a national reputation on drafting concise, comprehensible, and common-sense zoning regulations that are visually-appealing, user-friendly and written in "plain English."

In summary, our team has a balanced mix of regional and national experience, and we are committed to ensuring the project's overall success.

Our entire team looks forward to the opportunity to discuss our approach and qualifications in greater detail. Please contact me ([kirk@duncanassociates.com](mailto:kirk@duncanassociates.com), 312-527-2500) if you have any questions or additional requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Bishop".

Kirk R. Bishop  
Principal

116 West Illinois | Suite 700 | Chicago IL 60654  
p. 312 527 2500 | f. 312 268 7418 | [www.duncanassociates.com](http://www.duncanassociates.com)



# Contents

|                                             |           |
|---------------------------------------------|-----------|
| <b>1 PROJECT TEAM</b>                       | <b>3</b>  |
| Team & Firm Histories                       | 4         |
| Project Manager Qualifications              | 5         |
| Resume: Kirk Bishop                         | 6         |
| Resume: Leslie Oberholtzer                  | 7         |
| Resume: Daniel Grove                        | 8         |
| Project Examples                            | 9         |
| Duncan Associates: Project Experience       | 10        |
| Chicago Zoning Ordinance                    | 11        |
| Dunwoody Zoning Regulations                 | 12        |
| Wauwatosa Zoning Ordinance                  | 13        |
| Kansas City Zoning Ordinance                | 14        |
| Union County Development Ordinance          | 15        |
| Tulsa Zoning Ordinance                      | 16        |
| Codametrics: Project Experience             | 10        |
| University Park TX Zoning Regulations       | 18        |
| Franklin Park IL Downtown Code              | 19        |
| Winthrop Harbor Downtown Code               | 19        |
| Boulder Junction Form-based Code            | 20        |
| References                                  | 21        |
| <b>2 PROJECT STATEMENT</b>                  | <b>23</b> |
| Project Statement                           | 24        |
| Project Approach                            | 25        |
| Time Schedule                               | 27        |
| <b>3 BUDGET PROPOSAL &amp; FEE SCHEDULE</b> | <b>29</b> |
| Budget Proposal                             | 31        |
| Fee Schedule                                | 31        |

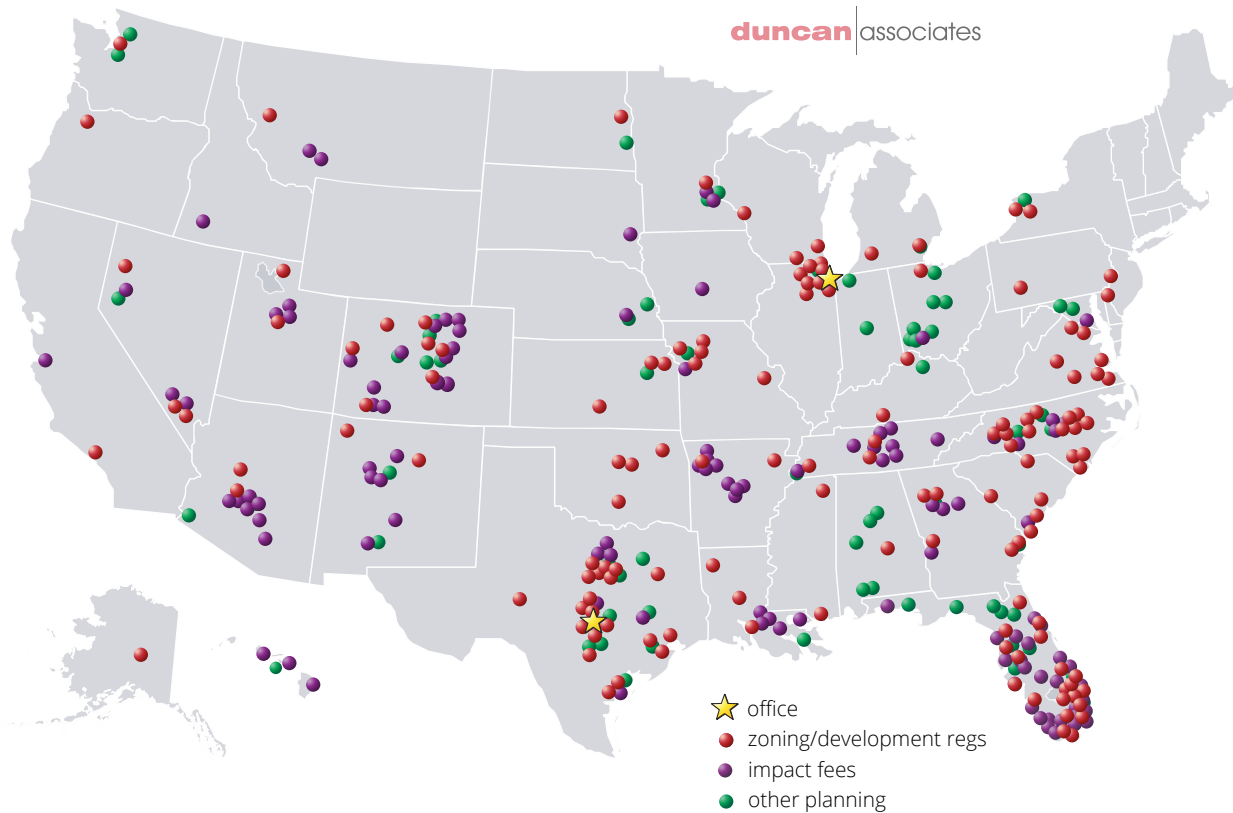
| Building Type                                  | Density                                                                                  |                                                                                     |                                                                                          |                                                                                      |                                                                                          |
|------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|                                                | 1<br>Very Low-Density<br>Minimum Lot Size: 6000 s.f.<br>Minimum Lot Area/Unit: 6000 s.f. | 2<br>Low-Density<br>Minimum Lot Size: 5000 s.f.<br>Minimum Lot Area/Unit: 5000 s.f. | 3<br>Moderate-Density<br>Minimum Lot Size: 2400 s.f.<br>Minimum Lot Area/Unit: 1800 s.f. | 4<br>High-Density<br>Minimum Lot Size: 1200 s.f.<br>Minimum Lot Area/Unit: 750 s.f.  | 5<br>Very High-Density<br>Minimum Lot Size: 1200 s.f.<br>Minimum Lot Area/Unit: 450 s.f. |
| <b>RSD</b><br>Single-Unit Detached Residential |         |    |         |    |                                                                                          |
| <b>RSA</b><br>Single-Unit Attached Residential |                                                                                          |   |        |   |                                                                                          |
| <b>RT</b><br>Two-Unit Residential              |                                                                                          |  |       |  |                                                                                          |
| <b>RTS</b><br>Three-Unit Residential           |                                                                                          |  |       |  |                                                                                          |
| <b>RM</b><br>Multi-Unit Residential            |                                                                                          |                                                                                     |       |  |     |

Source: Pittsburgh (PA) Urban Zoning Code, Duncan Associates

# 1 PROJECT TEAM



## 1 PROJECT TEAM



## Team & Firm Histories

*Our team is comprised two main firms, Duncan Associates and Codametrics, with assistance from Kimley-Horn.*

### DUNCAN ASSOCIATES

Duncan Associates, a firm that specializes in updating and revising zoning and development regulations, would serve as lead firm on the Marquette zoning project. From offices in Chicago and Austin, Duncan Associates has provided zoning and planning consulting services to over 120 cities and counties in more than 30 states. The firm was founded in 1977 and is a nationally-recognized leader in the field, as evidenced by numerous awards from the American Planning Association.

Duncan Associates has built its reputation on identifying local issues, exploring alternative approaches and transforming conceptual

recommendations into zoning regulations that work...and stand the test of time. The firm is built around a base of former local government planners and code administrators, individuals who have administered and enforced regulations and know about the real-life challenges of code administration that arise on nearly a daily basis.

Our project director for the De Pere project will be **Kirk Bishop**. See qualifications statement on the following page as well as Kirk's resume, following.

*Duncan Associates will serve as the overall project manager for the ordinance update assignment*

and lead the ordinance drafting process. The firm is an Texas S-Corporation, with a five-person professional staff.

### CODAMETRICS

Codametrics staff has a long history of code work, employing innovative techniques to help guide and prioritize development. The studio's work ranges from overlays for neighborhoods, nodes and downtowns to comprehensive code updates.

Codametrics' staff includes designers *and* planners. This ensures a real-world perspective on zoning as well as exposure to leading edge sustainable site development and design practices. Codametrics' staff are constantly immersed in the best ideas of sustainability metrics, gained from service on the USGBC and Star Community Rating System Technical Assistance Groups.

Studio principal, **Leslie Oberholtzer** serves on the Resource Council for the Form-Based Codes Institute, an organization dedicated to advancing the best practices of form-based coding. Since being founded in 2012, Codametrics has prepared form-based codes for Boulder (CO), St. Louis Park (MN), Hartford (CT) and several other cities.

*Leslie will lead our community character analysis and any form-based code-related work on the De Pere zoning update. She will also assist with design-related provisions. Codametrics is a studio of Duncan Associates, with a separate practice and product.*

## DUNCAN ASSOCIATES

116 W Illinois, Suite 700  
Chicago IL 60654

Kirk Bishop 312 527 2500  
kirk@duncanassociates.com

### KIMLEY-HORN

Kimley-Horn is a full-service engineering and planning firm, providing professional planning services for this project. Kimley-Horn is a national firm with more than 3,100 staff in 85 offices nationwide, yet they are able to bring the resources of a large national firm combined with the understanding of a small local organization.

**Daniel Grove** will be the project manager for Kimley-Horn's work on this project.

*Kimley-Horn will provide support services for this project, specifically assisting with GIS mapping.*

## Project Manager Qualifications

*Kirk Bishop with Duncan Associates will lead the De Pere project.*

Our project director for the De Pere project will be **Kirk Bishop**. Kirk has been with Duncan Associates since 1987 and has led most of the firm's zoning ordinance work over the years. He has prepared zoning ordinance rewrites and planning studies for local governments

throughout the U.S. Examples include Chicago, Philadelphia, Kansas City, Pittsburgh, Toledo, Hilton Head Island, Charleston County, and numerous other cities, towns and villages.

# 1 PROJECT TEAM



## Kirk Bishop PRINCIPAL

Kirk is a principal with Duncan Associates. During his 30 years with the firm he has served as a zoning and development code consultant to local governments throughout the U.S.

Kirk's substantial portfolio of work includes development ordinance revisions and code updates for dozens of local governments including several large cities, such as Chicago, Philadelphia, Pittsburgh, Kansas City, Detroit, Tulsa and Toledo. In recognition of his big city experience, he was invited by Harvard University and the Lincoln Institute of Land Policy to serve on a three-member panel of zoning advisors for planning directors of the 25 largest U.S. cities.

| PREVIOUS CLIENT   | ASSIGNMENT                  | KIRK'S ROLE        |
|-------------------|-----------------------------|--------------------|
| Chicago (IL)      | Zoning Ordinance            | Project Manager    |
| Philadelphia (PA) | Zoning Ordinance            | Co-Project Manager |
| Pittsburgh (PA)   | Zoning Ordinance            | Project Manager    |
| Kansas City (MO)  | Zoning & Development Code   | Principal Planner  |
| Portland (OR)     | Zoning Ordinance Assessment | Project Planner    |
| Tulsa, (OK)       | Zoning Code                 | Project Manager    |
| Toledo (OH)       | Zoning Code                 | Project Manager    |

Kirk's background also includes code rewrites for many smaller communities and counties, as well as specialized zoning assignments for state and regional agencies. He prepared two feedlot zoning handbooks for the Minnesota Department of Agriculture and recently completed a report for the Indian Nations Council of Government (OK) recommending zoning strategies for alternative fuel vehicle fueling stations.

Before joining Duncan Associates, Kirk was a senior research associate with the American Planning Association, where he served as principal researcher for studies, reports and training workshops. His examination of zoning strategies that enhance the visual quality and functional operation of road corridors was published as a Planning Advisory Service Report, *Designing Urban Corridors*.

Early in his career, Kirk worked as a senior planner with the City of Austin (TX), where he was responsible for zoning and subdivision case review, land-use studies, historic preservation and staff support for a council-appointed citizens' panel charged with reviewing amendments to the city's land development code.

Kirk is a frequent speaker at conferences and training workshops and a regular guest lecturer in the University of Illinois at Chicago's Urban Planning and Public Affairs program.

### EDUCATION

M.A., Urban and Regional Planning, University of Iowa

B.A., Political Science, University of Iowa

## 1 PROJECT TEAM



**Leslie Oberholtzer** AICP, RLA, LEED AP  
PRINCIPAL

With an extensive background in landscape architecture and smart growth planning, Leslie has worked over the last two decades to promote sustainable development through the availability of alternative transportation and housing choices, green building and infrastructure construction, community building, and preservation of community tradition and character. In addition to being a registered landscape architect, she is a National Charrette Institute (NCI) certified planner and AICP certified.

Leslie is a national zoning expert and form-based code leader, adopting neighborhood and full city codes across the country for over ten years. She developed the pioneering sustainable urbanist modules for the Smart Code, and was a contributor to the EPA Essential Smart Growth Fixes for Urban and Suburban Zoning Codes.

### STAR COMMUNITIES RATING SYSTEM TECHNICAL ADVISORY GROUP

STAR Communities helps cities and counties achieve meaningful sustainability through the first national framework for local community efforts with a mission to advance a national framework for sustainable communities through the delivery of standards and tools built by and for local governments and the communities they serve. Leslie serves as one of twenty national experts in sustainability on the Technical Advisory Group.

### USGBC LOCATION AND PLANNING TECHNICAL ADVISORY GROUP

Leslie serves as one of handful of professionals around the country on the USGBC Location and Planning Technical Advisory Group. The Technical Advisory Group is focused on reviewing and promoting the use of the USGBC's LEED products, specifically LEED for Neighborhood Development, and meets biweekly to discuss projects that have submitted for LEED certification and reviews credit interpretations based on location and planning related credits and prerequisites within all of the LEED products.

### RESOURCE COUNCIL OF THE FORM-BASED CODES INSTITUTE

Leslie is currently a member invited to join the Resource Council of the Form-Based Codes Institute. Members of the Resource Council serve as instructors for FBCI courses, discuss the current state of the practice of form-based codes, and provide additional insight and support to the organization.

## EDUCATION

**University of Texas at Austin**, Master of Science in Community Planning

**University of Texas at Arlington**, Bachelor of Science in Landscape Architecture

[www.codametrics.com](http://www.codametrics.com)

**CODAMETRICS**

## 1 PROJECT TEAM

**Daniel Grove, PLA, LEED AP****Relevant Experience**

**Downtown Master Plan, Green Bay, WI\*** — Project Manager. Daniel led the planning team in developing the master plan for this growing downtown. Green Bay had begun to experience increased investment in the downtown along with significant public improvement projects to increase access to the Fox River. The plan looked to coordinate and plan for additional growth, with the emphasis on maintaining an authentic character that resonates with long-term residents. Daniel developed a series of questions for the first interactive public open house that asked participants what they thought the role of the downtown should be in the community. This helped immensely in understanding the goals for the downtown as it related to tourism, economic development, culture, housing, and open space.

**Downtown Strategic Development Plan, Kenosha, WI\*** — Project Manager. Daniel led the planning team in preparing a new vision for Kenosha's downtown. The plan identified catalytic projects and sites and provided a detailed implementation plan to guide future decisions. Daniel oversaw and participated in focus group sessions and one-on-one interviews with hundreds of stakeholders and developed several interactive community workshops that brought more than 150 members of the community together to help shape the plan.

**City Center Design Standards, Countryside, IL\*** — Project Manager. The City of Countryside controlled a collection of properties in an important location in the commercial district along La Grange Avenue. To ensure that any future development was high quality, interconnected, and walkable, the City hired a team of consultants to develop design standards for the site. The design standards were applied and the site is now fully redeveloped as a key commercial anchor in the City. Daniel worked closely with City staff, the City's engineer, and the Design Review Commission to develop and refine the guidelines.

**Roosevelt Road Form-Based Code, Berwyn, Cicero, and Oak Park, IL\*** — Project Manager. These three municipalities hired a multidisciplinary team for a joint project to enhance this shared corridor. This project included the development of a unified streetscape design to coordinate the public sector, and a form-based code for the private development. The code defined three zones, automotive oriented, pedestrian oriented, and transitional, for the corridor, reacting to the existing character of the built environment and community goals. Daniel was the project manager for this process, leading the community engagement and developing guidelines and design standards for the corridor.

\* All projects completed prior to joining Kimley-Horn

**Special Qualifications**

- Has 19 years of landscape architecture, planning, and community engagement experience in the Midwest
- Specializes in placemaking; streetscape; downtown, district, and corridor master plans; wayfinding and signage; park district comprehensive master plans; and park master plans

**Professional Credentials**

Bachelor of Science, Landscape Architecture, University of Wisconsin, Madison, 1998

Professional Landscape Architect in Illinois

LEED AP

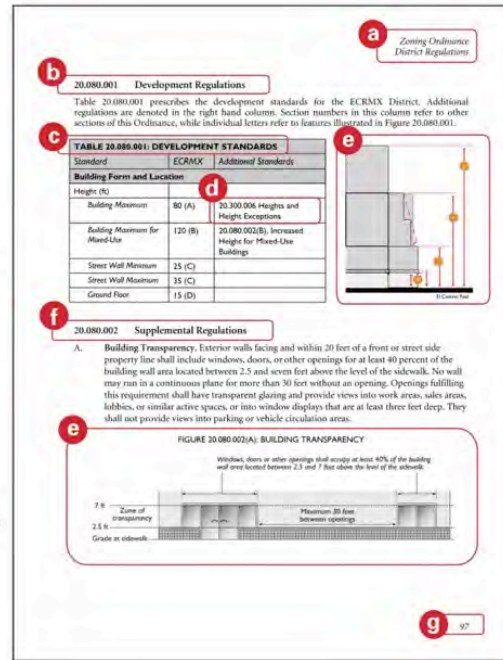
**Professional Affiliations**

American Society of Landscape Architects

Lambda Alpha International

### User-Friendly Formatting

- a** Page header
- b** Prominent headings
- c** Tables
- d** Cross references
- e** Graphics
- f** Consistent numbering, indented paragraphs
- g** Page numbers



## Project Examples

*Our codes are well-organized and easy-to-use, richly illustrated and utilizing tables of information to result in more predictable, higher quality development.*

The following pages include a project list and several key example projects for both Duncan Associates and Codametrix. The project examples selected provide a quick overview of the projects our firms have recently engaged in. Our firms regularly work with small to medium municipalities, especially suburbs of larger cities. Duncan Associates and Codametrix are

currently working in several suburbs of the Chicago area of similar scale to De Pere: Westchester, Villa Park, Highland, Huntley, and Chicago Heights.

Our team members have worked with Daniel Grove on similar projects. Daniel and Kimley-Horn will provide support services, specifically related to GIS analysis and mapping.



## 1 PROJECT TEAM

**duncan** | associates**Zoning and Development Regulation Experience****ALABAMA**

Montgomery

**ALASKA**

Fairbanks

**ARIZONA**

Prescott

Surprise

**ARKANSAS**

Jonesboro

**CALIFORNIA**

Los Angeles County

**COLORADO**

Aurora

Mesa County

**FLORIDA**

Alachua County

Cape Coral

Citrus County

Cooper City

Deltona

Fort Lauderdale

Fort Pierce

Highland Beach

Lake Park

Margate

Palm Beach Gardens

Palm Beach

Riviera Beach

Sarasota County

Seminole County

Sumter County

Tequesta

Wellington

Weston

**GEORGIA**

Atlanta

Brookhaven

Columbus

Dunwoody

Savannah/Chatham Co.

**ILLINOIS**

Chicago

Downers Grove

Evanston

Gurnee

Highland Park

Lake County

Moline

Princeton

Rockford

Villa Park

Will County

**IOWA**

Des Moines

**KANSAS**

Lenexa

Wichita/Sedgwick Co.

**KENTUCKY**

Covington

Warren County

**LOUISIANA**

Alexandria

Bossier City/Parish

Lafayette City/Parish

**MICHIGAN**

Detroit

Kalamazoo

**MINNESOTA**

Minneapolis

MN Dept. of Agriculture

**MISSISSIPPI**

Biloxi

Tupelo

**MISSOURI**

Blue Springs

Clay County

Independence

Kansas City

O'Fallon

Raymore

**MONTANA**

Missoula

**NEVADA**

Henderson

Las Vegas

Washoe County

**NEW MEXICO**

Farmington

Santa Fe County

**NEW YORK**

Amherst

**NORTH CAROLINA**

Brunswick County

Cary

Clayton

Durham/Durham Co.

Garner

Greensboro

Guilford County

Hickory

Indian Trail

Lincoln County

Union County

Wilmington/New Hanover

Wake County

Winston-Salem

**NORTH DAKOTA**

Fargo

**OHIO**

Mason

Toledo

**OKLAHOMA**

Ardmore

Edmond

Shawnee

Tulsa

**OREGON**

Portland

**PENNSYLVANIA**

Philadelphia

Pittsburgh

**SOUTH CAROLINA**

Aiken

Beaufort

Charleston County

Hilton Head Island

Spartanburg County

**TENNESSEE**

Columbia

Nashville/Davidson Co.

**TEXAS**

Baytown

Corpus Christi

Flower Mound

Fort Worth

Georgetown

Grand Prairie

League City

Plano

Portland

Round Rock

San Angelo

Sugar Land

Tyler

University Park

**UTAH**

Logan

Salt Lake County

**VIRGINIA**

Isle of Wight County

Leesburg

Petersburg

Portsmouth

Vienna

Waynesboro

**WASHINGTON**

Seattle

**WISCONSIN**

Beloit

LaCrosse

Wauwatosa

## Chicago ZONING ORDINANCE

Duncan Associates served as prime contractor and project manager for the City of Chicago's 2004 zoning reform project, the first comprehensive ordinance overhaul in 47 years. The new ordinance, which was adopted in 2004, places strong emphasis on conserving the physical character of Chicago's cherished residential neighborhoods. Among its many new features are provisions designed to stimulate redevelopment of underutilized commercial corridors, promote preservation of pedestrian-oriented shopping streets, establish predictable review procedures and prevent erosion of the city's industrial and employment base.

### SCOPE

Comprehensive ordinance update

### HIGHLIGHTS

Pedestrian street regulations  
Residential design standards  
New districts  
Reduced parking  
Affordable housing density bonus

### PRIME

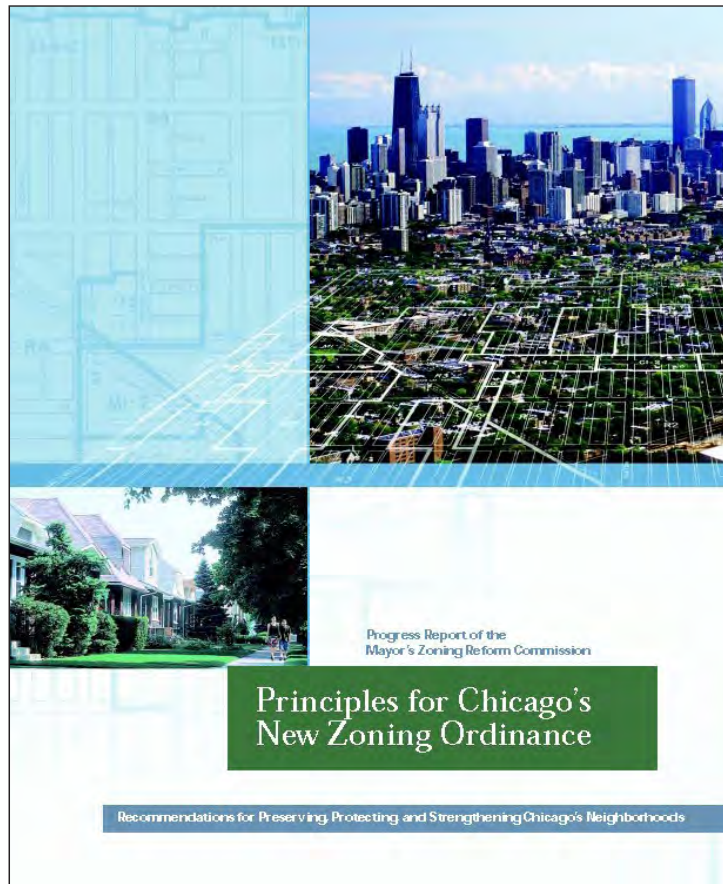
Duncan Associates

### MANAGER

Kirk Bishop

### SUBCONSULTANTS

Dyett & Bhatia  
Farr Associates  
AREA  
Jacobs-Ryan



### STATUS

Adoption 2004

### REFERENCE

Edward J. Kus  
Former Executive Director, Chicago Zoning Reform  
111 East Wacker, Suite 2800  
Chicago, IL 60601  
(312) 836-4080  
ekus@taftlaw.com

## 1 PROJECT TEAM

### Dunwoody ZONING AND DEVELOPMENT REGULATIONS

After its incorporation in 2008, Dunwoody quickly mobilized to chart its own course for the future, preparing a comprehensive plan, transportation plan and several small area master plans.

In 2012, Duncan Associates was retained to prepare the city's first zoning ordinance and land development regulations. The new regulations, which were unanimously adopted in 2013, include a number of new features designed to promote Dunwoody-specific development objectives. The zoning ordinance helps maintain and promote neighborhood-scale buildings and walkable development patterns in the locally cherished Dunwoody Village area and includes new regulations aimed at protecting residential neighborhood

from incompatible infill development. New home occupation regulations provide greater flexibility for home-based businesses while also offering more predictability for surrounding property owners.

In 2015, Duncan Associates was awarded a follow-up contract to prepare a new form-based code for the portion of the Perimeter Center Improvement District that lies within the city's boundaries. That project, conducted with firm partner, CodaMetrics, will be complete in late 2016.

#### SCOPE

Zoning ordinance & development regulations update  
Perimeter Center form-based code

#### HIGHLIGHTS

City's first zoning ordinance and development regulations  
Stream buffer amendments  
Streamlined approval procedures  
Form-based code for Perimeter Center

#### PRIME

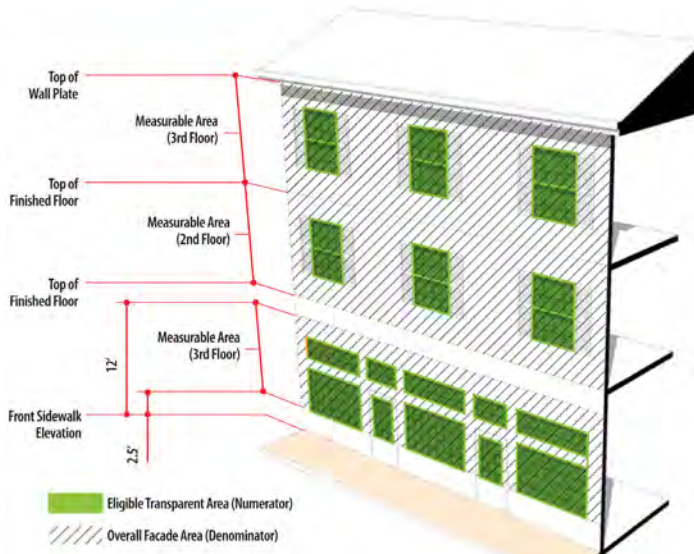
Duncan Associates

#### MANAGER

Kirk Bishop

#### SUBCONSULTANTS

CodaMetrics (for PCID form-based code)



#### STATUS

Zoning and development regulations complete  
PCID form-based code ongoing (adoption est. 2016)

#### REFERENCE

Rebecca Keefer, (former) Planning Manager  
(770) 639 7096  
rkeefer@clarkpatterson.com

## Wauwatosa

### ZONING ORDINANCE

The City of Wauwatosa (WI) retained Duncan Associates to prepare a comprehensive zoning ordinance update in 2010, following completion of a new comprehensive plan. The new ordinance, which was adopted in 2012, represents a complete overhaul of the city's 1972 zoning ordinance. It eliminates and consolidates several obsolete zoning districts, modernizes the zoning district nomenclature and establishes several new base and overlay zoning districts. A new overlay for North Avenue serves to implement a series of form-based controls for the city's main east-west corridor. The new ordinance also provides increased flexibility for nonconforming situations and reduces minimum off-street parking requirements.



#### SCOPE

Comprehensive zoning ordinance update

#### HIGHLIGHTS

Consistent with new comprehensive plan  
Implements small area plans  
New overlay district for North Avenue  
Promotes sustainability

#### PRIME

Duncan Associates

#### MANAGER

Kirk Bishop

#### SUBCONSULTANTS

None

#### STATUS

Adoption 2012

#### REFERENCE

Paulette Enders  
Community Development Director  
City of Wauwatosa  
7725 W. North Avenue  
Wauwatosa WI 53213  
(414) 479-3531  
penders@wauwatosa.net



## 1 PROJECT TEAM

## Kansas City ZONING AND DEVELOPMENT CODE

Duncan Associates prepared a comprehensive overhaul of Kansas City's zoning and subdivision regulations. This important update—the first in nearly 50 years—incorporated dozens of new and amended regulations and procedures, including provisions designed to incentivize open space and conservation-style development through provision of density bonuses and reductions in lot area and setback requirements.

Neighborhood-serving retail uses are now allowed within residential districts, allowing residents to walk to nearby retail and service uses. The new ordinance also includes new riparian buffer provisions, a pedestrian overlay zone, innovative parking and access management provisions, and streamlined approval procedures. As the final stage of the project, Duncan Associates oversaw deployment of a fully computerized, map-linked version of the [new zoning and development code](#).



### SCOPE

Comprehensive development code update

### HIGHLIGHTS

Pedestrian-oriented overlay  
New downtown districts  
Riparian buffer regulations  
Open space development

### PRIME

Duncan Associates

### MANAGER

Kirk Bishop

### SUBCONSULTANTS

Dyett & Bhatia  
Talifero & Brown  
Patti Banks Associates

### STATUS

Adoption 2010

### REFERENCE

Patty Noll  
City of Kansas City  
Planning & Development Department  
414 E. 12th St., 15th floor  
Kansas City, MO 64106  
(816) 513-2864  
Patty\_Noll@kcmo.org



duncanassociates.com

## Union County

### UNIFIED DEVELOPMENT ORDINANCE

In October 2014, the Union County (NC) Board Commissioners adopted a new unified development ordinance that was prepared by Duncan Associates. The project was initiated to help implement the county's 2025 Comprehensive Plan; make the regulations easier to use, understand and administer; streamline the development approval process; conserve and protect existing natural resources; and encourage high-quality development throughout the county.



#### SCOPE

Comprehensive UDO update

#### HIGHLIGHTS

Reorganization and reformat  
Streamlined procedures  
Riparian buffers  
New PUD regulations  
Private road standards

#### PRIME

Duncan Associates

#### MANAGER

Kirk Bishop

#### SUBCONSULTANTS

LandDesign

#### STATUS

Adoption 2014

#### REFERENCE

Richard Black, Division Director  
500 N. Main St, Suite 70  
Monroe NC 28112  
(704) 283-3565  
RBlack@co.union.nc.us

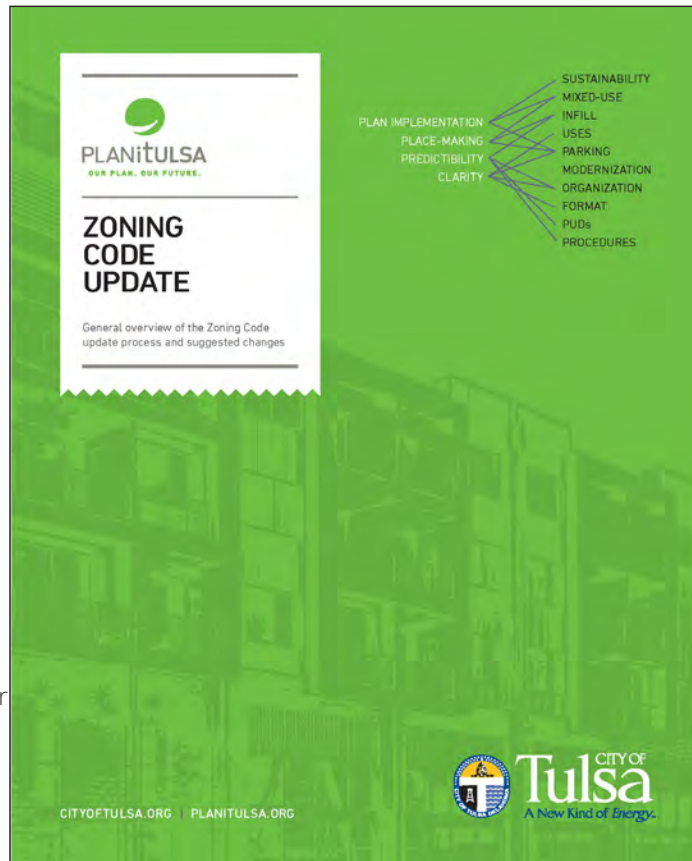


# 1 PROJECT TEAM

## Tulsa ZONING CODE

Updating Tulsa's 40-year-old zoning code was identified as a top priority in the city's groundbreaking comprehensive plan, PLANiTULSA. The new zoning code prepared by Duncan Associates is a hybrid, incorporating conventional and form-based zoning provisions. One of many key enhancements included in the new code is the inclusion of mixed-use zoning tools and context-sensitive infill regulations for built-up areas of the city.

The new code also includes innovative (reduced) parking provisions designed to help promote development, particularly near downtown and along close-in commercial corridors. The code was adopted unanimously in November 2015.



### SCOPE

Comprehensive zoning code update

### HIGHLIGHTS

New Mixed-use districts  
Context-specific parking  
New housing types  
Administrative variances  
New small lot residential district

### PRIME

Duncan Associates

### MANAGER

Kirk Bishop

### SUBCONSULTANTS

Connie Cooper

### STATUS

Adoption 2015 (est)

### REFERENCE

Theron Warlick, Project Manager  
City of Tulsa  
Planning Department  
175 E. 2nd St  
Suite 570  
Tulsa OK 74103  
(918) 576-5677  
twarlick@cityoftulsa.org

duncanassociates.com

**duncan** | associates

## CODAMETRICS PROJECT EXPERIENCE

Des Moines Zoning Rewrite  
Client: City of Des Moines IA

Brookfield Downtown & Station Areas Zoning  
Client: RTA and the Village of Brookfield IL

Forest Park Mixed-Use Corridors Zoning  
Client: RTA and the Village of Forest Park IL

Downtown Highwood Zoning  
Client: RTA and the City of Highwood IL

Des Moines City-Wide Zoning Rewrite  
Client: City of Des Moines IA

University Park Zoning Rewrite  
Client: City of University Park TX

Boulder Junction Form-Based Code  
Client: City of Boulder CO

Huntley Downtown Form-Based Code  
Client: Village of Huntley IL

Hartford City-Wide Zoning Code  
Client: City of Hartford CT

St Louis Park Station Area Form-Based Codes  
Client: City of St Louis Park MN

Robert Street Renaissance Zoning  
Client: City of West St Paul MN

Perimeter Center Specific Zoning  
Client: City of Dunwoody GA

Westchester Mixed-Use Corridors  
Client: CMAP & City of Westchester IL

Allentown Downtown Zoning Recommendations  
Client: City of Allentown PA

Town of Mansfield Village Districts  
Client: Town of Mansfield CT

Downtown Grovetown Form-Based Code  
Client: City of Grovetown GA

TOD Template Code for the Wasatch Front  
Client: Salt Lake County UT\*

Northbrook Village Green Zoning Districts  
Client: RTA and the Village of Northbrook IL

Franklin Park Downtown Zoning Districts  
Client: RTA and the Village of Franklin Park IL

Winthrop Harbor Downtown Zoning Districts  
Client: RTA and the Village of Winthrop Harbor IL

Villa Park TOD Zoning Districts  
Client: RTA and the Village of Villa Park IL\*

Downtown Ferguson Form-Based Districts  
Client: City of Ferguson MO\*

Hamilton Downtown and Main Street Form-Based Code  
Client: City of Hamilton OH\*

Youngstown Form-Based Districts  
Client: City of Youngstown OH\*

East Billings Urban Revitalization District (EBURD) Code  
Client: City of Billings MT\*

Bridge Street Corridor Form-Based Code  
Client: City of Dublin OH\*

Duluth Form-Based Code Districts, Duluth, MN  
Client: City of Duluth MN\*

Lakeland Form-Based Land Development Regulations  
Client: City of Lakeland TN\*

West Evanston Master Plan & Zoning Overlay  
Client: City of Evanston IL\*

South Downtown Residential Form-Based Districts  
Client: Town of Normal IL\*

Grand Valley Transect Study, Grand Rapids MI  
Client: Grand Valley Metro Council\*

City of Chicago Zoning Reform  
Client: Zoning Reform Commission, Chicago IL\*

\*developed by Leslie Oberholtzer as project director & principal at another firm

## 1 PROJECT TEAM

# Zoning Ordinance Rewrite

## UNIVERSITY PARK, TEXAS

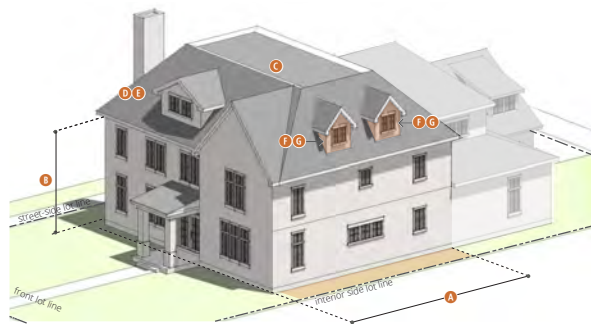
University Park, Texas is a highly desirable first-ring suburb of Dallas. Over the years, very specific and fairly complicated architectural design requirements had been added to the city's zoning ordinance without a comprehensive rewrite or revisions to illustrations. The result was an ordinance that was hard to understand and difficult to interpret.

The goal of the rewrite was not necessarily to create new regulations, but to reorganize and illustrate the existing regulations into a more concise, easily understood document.

The new ordinance is organized by topic, consolidating uses into one chapter and the building regulations into each district. The building regulations, after careful interpretation, are now illustrated by lot zones. Organizing the requirements by lot zones assists the reader in understanding exactly where the specific design requirements apply on the lot. Further, the regulations are organized in a tabular format, reducing the need to repeat explanations for each district and making specific requirements easier to find at a glance.

### Residential Districts

SF District Regulations



#### 2.4.5. Main-House Zone

The main-house zone regulations of Table 2-4 apply in SF districts.

Table 2-4: Main-House Zone Regulations

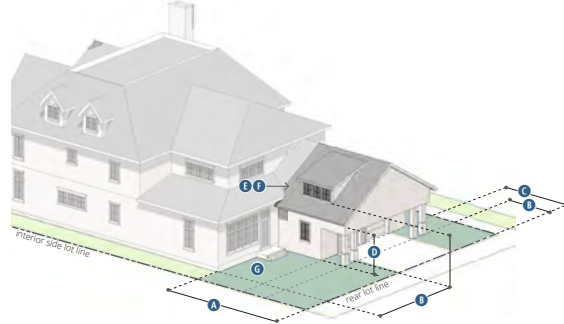
| Regulation        |                                                                         | SF-1                                                                                           | SF-2         | SF-3         | SF-4         |
|-------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--------------|--------------|--------------|
| Location          |                                                                         |                                                                                                |              |              |              |
| A                 | Main-House Zone Location                                                | From back of street-yard zone rearward or a distance equal to 42% of the overall lot depth [1] |              |              |              |
| Wall Height       |                                                                         |                                                                                                |              |              |              |
| D                 | Maximum Top Plate Height (ft.) [2]                                      | 25 ft. 4 in.                                                                                   | 25 ft. 4 in. | 24 ft. 4 in. | 23 ft. 4 in. |
| Building Coverage |                                                                         |                                                                                                |              |              |              |
| C                 | Building Coverage                                                       | Building may fully occupy the main-house zone with the exception of any setbacks               |              |              |              |
| Third Story       |                                                                         |                                                                                                |              |              |              |
| D                 | Maximum 3rd Story Area                                                  | 50% of total 2nd floor area                                                                    |              |              |              |
| E                 | Minimum Habitable Area Requiring at least 2 Exit Stairs [3]             | 500                                                                                            | 500          | 500          | 500          |
| F                 | Maximum 3rd Story Wall Area facing Interior Side Lot Line (sq. ft.) [3] | 200                                                                                            | 180          | 165          | 135          |
| G                 | Third Story Windows and Dormers Facing Interior Side Lot Line           | See section 2.8.2                                                                              |              |              |              |

**TABLE NOTES:**

- The beginning point of measurement of the 42 percent maximum side wall length may be set back from the street-yard zone if there is an offset in the wall a minimum of 8 feet from the minimum side yard setback.<sup>1</sup>
- No maximum top plate height applies to lots 80 feet or greater in width.
- Third story wall area includes vertical walls, gable walls, and all sides of dormers.<sup>2</sup>

### Residential Districts

SF District Regulations



#### 2.4.7. Rear-Lot Zone

The rear-lot zone regulations of Table 2-6 apply in SF districts.

Table 2-6: Rear-Lot Zone Regulations

| Regulation               |                                           | SF-1                                                                                         | SF-2 | SF-3 | SF-4 |
|--------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|------|------|------|
| <b>Location</b>          |                                           |                                                                                              |      |      |      |
| <b>A</b>                 | Rear-Lot Zone Location                    | From rear lot line forward for distance of 40 ft.                                            |      |      |      |
| <b>B</b>                 | Minimum Rear Setback (ft.)                | 12.5                                                                                         | 12.5 | 12.5 | 12.5 |
| <b>C</b>                 | Minimum Rear Garage setback (ft.) [1]     | 20                                                                                           | 20   | 20   | 20   |
| <b>Walls Heights</b>     |                                           |                                                                                              |      |      |      |
| <b>D</b>                 | Maximum Wall Height (ft.) [2]             | 12.5                                                                                         | 12.5 | 12.5 | 12.5 |
| <b>E</b>                 | Additional Wall Height above 12.5 ft. [2] | Allowed when part of gable or dormer and set back minimum 20 ft. from interior side lot line |      |      |      |
| <b>F</b>                 | Windows, Dormers, Openings Above 12.5 ft. | Allowed when setback minimum 20 feet from the interior side lot line                         |      |      |      |
| <b>Building Coverage</b> |                                           |                                                                                              |      |      |      |
| <b>G</b>                 | Building Coverage                         | Refer to 2.4.3 for maximum coverage from midpoint of lot to rear                             |      |      |      |

**TABLE NOTES:**

- See Article 7 for garage and carport regulations.
- Wall height is measured from top of the foundation finished first floor elevation to the roof eave or soffit.<sup>1</sup>

Two pages of the zoning ordinance illustrating two different sets of lot zone requirements for the single family residential districts in University Park, Texas.

## Franklin Park IL DOWNTOWN ZONING DISTRICTS

New downtown zoning districts were developed to reflect the existing character of Franklin Park's downtown main street, as well as to provide guidance new development desired within the downtown area and adjacent areas.

The village's downtown master plan provided a basis for new form-based districts. Building form is defined by the new code using a variety of building types based on existing and desired forms identified in the master plan and an image preference survey designed for the coding process. With the new code, uses were also simplified, a new sign code was created, and landscape requirements were incorporated. The adopted code provides the village with design guidance to ensure a compact, walkable downtown and mix of new housing types.



*Franklin Park Downtown Zoning Districts*

## Winthrop Harbor IL DOWNTOWN ZONING DISTRICTS

Winthrop Harbor's downtown includes several large parcels with redevelopment potential as well as the last Illinois station on the Metra Union Pacific north line. A recent Regional Transportation Authority master plan for the station area identified goals and a basic theme for new development in the downtown. The village was relying on a planned unit development district for implementation of the plan goals.

With this project, new form-based districts were adopted to reflect the desired character of Winthrop Harbor. An image preference survey and research of harbor towns provided the village with some key design elements and desirable building materials to guide new development.



*Winthrop Harbor's existing downtown*

## 1 PROJECT TEAM

# Boulder Junction Special Design Area

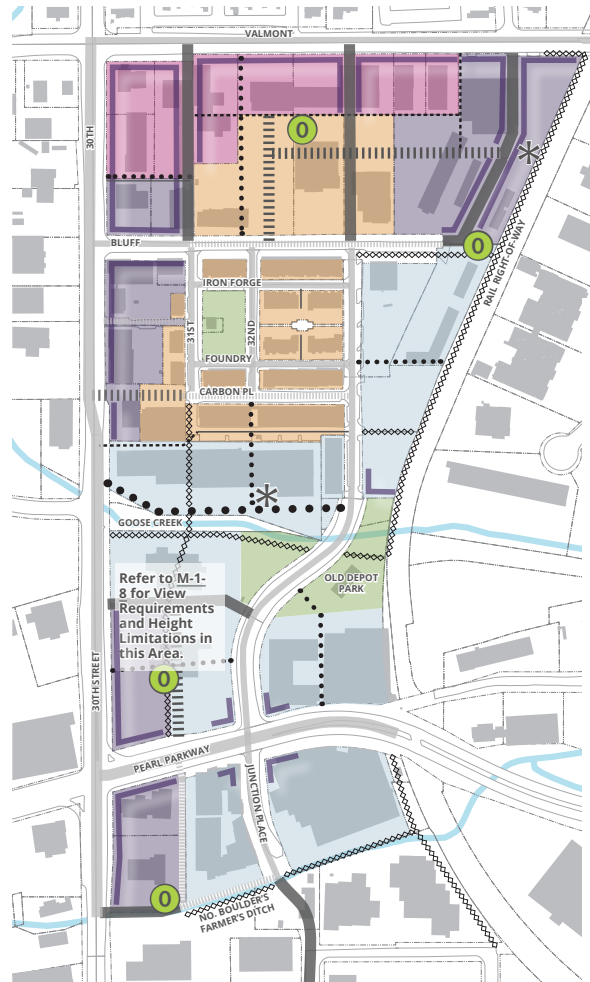
## BOULDER, COLORADO

The City of Boulder hired Codametrics and their team to develop a pilot form-based code for a unique location in Boulder. Boulder Junction is slated to be a distinctive, complete neighborhood retaining some of its roots in small scale industrial activity.

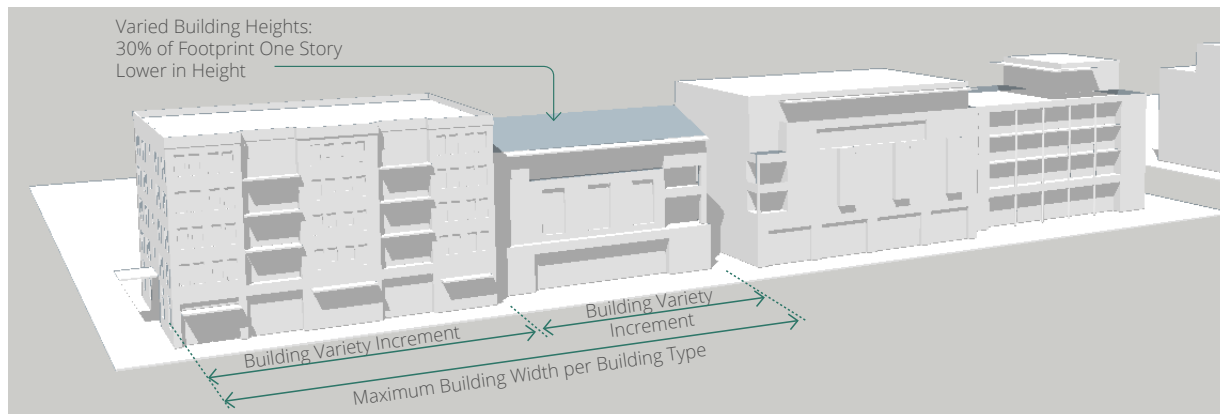
The pilot code is meant to implement a well regarded master plan, resulting in a variety of housing types, a mix of office space and commercial space, and system of public spaces knitting it all together.

The code includes a series of building types keyed to a regulating plan. Connections through parcels include new streets, new paseos, and new trails, all meant to reduce vehicular traffic to and throughout the site.

Form-based zoning presents an extreme departure from the City's current, highly public negotiation process for development approvals. The specificity of the code, written to allow by-right administrative approvals, frees up significant developer capital that can then be applied to higher quality buildings.



*Regulating plans located building types and define requirements that are geographically specific.*



*3D graphics allow design requirements to be well-illustrated for ease of understanding.*



# References

## TULSA OK

COMPREHENSIVE ZONING CODE UPDATE

### Prime Consultant

Duncan Associates

### Project Manager

Kirk Bishop

### Reference

Theron Warlick  
City of Tulsa  
Planning Department  
175 E. 2nd St, Suite 570  
Tulsa OK 74103  
(918) 576-5677  
twarlick@cityoftulsa.org

## KANSAS CITY MO

COMPREHENSIVE DEVELOPMENT CODE UPDATE

### Prime Consultant

Duncan Associates

### Project Manager

Kirk Bishop

### Reference

Patty Noll  
City of Kansas City  
Planning & Development Department  
414 E. 12th St., 15th floor  
Kansas City, MO 64106  
(816) 513-2864  
Patty\_Noll@kcmo.org

## DES MOINES IA

COMPREHENSIVE ZONING ORDINANCE UPDATE  
(currently underway with Codametrics)

### Prime Consultant

Duncan Associates

### Project Manager

Kirk Bishop

### Reference

Michael Ludwig  
Planning Director  
602 Robert D. Ray Drive  
Des Moines IA 50309  
(515) 283-4810  
mgludwig@dmgov.org

## PITTSBURGH PA

COMPREHENSIVE ZONING ORDINANCE UPDATE

### Prime Consultant

Duncan Associates

### Project Manager

Kirk Bishop

### Reference

John Rahaim  
San Francisco Planning Director  
(former Pittsburgh Asst. Dir.)  
1660 Mission St., Suite 500  
San Francisco, CA 94103  
United States of America  
(415) 558-6378  
John.Rahaim@sfgov.org





# 2 PROJECT STATEMENT



## Project Statement

*We understand that De Pere desires a new, modern place-based zoning ordinance that reflects the community's character and history, providing realistic zoning regulations that focus on the ultimate creation of a full life-cycle community. The new code will be well-organized, richly illustrated, and easy-to-use, designed to result in more predictable outcomes.*

Our team is structured to provide an overall code framework that will revisit existing conventional zoning standards and develop appropriate levels of form and design requirements. The new zoning code components will be context-sensitive, place-based, and design-oriented with zones set by neighborhoods, corridors, nodes and districts (in the broader, urban design sense of the word).

The new zoning ordinance will work to implement the community's comprehensive plan, downtown master plan, and community character plan. Among other things, De Pere's new zoning ordinance will specifically need to:

- Reinforce the connectivity between different districts, including the two sides of downtown;
- Respect and protect stable residential neighborhoods;
- Introduce a new mix of housing types to address a full life-cycle of housing choice;
- Require building design and a mix of uses that supports increased walkability;
- Address building and site design to incorporate current sustainable development practices;
- Provide opportunities for new mixed-use

development to reinforce existing shopping, services, and dining and entertainment;

- Be legally enforceable; and
- Reinforce the historic character of the downtown and neighborhoods.

The ordinance preparation process will need to provide multiple opportunities for meaningful stakeholder involvement and public input. The new code will be organized, easy to read, and illustrated, formatted with links for digital viewing.

Our consultant team was assembled to provide the needed skills and demeanor for the De Pere project. We have the experience, personnel and resources to ensure timely completion of the assignment and we are committed to the project's overall success. We have worked together before on similar assignments and have proven our ability to nimbly adjust to emerging project priorities and shifts in direction.



# Project Approach

*The following project approach and deliverables outlined in this section reflects our time-tested methodology for successful completion of code updates within the provided budget. Our team will work closely with staff to adjust the tasks to meet the specific needs of the city and to ensure timely completion of all tasks and delivery of all products.*

## Task 1: Reconnaissance & Diagnosis

During Task 1 our team will work to gain an in-depth understanding of the city's many planning documents and the existing maps and ordinances. This task will also provide an opportunity to build on our current knowledge of the city's values and on-the-ground conditions.

### 1.1: Existing Plans Review

- ✧ Conduct in-depth review of the current comprehensive plan update, downtown master plan, neighborhood preservation plan, and other relevant planning documents.
- ✧ Work with city staff to identify and collect other documents, studies, and base data.

### 1.2: Kick-off Meeting

- ✧ Meet with city staff at the start of the project to discuss the project scope, work plan, schedule and logistics.
- ✧ Discuss substantive issues to be addressed as part of the project.

- ✧ Consultation with the City Attorney.

### 1.3: Listening Sessions

- ✧ Conduct ordinance user listening sessions to gain insight into local issues and concerns.

### 1.4: Public Outreach

- ✧ Prepare public outreach strategy describing proposed approach to engaging stakeholders and the general public in the project.
- ✧ Provide materials for project website and social media interaction.
- ✧ Work with a committee of stakeholders on a regular basis to inform the code writing and review code drafts.

### 1.5: Evaluation of Existing Neighborhoods, Corridors, & Districts

- ✧ With staff, identify neighborhoods, corridors, and districts that warrant new, more detailed regulations.
- ✧ Conduct field surveys and other research to

## 2 PROJECT STATEMENT

gain a better understanding of built patterns and neighborhood character within each of these identified areas.

- ✍ Initial findings of this step, including mapping and character documentation will be included in Task 1.6 diagnosis.

### 1.6: Prepare Diagnosis & Solutions Memo

- ✍ Develop a short diagnosis document summarizing the findings from tasks 1.1 through 1.5.
- ✍ Assess existing zoning ordinance in terms of comprehensive plan implementation/consistency, usability, sustainability and other agreed-upon benchmarks.
- ✍ Develop a short solutions memo outlining recommendations for the direction of the new zoning ordinance.
- ✍ Present draft diagnosis and directions report for review and comment and to serve as basis for initial draft code.

## Task 2: Initial Draft Zoning Ordinance

### 2.1: Initial Draft Zoning Ordinance

- ✍ Prepare initial (internal) review draft of new zoning ordinance.
- ✍ Deliver draft zoning & subdivision ordinance in 3 modules, breaking the overall document up into smaller, functionally related components for easier review.
- ✍ Include changes and new provisions identified in Task 1, as well as general editing and technical changes.
- ✍ Identify substantive amendments to existing regulations through footnotes, editor's notes and conventional legislative formatting techniques.
- ✍ Following delivery of each module, attend meetings with staff and ordinance subcommittee to discuss drafts and receive feedback.

### 2.2: Initial Draft Zoning Map Revisions

- ✍ Prepare initial (internal) review draft of proposed revisions of zoning map.
- ✍ Present initial draft zoning map revisions to staff and ordinance subcommittee to discuss proposals and receive feedback.

## Task 3: Public Review Draft Ordinance and Map

### 3.1: Public Review Draft

- ✍ Prepare public review draft of the new zoning ordinance that consolidates the modules prepared in tasks 2.1 and 2.2, reflecting the comments and direction received from the staff and ordinance subcommittee during task 2.

### 3.2: Public Review Draft Zoning Map Revisions

- ✍ Prepare public review draft of revised zoning map reflecting the comments and direction received from the staff and ordinance subcommittee during task 2.

### 3.3: Public Reviews

- ✍ Conduct public review workshops, open houses, focused (small group) review sessions, or other activities called for in Public Outreach strategy (Task 1.4) to present the draft zoning & subdivision ordinance and solicit comments and recommendations for further changes and refinements.

## Task 4: Hearing Drafts

### 4.1: Hearing Draft Zoning & Subdivision Ordinance

- ✍ Prepare public hearing draft of the new zoning ordinance.

### 4.2: Hearing Draft Zoning Map Revisions

- ✍ Prepare public hearing draft of proposed zoning map revisions.

## Task 5: Adoption Process

### 5.1: Public Hearings

- ✍ Attend work sessions and public hearings and assist with process leading to final adoption of new zoning & subdivision ordinance.

### 5.2: Final Adopted Ordinance and Map

- ✍ Prepare and deliver final versions of zoning & subdivision ordinance incorporating any changes directed during adoption process.
- ✍ Provide documents in digital format, including internet-ready, hyper-linked version of new zoning ordinance.



## 2 PROJECT STATEMENT

# Time Schedule

The following schedule provides a general timeline for the key project deliverables. At each deliverable, we anticipate meeting with staff and a committee of stakeholders. Based on staff's recommendation, we can also meet with city officials and other stakeholders during any visit.

Our proposed schedule calls for commencing the final adoption process within approximately 12 months of project start, as shown in the following timeline. We believe this is an ambitious, but doable schedule, depending on the level of community outreach and staff turnaround time for draft review and comment.

| Tasks                        | Months from Project Start |                                 |                            |  |   |                                    |   |                     |                                           |  |    |                      |
|------------------------------|---------------------------|---------------------------------|----------------------------|--|---|------------------------------------|---|---------------------|-------------------------------------------|--|----|----------------------|
|                              | 2                         |                                 | 4                          |  | 6 |                                    | 8 |                     | 10                                        |  | 12 |                      |
| 1 Reconnaissance & Diagnosis |                           | ●                               | ✱                          |  |   |                                    |   |                     |                                           |  |    |                      |
| 2 Initial Draft              |                           |                                 |                            |  | ✱ |                                    |   |                     |                                           |  |    |                      |
| 3 Public Review Draft        |                           |                                 |                            |  |   |                                    | ✱ | ●                   |                                           |  |    |                      |
| 4 Public Hearing Draft       |                           |                                 |                            |  |   |                                    |   |                     |                                           |  | ✱  |                      |
| 5 Adoption Process           |                           |                                 |                            |  |   |                                    |   |                     |                                           |  |    |                      |
|                              |                           | Kick-off & Interviews, outreach | Diagnosis & Solutions Memo |  |   | Initial Draft Zoning Ordinance Map |   | Public Review Draft | Public Outreach: focus groups, open house |  |    | Public Hearing Draft |





# 3 BUDGET PROPOSAL & FEE SCHEDULE



## 3 BUDGET PROPOSAL &amp; FEE SCHEDULE

# Budget Proposal

*Our proposed all-inclusive, lump-sum budget for the De Pere zoning ordinance project is outlined below, including all professional fees and expenses. This cost proposal is negotiable depending on the final scope of services and deliverables. A detailed breakdown of the proposed budget by task and level of effort of each staff member per task is follows.*

| TASK                                     | FEES + EXPENSES  | Level of Effort<br>(Approximate Hours by Task) |                                      |                                        |
|------------------------------------------|------------------|------------------------------------------------|--------------------------------------|----------------------------------------|
|                                          |                  | Kirk Bishop<br>Duncan<br>Associates            | Leslie<br>Oberholtzer<br>Codametrics | Daniel Grove &<br>Staff<br>Kimley-Horn |
| 1: Reconnaissance & Diagnosis            | \$26,100         | 84                                             | 74                                   | 16                                     |
| 2: Initial Draft Zoning Ordinance & Map  | \$50,700         | 180                                            | 135                                  | 24                                     |
| 3: Public Review Draft Ordinance and Map | \$29,700         | 84                                             | 98                                   | 16                                     |
| 4: Hearing Drafts                        | \$9,900          | 32                                             | 26                                   | 8                                      |
| 5: Adoption Process                      | \$8,400          | 24                                             | 24                                   | 8                                      |
| <b>PROJECT TOTAL</b>                     | <b>\$124,800</b> | 403                                            | 357                                  | 72                                     |

## Fee Schedule

*The following hourly rates are for the staff anticipated to participate in this project.*

|                               |                    |
|-------------------------------|--------------------|
| <b>Duncan Associates</b>      | <b>Hourly Rate</b> |
| Kirk Bishop, Principal        | \$180              |
| <b>Codametrics</b>            | <b>Hourly Rate</b> |
| Leslie Oberholtzer, Principal | \$165              |
| <b>Kimley-Horn</b>            | <b>Hourly Rate</b> |
| Senior Project Manager        | \$150              |
| Staff                         | \$110              |

# City of De Pere MEMORANDUM



To: Finance and Personnel Committee  
 From: Peter Schleinz, City Planner / Zoning Administrator  
 Date: February 6, 2018

RE: **Rewrite of the City of De Pere Zoning Ordinance – Consultant Recommendation**

## Background/Summary

On October 3, 2017, the Common Council approved a Request for Proposals (RFP) to seek qualified consultant teams to submit for the complete rewrite of the City of De Pere Zoning Ordinance. The project focuses on Code Chapter 14, related to zoning, and Code Chapter 98, related to signage. The project includes expectations for the selected consultant to perform eight expected tasks and also provide four deliverables:

### Tasks

1. Diagnostic review of existing plan
2. Public outreach with community stakeholders
3. Solutions and Code outline for the rewrite
4. Draft Code development
5. Maps and graphics development
6. Legal consultation regarding code related questions
7. Reference guide that summarizes key Code elements
8. Adoption of new Code

### Deliverables

1. Monthly progress reports and research
2. Draft ordinance and map documents
3. Meetings with staff and quarterly meetings with Plan Commission
4. Final Product – New Ordinance in print and electronic format with GIS editable maps

The City released the RFP on October 6, 2017 utilizing the following communication methods:

- Posted on City Website
- Shared via social media (Facebook and LinkedIn)
- Posted on the League of Municipalities Classified Page
- Posted on the American Planning Association RFP Page
- Posted on the Wisconsin American Planning Association RFP Page
- Directly sent to 26 reputable firms in Wisconsin, Illinois and Minnesota

By the RFP deadline, November 13, 2017 the City received six acceptable submittals. Using the objectives listed in the RFP, the review team selected three consultants to interview. The three finalists each spent 45-60

minutes talking with an interview panel consisting of the City Planner/Zoning Administrator, the Development Services Director, and the City Attorney.

The interview panel narrowed the field from three to two, asked the remaining consultants two additional follow-up questions (via email) and checked references. Based on the consultants' submittals and performance throughout the process, the interview panel recommends that the City Council approve Duncan Associates to complete the rewrite of the City of De Pere Zoning Code. A copy of the submittal from Duncan Associates is attached for your review, along with copies of submittals from the other two interviewed consultants.

If approved, City staff will work with the consultant to finalize a scope and contract to be reviewed by the Common Council. Then the project will begin and likely take 12 to 18 months to complete.

### **Project Funding**

The sources of funding for the rewrite of the zoning code are as follows:

- \$20,000 General Fund (Consulting – Planning/Economic Development – approved for 2017 – carried over to 2018)
- \$45,000 Stadium Tax Excess (approved 2017)
- \$30,000 General Fund (Consulting – Planning/Economic Development – approved for 2018)
- \$30,000 TID 5, TID 6, TID 7, TID 8, TID 9 and TID 10 (\$5,000 each – approved for 2018)

### **Recommendation**

The interview panel recommends that the Common Council approve Duncan Associates to complete the rewrite of the City of De Pere Zoning Code for the amount of \$124,800. The budget funding for the project is from the general fund, stadium tax excess, and TID.

If you have any questions regarding this item prior to the meeting, please contact me at 920-339-4043 or [pschleinz@mail.de-pere.org](mailto:pschleinz@mail.de-pere.org).



Carey E. Danen

**From:** Kirk Bishop <kirk@duncanassociates.com>  
**Sent:** Wednesday, January 24, 2018 11:13 AM  
**To:** Peter Schleinz  
**Cc:** Leslie Oberholtzer  
**Subject:** RE: City of De Pere Zoning Code RFP Response: A couple of extra questions for Duncan Associates

Good morning, Peter. Great to meet you all yesterday. We enjoyed our talk and the opportunity to get to know De Pere a little better.

Here's our responses to the follow-up questions you posed. Just let me know if you need additional information or have further questions.

Thanks again.

-Kirk

1. **Regarding the final code product and the use of MuniCode:** When we talked about format options for the Code and the use of digital codes, the use of a program(s) other than MuniCode was referenced. If your team was told that the final product must work within the limitations of MuniCode, how would that change the dynamic and final product that you are desiring to create for us? Are there simple expansions to MuniCode that we may not be aware of? Would you go in a different direction with the project and what would that direction be?

We did not mean to imply that we objected to or could not work within the limitations of Municode. I would say a majority of our clients use Municode, and we have had no issues in delivering a product that can be seamlessly imported into their program. We merely wanted to offer an early "heads-up" that some of the document design and graphic features the city is looking for in the new ordinance might lose some of the layout/graphic design features and "flash" when presented in Municode's standard format. Municode does offer some "add-on" products that improve the presentation of zoning- and planning-related information, and there are other options available as well. The bottom line is that we should plan on discussing page format, document layout, native software, future codification plans/options and similar issues as the project gets underway. Those discussions will inform our work but not materially change our approach.

2. **Regarding time spent in De Pere for meetings:** Your presentation included conversation about how and when you would personally be attending Plan Commission and/or Council meetings, etc. General times appear obvious from your RFP response, however, if you were asked to tighten up the proposed times, or phases, when consultant appearances would be made in De Pere for meetings, what could you tell or estimate for us?

We anticipate at least 10 visits to De Pere over the course of the project. Our early sense of how these visits might play out is summarized in the following, but we are always flexible on the timing and purpose of visits and will work with you throughout the project to ensure maximum value and efficiency.

- a. **No.1 / Project Kick-Off:** Once we have collected base information and reviewed current plans, we'll have our kick-off meeting visit. During this visit we typically meet with staff and the project work group, conduct field reconnaissance, and hold stakeholder listening sessions. If staff suggests, we can also do an initial project introduction for city officials.

Attachment: RE City of De Pere Zoning Code RFP Response A couple of extra questions for Duncan Associates (6665 : Reso #18-18)

- b. **No. 2/ Diagnosis Visit:** Our second anticipated visit would occur approximately 6 weeks after the project kick-off. The primary purpose of this visit would be discuss the task 1.6 diagnosis memo with the working group. At this time, we may hold follow-up discussions with key stakeholders and city officials.
- c. **No. 3/ Public Workshop Visit:** Depending on the agreed-upon project direction , it may be wise to conduct a community workshop following visit No. 2. We will decide upon the need for and discuss the format of this workshop during the diagnosis visit (this visit was not identified in the proposal timeline).
- d. **Nos. 4, 5 and 6 / Initial Draft Zoning Ordinance and Map Visits:** The timeline in our proposal showed only one visit here. Upon reflection however, delivery of the code in modules will necessitate three separate visits during the initial draft phase.
- e. **No. 7 / Public Review Draft Visit:** Upon completion of revisions to the initial draft ordinance and map, we will visit De Pere to present the public review draft to the project work group and staff. At this time, we may also present to city officials and small key stakeholder focus groups (developers, neighborhood folks, business owners, etc.).
- f. **No. 8 / Public Outreach Meeting/Open House:** During this visit, we will present the Public Review draft to the general public in a community meeting or open house (format to be determined).
- g. **Nos. 9 and 10 / Adoption Hearing Visits:** During these visits, we will present the proposed ordinance and map in public hearings (these meetings were not expressly identified in the proposal timeline.)

Kirk Bishop | Duncan Associates | 116 W Illinois Suite 700 | Chicago IL 60654 | 312 527 2500

CONFIDENTIALITY NOTICE: This email transmission is confidential and intended only for the persons named above. Its contents may also be protected by privilege, and all rights to privilege are expressly claimed and not waived. If you have received this email in error, please call us immediately and destroy the entire email and any attachments. If this email is not intended for you, any reading, distribution, copying or disclosure of its contents is strictly prohibited.

---

**From:** Peter Schleinz [mailto:pschleinz@mail.de-pere.org]  
**Sent:** Tuesday, January 23, 2018 5:40 PM  
**To:** Kirk Bishop <kirk@duncanassociates.com>  
**Subject:** City of De Pere Zoning Code RFP Response: A couple of extra questions for Duncan Associates

Good evening, Kirk (and Leslie)—

Thank you for offering to spend this afternoon at the City's in-person interviews related to the rewrite of the De Pere Zoning Code. The City was fortunate to have interviewed two highly qualified consultant candidates, yours included. Before we make a final decision, we were hoping that you could answer a question or two for us that came up after you left the De Pere City Hall:

1. **Regarding the final code product and the use of MuniCode:** When we talked about format options for the Code and the use of digital codes, the use of a program(s) other than MuniCode was referenced. If your team was told that the final product must work within the limitations of MuniCode, how would that change the dynamic and final product that you are desiring to create for us? Are there simple expansions to MuniCode that we may not be aware of? Would you go in a different direction with the project and what would that direction be?

2. **Regarding time spent in De Pere for meetings:** Your presentation included conversation about how and when you would personally be attending Plan Commission and/or Council meetings, etc. General times appear obvious from your RFP response, however, if you were asked to tighten up the proposed times, or phases, when consultant appearances would be made in De Pere for meetings, what could you tell or estimate for us?

As we mentioned prior to your interview, there are no wrong answers and we are always looking for your ideas, more so than having you guess what we want. Many thanks for offering answers to the above supplemental questions.

**Peter Schleinz**

City Planner / Zoning Administrator

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

(920) 339-4043     [pschleinz@mail.de-pere.org](mailto:pschleinz@mail.de-pere.org)

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018

**DEPARTMENT:** Plan Commission

**FROM:** Peter Schleinz

**SUBJECT:** Resolution #18-19 Regarding the Vacation of a Public Thoroughfare (Walkway Easement from Quinnette Lane to Merrill Street, Adjacent to Parcels ED-1129-Q-32 & ED-1129-Q-31) (Refer to Public Hearing)

---

On February 26, 2018 the Plan Commission unanimously recommended approval with a vote of 4-0.

**ATTACHMENTS:**

- Reso18-19 (DOCX)
- Exhibit A-Quinnette to Merrill Walkway Easement Vacation (PDF)
- Mayor-CC-Quinnette Lane Vacation (DOCX)
- Discontinuance - Quinnette & Merrill - Plan Commission Report (DOCX)
- Application Form (PDF)

## RESOLUTION #18-19

REGARDING THE VACATION OF A PUBLIC THOROUGHFARE  
(Walkway Easement from Quinnette Lane to Merrill Street, Adjacent to Parcels ED-1129-Q-31  
and ED-1129-Q-32)

WHEREAS, the Common Council of the City of De Pere has initiated the vacation and discontinuance of a portion of public thoroughfare in accordance with the requirements of Wis. Stats. §66.1003(4)(a); and

WHEREAS, the public interest may require the vacation of said right-of-way; and

WHEREAS, the Plan Commission has reviewed and recommended approval of such vacation and discontinuance, with a public hearing on said vacation to be held in accordance with Wis. Stats. §66.1003(4)(b), on \_\_\_\_\_, 2018 at 7:35 p.m.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The portion of Lot 3, Block 1 and Lot 10, Bloc 4 of Quinnette Plat, more fully described as follows:

A 10 foot wide easement being part of vacated Voelker Street, Quinnette Plat, a Subdivision of Part of Lot 28 Assessors Subdivision, City of De Pere, Brown County, Wisconsin, the centerline of said 10 foot wide easement is described as follows:

Beginning at the intersection of the centerline of said vacated Voelker Street and the northerly right of way of Quinnette Lane; thence N26°12'12"E, 294.00 feet on said vacated centerline to the southerly right of way line of Merrill Street, the Point of Termination. The sidelines of said easement are lengthened or shortened to the existing right of way lines.

be and the same is hereby wholly vacated and discontinued as a public thoroughfare. All utility easements are retained. Said public right-of-way to be vacated is set forth on the scale map attached hereto and incorporated by reference herein as Exhibit A.

Resolution #18-19  
Page 2 of 2

Section 2. The City Clerk-Treasurer is hereby authorized and directed to file and record this resolution, with the map attached, in the Office of the Register of Deeds for Brown County and to amend the Official Map of the City in conformity with this resolution.

Introduced to the Common Council of the City of De Pere at its regular meeting held on the 6<sup>th</sup> day of March, 2018.

Adopted by the Common Council of the City of De Pere, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
Michael J. Walsh, Mayor

ATTEST:

\_\_\_\_\_  
Shana D. Ledvina, Clerk-Treasurer

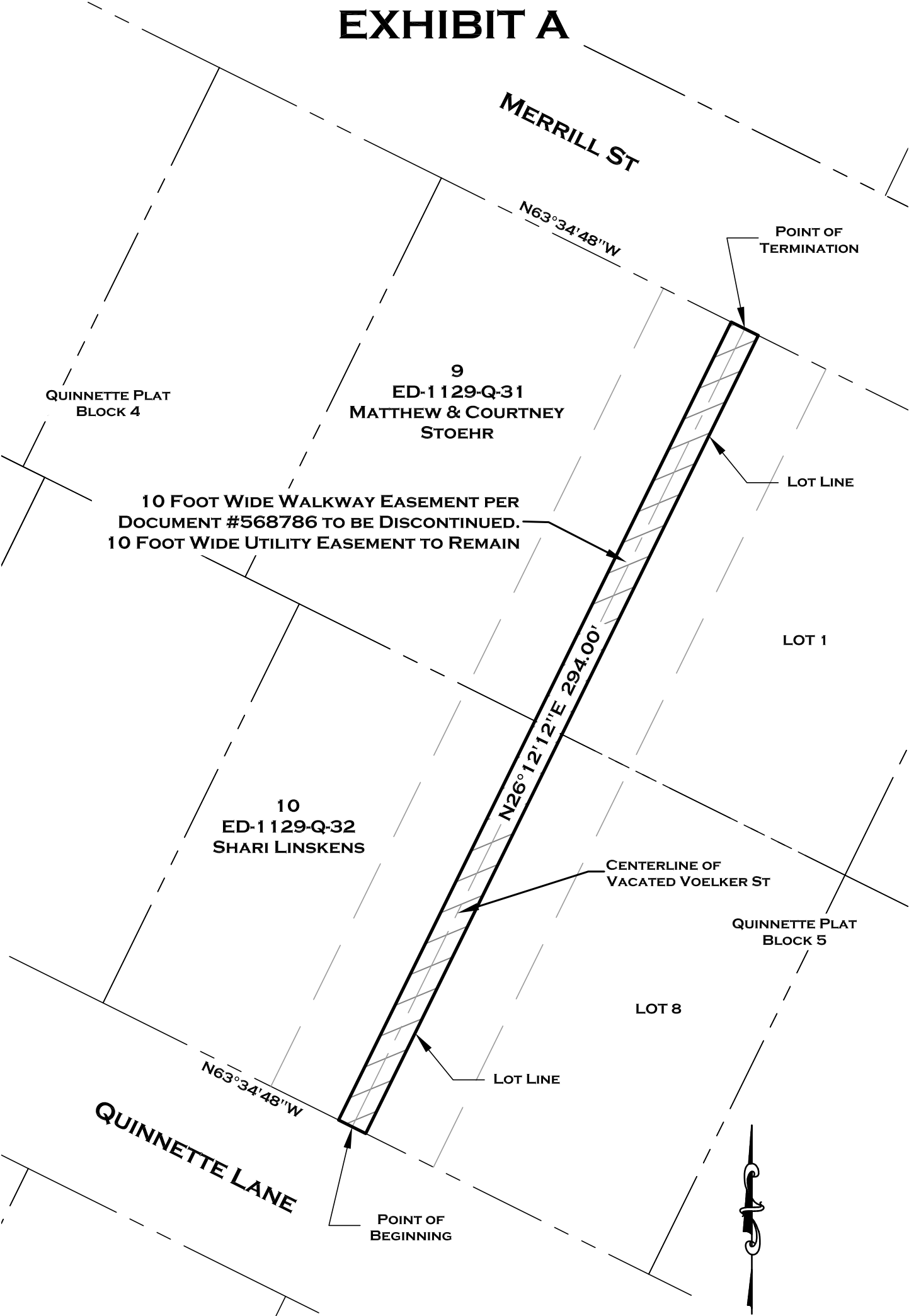
Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Attachment: Reso18-19 (6718 : Resolution #18-19 Discontinuance of a Walkway Easement between Quinette and Merrill)



# EXHIBIT A



10 FOOT WIDE WALKWAY EASEMENT PER DOCUMENT #568786 TO BE DISCONTINUED.  
10 FOOT WIDE UTILITY EASEMENT TO REMAIN

POINT OF TERMINATION

LOT LINE

LOT 1

10  
ED-1129-Q-32  
SHARI LINSKENS

CENTERLINE OF  
VACATED VOELKER ST

QUINNETTE PLAT  
BLOCK 5

LOT 8

LOT LINE

POINT OF BEGINNING



SCALE: 1"= 40'



BEARINGS ARE REFERENCED TO THE  
NORTHERLY LINE RIGHT OF WAY OF  
QUINNETTE LANE. RECORDED TO BEAR  
N63°34'48"W.



**ROBERT E. LEE & ASSOCIATES, INC.**  
ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES  
1250 CENTENNIAL CENTRE BOULEVARD  
HOBART, WI 54155  
INTERNET: WWW.RELEEINC.COM  
PHONE: (920) 662-9641  
FAX: (920) 662-9141

Attachment: Exhibit A-Quinnette to Merrill Walkway Easement Vacation (6718 : Resolution #18-19 Discontinuance of a Walkway Easement between Quinnette and Merrill)

**CITY OF DE PERE****MEMO**

To: Michael J. Walsh, Mayor  
Members of the Common Council  
From: Judith Schmidt-Lehman, City Attorney  
RE: Resolution #18-19  
Vacating a Walkway Easement from Quinnette Lane to Merrill Street  
Date: March 6, 2018

---

The statutory process for the City to initiate a public way vacation is a bit out of the ordinary. Since the City Council does not vacate a public way often, I thought I would send along this memo to explain the process.

Under Wis. Stats. §66.1003, the City may initiate vacating a public way. This is done by the Council introducing the vacation resolution at a Council meeting. The matter is then set for public hearing, with the same resolution coming back before the Council for action at that public hearing.

Therefore, the action to be taken at the March 6, 2018 meeting as to the above Resolution is merely to refer the Resolution forward for a public hearing. It will then be placed on the Council agenda at the time of public hearing, at which time the merits of the vacation can be debated and acted upon.

If you have any questions regarding this process, please let me know.

JSL

J:\Law\Memos\2018\Mayor-CC Quinnette Walkway Eastment Vacation3-6-18.docx

- ITEM 5:** Review and recommendation for a Proposed Discontinuance of a Walkway Easement between the 1500-1600 BLK Quinnette Lane and Merrill Street in De Pere (Parcels ED-1129-Q-32 & ED-1129-Q-31, Adjacent to Parcels ED-1129-Q-48 & ED-1129-Q-41). Submitted by City of De Pere.\*

**PROPOSED WALKWAY DISCONTINUANCE**

- REQUESTED ACTION:** Discontinuance of a walkway easement approval.\*
- COMMON DESCRIPTION:** Between 1500-1600 BLK Quinnette lane and Merrill Street, located east from Knoll Terrace.
- PARCEL NUMBER(S):** ED-1129-Q-32 & ED-1129-Q-31, Adjacent to Parcels ED-1129-Q-48 & ED-1129-Q-41
- EXISTING ZONING:** R-1 (Single family Residence District)

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                         |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PROPOSED ZONING:</b>       | None proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                         |
| <b>SURROUNDING LAND USES:</b> | Public school to north.<br>Single family residential or vacant to south, east, and west.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                         |
| <b>COMPREHENSIVE PLAN:</b>    | Neighborhood Residential (Including Multi-Family)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                         |
| <b>APPLICANT/OWNER NAME:</b>  | City of De Pere is applicant and controls the walkway easement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Walkway easement on the following properties:</p> <p>Parcel ED-1129-Q-31<br/>Matthew T &amp; Courtney L. Stoeher, Land Owners<br/>1526 Merrill Street<br/>De Pere, WI 54115-3333</p> <p>Parcel ED-1129-Q-32<br/>Shari L. Linskens, Land Owner<br/>1527 Quinnette Lane<br/>De Pere, WI 54115-3338</p> |
| <b>SITE HISTORY:</b>          | <p>After a review of air photographs and historical documents, the subject area was originally proposed to be a street on a 1958 plat titled, "Quinnette Plat." In 1960 an unbuilt proposed street in the subject area, named "Voelker Street," was vacated and a 10 foot wide walkway easement and utility easement was retained.</p> <p>The residential neighborhood, and school to the north, mostly developed in the late 1960's and 1970's. The area street system was developed with sidewalks that created a pedestrian access between Quinnette Lane and Merrill Street along Knoll Terrace, located 350 feet to the east of the subject walkway easement.</p> <p>A walkway was never built along the walkway easement. However, utilities were located within a utility easement within the same 10 foot wide area.</p> <p>If the walkway easement was discontinued, ownership of land would not change. Discontinuing the walkway easement would not cause any changes to the utility easement, which must be retained.</p> |                                                                                                                                                                                                                                                                                                         |
| <b>STAFF REVIEW:</b>          | <p>When reviewing a right-of-way vacation/discontinuance, staff utilizes the vacation process identified in Wisconsin State Statutes 66.103 and 66.105. The role of the Plan Commission in the process is determining if such a vacation/discontinuance is necessary, and if so, recommending to the Common Council that the right-of-way be vacated/discontinued. The following are factors for consideration:</p> <ul style="list-style-type: none"> <li>The walkway was never built since the easement was established in 1960.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                         |



- A property owner requested a discontinuance to the Mayor because the proposed walkway has never been built, does not seem necessary, and the property owner desires to build a fence in the area.
- The City took on the request as a City petition due to the City being the controller of the walkway easement.
- The function of the existing street and pedestrian system already allows for vehicle and pedestrian access between Quinnette Lane and the school property on Merrill Street via Knoll Terrace.
- If the walkway easement is discontinued, the utility easement must remain because there are existing underground storm water utilities within the easement.
- The act of discontinuing the walkway easement will not change the ownership of the privately owned lands upon which the easement lies.
- The existing private ownership of Parcels ED-1129-Q-31 and ED-1129-Q-32, where the easement lies, will not change as a result of the discontinuance.

All adjacent and underlying property owners have been notified of the discontinuance petition. City staff has also been informed that one of the property owners spoke verbally to each of the property owners about the petition. To date, no objecting comments have been received.

**REVIEW PROCESS:**

The Common Council will review the Plan Commission recommendation twice, first as a resolution on March 6, 2018 and then with a public hearing and resolution on April 17, 2018 where adjacent property owners will again be notified.

**STAFF RECOMMENDATION:**

Staff recommends APPROVAL and forwarding the walkway easement discontinuance to the Common Council for final approval with the following condition:

1. The existing 10 foot utility easement remains in place.

**GENERAL LEGAL DESCRIPTION\***

The eastern 10 feet of Quinnette Plat Lot 10 Ex 20 Ft & W 25 Ft VAC S Volker ST Lyg Adj to E/L SD Lot BLK 4, AND, the eastern 10 feet of Quinnette Plat Lot 9 & W 35 Ft of Vac S Volker ST Lyg Adj to E/L SD Lot 9 BLK 4, ESFR PC 35, City of De Pere, Brown County, Wisconsin.

*\*NOTE: An updated, more detailed legal description and exhibit map will be forwarded to the Common Council, should the Plan Commission recommend approval of this discontinuance.*



|                                                                                   |                                                                                                        |                                  |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------|
|  | <p align="center"><b>CITY OF DE PERE</b></p> <p align="center"><b>APPLICATION FOR ROW VACATION</b></p> | <p>Fee: <del>\$ 305.00</del></p> |
|                                                                                   |                                                                                                        | <p>Receipt #: _____</p>          |
|                                                                                   |                                                                                                        | <p>Date: <b>12 FEB 2018</b></p>  |

CITY OF DE PERE  
RECEIVED  
FEB 12 2018  
PLANNING DEPT.

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

| SECTION 1: Applicant / Permittee Information                                                                                                                                                                     |                                                                   |                                             |                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------|------------------------------|
| Applicant Name (Ind., Org. or Entity)<br>City of De Pere                                                                                                                                                         |                                                                   | Authorized Representative<br>Peter Schleinz |                              |
| Title<br>Senior Planner / Zoning Administrator                                                                                                                                                                   |                                                                   |                                             |                              |
| Mailing Address<br>335 S. Broadway Street                                                                                                                                                                        | City<br>De Pere                                                   | State<br>WI                                 | ZIP Code<br>54115            |
| Email Address                                                                                                                                                                                                    | Phone Number (incl. area code)                                    | Fax Number (incl. area code)                |                              |
| SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)                                                                                                     |                                                                   |                                             |                              |
| Name (Ind. Org. or Entity)                                                                                                                                                                                       |                                                                   | Contact Person                              |                              |
| Title                                                                                                                                                                                                            |                                                                   |                                             |                              |
| Mailing Address                                                                                                                                                                                                  | City                                                              | State                                       | ZIP Code                     |
| Email Address                                                                                                                                                                                                    | Phone Number (incl. area code)                                    | Fax Number (incl. area code)                |                              |
| SECTION 3: Right of Way Requested to be Vacated                                                                                                                                                                  |                                                                   |                                             |                              |
| Name of ROW:                                                                                                                                                                                                     | Sidewalk easement between 1500-1600 BLK Quinnette LN & Merrill ST |                                             |                              |
| Legal Description to be Vacated: (Please attach map)                                                                                                                                                             | Map and general legal description included with staff report.     |                                             |                              |
| SECTION 4: Reason of Vacation                                                                                                                                                                                    |                                                                   |                                             |                              |
| Reason for Requesting Vacation of ROW:                                                                                                                                                                           | Unbuilt, not needed.                                              |                                             |                              |
| SECTION 5: Certification and Permission                                                                                                                                                                          |                                                                   |                                             |                              |
| <p><b>Certification:</b> I hereby certify that I am the owner or authorized representative for this Application. I certify that the information contained in this form and attachments is true and accurate.</p> |                                                                   |                                             |                              |
| Name of Owner/Authorized Representative (please print)<br>Peter Schleinz, Authorized Agent                                                                                                                       |                                                                   | Title<br>Senior Planner / Zoning Adm        | Phone Number<br>920.339.4043 |
| Signature of Applicant<br>                                                                                                    |                                                                   | Date Signed<br>12 Feb 2018                  |                              |

Attachment: Application Form (6718 : Resolution #18-19 Discontinuance of a Walkway Easement between Quinnette and Merrill)

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018  
**DEPARTMENT:** City Clerk-Treasurer  
**FROM:** Shana Ledvina  
**SUBJECT:** Operator License Applications.

---

**ATTACHMENTS:**

- 03-06-18 (PDF)

CITY OF DE PERE  
License Committee - March 6, 2018

| <b>Previously Tabled Operator License Applications</b> |                   |
|--------------------------------------------------------|-------------------|
| 1                                                      | CARTER, PAMELA S. |
| 2                                                      | RENARD, CHERYL A. |

| <b>Temporary Operator License Applications</b> |                          |
|------------------------------------------------|--------------------------|
| 1                                              | PASTERSKI, DEBRA A.      |
| 2                                              | VAN DE KREEKE, DANIEL J. |
| 3                                              | VAN DE KREEKE, SUSAN M.  |

| <b>New Operator License Applications<br/>for the 2016-2018 Licensing Period</b> |                      |
|---------------------------------------------------------------------------------|----------------------|
| 1                                                                               | CELUSTA, ASHLEY J.   |
| 2                                                                               | EISCH, LIAM R.       |
| 3                                                                               | GIGNAC, AMY C.       |
| 4                                                                               | HAEBIG, BRITTANY L.  |
| 5                                                                               | HENDRICKS, ARISSA J. |
| 6                                                                               | NOVAK, KEN R.        |
| 7                                                                               | PAVLIK, CAITLIN A.   |
| 8                                                                               | STIEBOHR, ALYSSA M.  |
| 9                                                                               | SUPRISE, REGINA D.   |

## City of De Pere, Wisconsin

**Request For Common Council Action**

---

**MEETING DATE:** March 6, 2018  
**DEPARTMENT:** City Clerk-Treasurer  
**FROM:** Shana Ledvina  
**SUBJECT:** Voucher Approval.

---

**ATTACHMENTS:**

- 3-6-18 VOUCHERS (PDF)

2/27/2018 3:42 PM

A / P CHECK REGISTER

PAGE: 1

PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18

VENDOR SET: 01

\*\*\*\* CHECK LISTING \*\*\*\*

BANK : AP ASSOCIATED

| VENDOR | NAME / I.D.                                                       | DESC                                                                          | CHECK<br>TYPE    | CHECK<br>DATE                                    | DISCOUNT | AMOUNT                                    | CHECK<br>NO#                         | CHECK<br>AMOUNT    |
|--------|-------------------------------------------------------------------|-------------------------------------------------------------------------------|------------------|--------------------------------------------------|----------|-------------------------------------------|--------------------------------------|--------------------|
| 0302   | AIRGAS USA LLC<br>I-9950635411                                    | AIRGAS USA LLC                                                                | R                | 3/06/2018                                        |          | 208.52CR                                  | 084682                               | 208.52             |
| 7700   | AMERICAN TRADE MARK CO INC<br>I-23867                             | AMERICAN TRADE MARK CO INC                                                    | R                | 3/06/2018                                        |          | 1,893.32CR                                | 084683                               | 1,893.32           |
| 0023   | BATTERIES PLUS LLC<br>C-P461420<br>I-P448075                      | BATTERIES PLUS LLC<br>BATTERIES PLUS LLC                                      | R<br>R           | 3/06/2018<br>3/06/2018                           |          | 184.95<br>441.90CR                        | 084684<br>084684                     | <br>256.95         |
| 0027   | BAY TOWEL INC<br>I-2557741<br>I-2559604<br>I-2563899<br>I-2566436 | BAY TOWEL INC<br>BAY TOWEL INC<br>BAY TOWEL INC<br>BAY TOWEL INC              | R<br>R<br>R<br>R | 3/06/2018<br>3/06/2018<br>3/06/2018<br>3/06/2018 |          | 153.16CR<br>90.88CR<br>92.61CR<br>77.52CR | 084685<br>084685<br>084685<br>084685 | <br><br><br>414.17 |
| 3518   | WILLIAM C BOYLE<br>I-201802277998                                 | WILLIAM C BOYLE                                                               | R                | 3/06/2018                                        |          | 538.00CR                                  | 084686                               | 538.00             |
| 0649   | BRAUER SUPPLY & EQUIPMENT<br>I-2018046                            | BRAUER SUPPLY & EQUIPMENT                                                     | R                | 3/06/2018                                        |          | 3,110.00CR                                | 084687                               | 3,110.00           |
| 0038   | BROADWAY AUTOMOTIVE INC<br>I-555011<br>I-884588P<br>I-884727P     | BROADWAY AUTOMOTIVE INC<br>BROADWAY AUTOMOTIVE INC<br>BROADWAY AUTOMOTIVE INC | R<br>R<br>R      | 3/06/2018<br>3/06/2018<br>3/06/2018              |          | 128.80CR<br>54.84CR<br>36.54CR            | 084688<br>084688<br>084688           | <br><br>220.18     |
| 0795   | BROWN COUNTY FIRE CHIEFS ASSOC<br>I-201802277999                  | BROWN COUNTY FIRE CHIEFS ASSOC                                                | R                | 3/06/2018                                        |          | 15.00CR                                   | 084689                               | 15.00              |
| 0046   | BROWN COUNTY PORT SOLID WASTE DEPT<br>I-36369                     | BROWN COUNTY PORT SOLID WASTE                                                 | R                | 3/06/2018                                        |          | 22,132.47CR                               | 084690                               | 22,132.47          |
| 0737   | BRUCE MUNICIPAL EQUIPMENT INC<br>I-P05882                         | BRUCE MUNICIPAL EQUIPMENT INC                                                 | R                | 3/06/2018                                        |          | 487.20CR                                  | 084691                               | 487.20             |
| 0536   | CDW GOVERNMENT INC<br>I-LRR4275                                   | CDW GOVERNMENT INC                                                            | R                | 3/06/2018                                        |          | 35.72CR                                   | 084692                               | 35.72              |
| 2708   | CLEANING SOLUTION SERVICES INC<br>I-15906<br>I-15913              | CLEANING SOLUTION SERVICES INC<br>CLEANING SOLUTION SERVICES INC              | R<br>R           | 3/06/2018<br>3/06/2018                           |          | 49.40CR<br>245.46CR                       | 084693<br>084693                     | <br>294.86         |

Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)

2/27/2018 3:42 PM  
 PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18  
 VENDOR SET: 01  
 BANK : AP ASSOCIATED

A / P CHECK REGISTER

PAGE: 2

\*\*\*\* CHECK LISTING \*\*\*\*

| VENDOR | NAME / I.D.                 | DESC                        | CHECK<br>TYPE | CHECK<br>DATE | DISCOUNT | AMOUNT     | CHECK<br>NO# | CHECK<br>AMOUNT |
|--------|-----------------------------|-----------------------------|---------------|---------------|----------|------------|--------------|-----------------|
| 7337   | COMPASS MINERALS AMERICA    |                             |               |               |          |            |              |                 |
|        | I-191074                    | COMPASS MINERALS AMERICA    | R             | 3/06/2018     |          | 9,530.41CR | 084694       | 9,530.41        |
| 7639   | CORE & MAIN LP              |                             |               |               |          |            |              |                 |
|        | C-I487002                   | CORE & MAIN LP              | R             | 3/06/2018     |          | 39.98      | 084695       |                 |
|        | I-I478117                   | CORE & MAIN LP              | R             | 3/06/2018     |          | 1,899.02CR | 084695       |                 |
|        | I-I486752                   | CORE & MAIN LP              | R             | 3/06/2018     |          | 1,074.62CR | 084695       | 2,933.66        |
| 0217   | COUNTRY VISIONS COOPERATIVE |                             |               |               |          |            |              |                 |
|        | I-201802278000              | COUNTRY VISIONS COOPERATIVE | R             | 3/06/2018     |          | 43.99CR    | 084696       | 43.99           |
| 0061   | CUMMINS NPOWER, LLC         |                             |               |               |          |            |              |                 |
|        | I-F4-1018                   | CUMMINS NPOWER, LLC         | R             | 3/06/2018     |          | 1,056.68CR | 084697       |                 |
|        | I-F4-99943                  | CUMMINS NPOWER, LLC         | R             | 3/06/2018     |          | 0.80CR     | 084697       |                 |
|        | I-F4-99963                  | CUMMINS NPOWER, LLC         | R             | 3/06/2018     |          | 104.94CR   | 084697       | 1,162.42        |
| 0069   | DE PERE GREENHOUSE INC      |                             |               |               |          |            |              |                 |
|        | I-29266                     | DE PERE GREENHOUSE INC      | R             | 3/06/2018     |          | 50.00CR    | 084698       |                 |
|        | I-29410                     | DE PERE GREENHOUSE INC      | R             | 3/06/2018     |          | 50.00CR    | 084698       | 100.00          |
| 0079   | DORSCH CORP                 |                             |               |               |          |            |              |                 |
|        | I-40595                     | DORSCH CORP                 | R             | 3/06/2018     |          | 48.16CR    | 084699       |                 |
|        | I-40658                     | DORSCH CORP                 | R             | 3/06/2018     |          | 295.05CR   | 084699       |                 |
|        | I-40700                     | DORSCH CORP                 | R             | 3/06/2018     |          | 80.79CR    | 084699       | 424.00          |
| 0091   | FASTENAL COMPANY            |                             |               |               |          |            |              |                 |
|        | I-WIGRE359632               | FASTENAL COMPANY            | R             | 3/06/2018     |          | 6.00CR     | 084700       | 6.00            |
| 6654   | FLEETPRIDE INC              |                             |               |               |          |            |              |                 |
|        | I-92339926                  | FLEETPRIDE INC              | R             | 3/06/2018     |          | 47.69CR    | 084701       | 47.69           |
| 4176   | FRANK'S RADIO SERVICE INC   |                             |               |               |          |            |              |                 |
|        | I-109697                    | FRANK'S RADIO SERVICE INC   | R             | 3/06/2018     |          | 95.00CR    | 084702       | 95.00           |
| 0089   | FRV INC                     |                             |               |               |          |            |              |                 |
|        | I-201802278001              | FRV INC                     | R             | 3/06/2018     |          | 65.80CR    | 084703       | 65.80           |
| 6923   | GORDON FLESCH COMPANY INC.  |                             |               |               |          |            |              |                 |
|        | I-IN12171269                | GORDON FLESCH COMPANY INC.  | R             | 3/06/2018     |          | 129.00CR   | 084704       | 129.00          |
| 0116   | GRAINGER INC                |                             |               |               |          |            |              |                 |
|        | I-9689495332                | GRAINGER INC                | R             | 3/06/2018     |          | 92.60CR    | 084705       | 92.60           |

Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)



2/27/2018 3:42 PM

A / P CHECK REGISTER

PAGE: 3

PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18

VENDOR SET: 01

\*\*\*\* CHECK LISTING \*\*\*\*

BANK : AP ASSOCIATED

| VENDOR | NAME / I.D.                     | DESC                           | CHECK<br>TYPE | CHECK<br>DATE | DISCOUNT | AMOUNT     | CHECK<br>NO# | CHECK<br>AMOUNT |
|--------|---------------------------------|--------------------------------|---------------|---------------|----------|------------|--------------|-----------------|
| 0666   | GRAY'S INC                      |                                |               |               |          |            |              |                 |
|        | I-34486                         | GRAY'S INC                     | R             | 3/06/2018     |          | 813.00CR   | 084706       |                 |
|        | I-34487                         | GRAY'S INC                     | R             | 3/06/2018     |          | 210.00CR   | 084706       | 1,023.00        |
| 0117   | GRAYBAR ELECTRIC COMPANY INC    |                                |               |               |          |            |              |                 |
|        | I-9302378417                    | GRAYBAR ELECTRIC COMPANY INC   | R             | 3/06/2018     |          | 60.84CR    | 084707       |                 |
|        | I-9302426537                    | GRAYBAR ELECTRIC COMPANY INC   | R             | 3/06/2018     |          | 77.20CR    | 084707       | 138.04          |
| 0119   | GREATER GREEN BAY CHAMBER       |                                |               |               |          |            |              |                 |
|        | I-168018                        | GREATER GREEN BAY CHAMBER      | R             | 3/06/2018     |          | 3,810.00CR | 084708       | 3,810.00        |
| 2947   | MATTHEW GUTH                    |                                |               |               |          |            |              |                 |
|        | I-201802278002                  | MATTHEW GUTH                   | R             | 3/06/2018     |          | 67.55CR    | 084709       | 67.55           |
| 6209   | HOLCOMB, RUSS                   |                                |               |               |          |            |              |                 |
|        | I-201802278003                  | HOLCOMB, RUSS                  | R             | 3/06/2018     |          | 71.97CR    | 084710       | 71.97           |
| 1399   | INDOFF INC                      |                                |               |               |          |            |              |                 |
|        | I-3068159                       | INDOFF INC                     | R             | 3/06/2018     |          | 402.06CR   | 084711       |                 |
|        | I-3068273                       | INDOFF INC                     | R             | 3/06/2018     |          | 89.98CR    | 084711       |                 |
|        | I-3069355                       | INDOFF INC                     | R             | 3/06/2018     |          | 158.38CR   | 084711       |                 |
|        | I-3071326                       | INDOFF INC                     | R             | 3/06/2018     |          | 20.58CR    | 084711       |                 |
|        | I-3071837                       | INDOFF INC                     | R             | 3/06/2018     |          | 44.85CR    | 084711       | 715.85          |
| 5778   | INSITUFORM TECHNOLOGIES USA INC |                                |               |               |          |            |              |                 |
|        | I-17-03 (3) final               | INSITUFORM TECHNOLOGIES USA IN | R             | 3/06/2018     |          | 6,668.57CR | 084712       | 6,668.57        |
| 2602   | JOSSART BROTHERS INC            |                                |               |               |          |            |              |                 |
|        | I-647                           | JOSSART BROTHERS INC           | R             | 3/06/2018     |          | 2,521.00CR | 084713       |                 |
|        | I-648                           | JOSSART BROTHERS INC           | R             | 3/06/2018     |          | 2,363.50CR | 084713       |                 |
|        | I-649                           | JOSSART BROTHERS INC           | R             | 3/06/2018     |          | 2,591.00CR | 084713       |                 |
|        | I-650                           | JOSSART BROTHERS INC           | R             | 3/06/2018     |          | 3,019.50CR | 084713       | 10,495.00       |
| 1276   | JX ENTERPRISES INC              |                                |               |               |          |            |              |                 |
|        | I-1424718P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 18.99CR    | 084714       |                 |
|        | I-1424877P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 381.61CR   | 084714       |                 |
|        | I-1424880P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 17.41CR    | 084714       |                 |
|        | I-1424881P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 3.52CR     | 084714       |                 |
|        | I-1426743P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 277.14CR   | 084714       |                 |
|        | I-1426751P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 24.67CR    | 084714       |                 |
|        | I-1426752P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 6.20CR     | 084714       |                 |
|        | I-1427141P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 3.52CR     | 084714       |                 |
|        | I-1427492P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 14.23CR    | 084714       |                 |
|        | I-1427651P                      | JX ENTERPRISES INC             | R             | 3/06/2018     |          | 49.02CR    | 084714       | 796.31          |

Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)

PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18

VENDOR SET: 01

\*\*\* CHECK LISTING \*\*\*

BANK : AP ASSOCIATED

| VENDOR | NAME / I.D.                | DESC                       | CHECK<br>TYPE | CHECK<br>DATE | DISCOUNT | AMOUNT     | CHECK<br>NO# | CHECK<br>AMOUNT |
|--------|----------------------------|----------------------------|---------------|---------------|----------|------------|--------------|-----------------|
| 6587   | SHANA LEDVINA              |                            |               |               |          |            |              |                 |
|        | I-201802278004             | SHANA LEDVINA              | R             | 3/06/2018     |          | 11.55CR    | 084715       | 11.55           |
| 1443   | MARTIN SYSTEMS INC         |                            |               |               |          |            |              |                 |
|        | I-160836                   | MARTIN SYSTEMS INC         | R             | 3/06/2018     |          | 175.99CR   | 084716       |                 |
|        | I-160838                   | MARTIN SYSTEMS INC         | R             | 3/06/2018     |          | 129.00CR   | 084716       |                 |
|        | I-160839                   | MARTIN SYSTEMS INC         | R             | 3/06/2018     |          | 129.00CR   | 084716       |                 |
|        | I-160843                   | MARTIN SYSTEMS INC         | R             | 3/06/2018     |          | 175.99CR   | 084716       |                 |
|        | I-160844                   | MARTIN SYSTEMS INC         | R             | 3/06/2018     |          | 222.98CR   | 084716       | 832.96          |
| 0173   | MENARDS INC                |                            |               |               |          |            |              |                 |
|        | I-22963                    | MENARDS INC                | R             | 3/06/2018     |          | 17.62CR    | 084717       |                 |
|        | I-23087                    | MENARDS INC                | R             | 3/06/2018     |          | 69.00CR    | 084717       |                 |
|        | I-23162                    | MENARDS INC                | R             | 3/06/2018     |          | 81.49CR    | 084717       |                 |
|        | I-23164                    | MENARDS INC                | R             | 3/06/2018     |          | 15.96CR    | 084717       |                 |
|        | I-23272                    | MENARDS INC                | R             | 3/06/2018     |          | 57.29CR    | 084717       |                 |
|        | I-23299                    | MENARDS INC                | R             | 3/06/2018     |          | 30.59CR    | 084717       |                 |
|        | I-23344                    | MENARDS INC                | R             | 3/06/2018     |          | 39.99CR    | 084717       |                 |
|        | I-23354                    | MENARDS INC                | R             | 3/06/2018     |          | 0.52CR     | 084717       |                 |
|        | I-23630                    | MENARDS INC                | R             | 3/06/2018     |          | 155.54CR   | 084717       |                 |
|        | I-23664                    | MENARDS INC                | R             | 3/06/2018     |          | 10.28CR    | 084717       |                 |
|        | I-23673                    | MENARDS INC                | R             | 3/06/2018     |          | 81.71CR    | 084717       | 559.99          |
| 0524   | MJB INDUSTRIES INC         |                            |               |               |          |            |              |                 |
|        | I-5910                     | MJB INDUSTRIES INC         | R             | 3/06/2018     |          | 7,300.00CR | 084718       | 7,300.00        |
| 7129   | NELSON TACTICAL            |                            |               |               |          |            |              |                 |
|        | I-2887                     | NELSON TACTICAL            | R             | 3/06/2018     |          | 107.97CR   | 084719       | 107.97          |
| 3191   | NIELSON COMMUNICATIONS INC |                            |               |               |          |            |              |                 |
|        | I-AR12622                  | NIELSON COMMUNICATIONS INC | R             | 3/06/2018     |          | 62.50CR    | 084720       | 62.50           |
| 5188   | NORTHEAST ASPHALT INC      |                            |               |               |          |            |              |                 |
|        | I-1535714                  | NORTHEAST ASPHALT INC      | R             | 3/06/2018     |          | 527.75CR   | 084721       | 527.75          |
| 0531   | NORTHEAST AUTO PARTS INC   |                            |               |               |          |            |              |                 |
|        | C-328295                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 411.98     | 084722       |                 |
|        | C-328511                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 69.98      | 084722       |                 |
|        | I-32816                    | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 268.62CR   | 084722       |                 |
|        | I-328195                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 448.19CR   | 084722       |                 |
|        | I-328197                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 160.78CR   | 084722       |                 |
|        | I-328286                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 8.89CR     | 084722       |                 |
|        | I-328386                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 8.89CR     | 084722       |                 |
|        | I-328406                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 31.81CR    | 084722       |                 |
|        | I-328452                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 23.66CR    | 084722       |                 |
|        | I-328469                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 212.05CR   | 084722       |                 |
|        | I-328494                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 69.98CR    | 084722       |                 |
|        | I-328510                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 4.30CR     | 084722       |                 |
|        | I-328655                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 110.97CR   | 084722       |                 |
|        | I-328656                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 42.99CR    | 084722       |                 |
|        | I-328674                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 133.99CR   | 084722       |                 |
|        | I-328685                   | NORTHEAST AUTO PARTS INC   | R             | 3/06/2018     |          | 10.49CR    | 084722       | 1,053.65        |

**Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)**

2/27/2018 3:42 PM

A / P CHECK REGISTER

PAGE: 5

PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18

VENDOR SET: 01

\*\*\*\* CHECK LISTING \*\*\*\*

BANK : AP ASSOCIATED

| VENDOR | NAME / I.D.                   | DESC                          | CHECK<br>TYPE | CHECK<br>DATE | DISCOUNT | AMOUNT      | CHECK<br>NO# | CHECK<br>AMOUNT |
|--------|-------------------------------|-------------------------------|---------------|---------------|----------|-------------|--------------|-----------------|
| *VOID* | VOID CHECK                    |                               | V             | 3/06/2018     |          |             | 084723       | **VOID**        |
| 5433   | NORTHEAST WI TECH COLLEGE     |                               |               |               |          |             |              |                 |
|        | I-M5745                       | NORTHEAST WI TECH COLLEGE     | R             | 3/06/2018     |          | 700.00CR    | 084724       | 700.00          |
| 0499   | PACK AND SHIP LLC             |                               |               |               |          |             |              |                 |
|        | I-201802278005                | PACK AND SHIP LLC             | R             | 3/06/2018     |          | 27.79CR     | 084725       | 27.79           |
| 0197   | PACKER CITY INTERNATIONAL INC |                               |               |               |          |             |              |                 |
|        | I-X101081799:01               | PACKER CITY INTERNATIONAL INC | R             | 3/06/2018     |          | 335.35CR    | 084726       |                 |
|        | I-X101082075:01               | PACKER CITY INTERNATIONAL INC | R             | 3/06/2018     |          | 57.92CR     | 084726       |                 |
|        | I-X101082202:01               | PACKER CITY INTERNATIONAL INC | R             | 3/06/2018     |          | 317.99CR    | 084726       |                 |
|        | I-X101082480:01               | PACKER CITY INTERNATIONAL INC | R             | 3/06/2018     |          | 61.20CR     | 084726       | 772.46          |
| 1331   | PACKER FASTENER & SUPPLY INC  |                               |               |               |          |             |              |                 |
|        | I-370872                      | PACKER FASTENER & SUPPLY INC  | R             | 3/06/2018     |          | 23.12CR     | 084727       |                 |
|        | I-371419                      | PACKER FASTENER & SUPPLY INC  | R             | 3/06/2018     |          | 12.95CR     | 084727       |                 |
|        | I-371429                      | PACKER FASTENER & SUPPLY INC  | R             | 3/06/2018     |          | 72.07CR     | 084727       | 108.14          |
| 0199   | PARKER COATINGS INC           |                               |               |               |          |             |              |                 |
|        | I-280650                      | PARKER COATINGS INC           | R             | 3/06/2018     |          | 128.00CR    | 084728       |                 |
|        | I-280668                      | PARKER COATINGS INC           | R             | 3/06/2018     |          | 128.00CR    | 084728       |                 |
|        | I-280681                      | PARKER COATINGS INC           | R             | 3/06/2018     |          | 128.00CR    | 084728       | 384.00          |
| 3401   | PETERS CONCRETE COMPANY INC   |                               |               |               |          |             |              |                 |
|        | I-16-14 (4) FINAL             | PETERS CONCRETE COMPANY INC   | R             | 3/06/2018     |          | 15,221.92CR | 084729       | 15,221.92       |
| 3202   | PHYSIO-CONTROL INC            |                               |               |               |          |             |              |                 |
|        | I-418025468                   | PHYSIO-CONTROL INC            | R             | 3/06/2018     |          | 4,582.32CR  | 084730       | 4,582.32        |
| 6126   | PM SUPPLY - WRIGHT INDUSTRIAL |                               |               |               |          |             |              |                 |
|        | I-76975                       | PM SUPPLY - WRIGHT INDUSTRIAL | R             | 3/06/2018     |          | 123.60CR    | 084731       | 123.60          |
| 0208   | POMP'S TIRE SERVICE INC       |                               |               |               |          |             |              |                 |
|        | I-90046353                    | POMP'S TIRE SERVICE INC       | R             | 3/06/2018     |          | 150.00CR    | 084732       | 150.00          |
| 0395   | PRO ONE JANITORIAL INC        |                               |               |               |          |             |              |                 |
|        | I-130984                      | PRO ONE JANITORIAL INC        | R             | 3/06/2018     |          | 1,125.00CR  | 084733       | 1,125.00        |
| 0227   | REINDERS INC                  |                               |               |               |          |             |              |                 |
|        | I-1722857-00                  | REINDERS INC                  | R             | 3/06/2018     |          | 953.86CR    | 084734       |                 |
|        | I-1722857-01                  | REINDERS INC                  | R             | 3/06/2018     |          | 391.01CR    | 084734       |                 |
|        | I-1722998-00                  | REINDERS INC                  | R             | 3/06/2018     |          | 384.36CR    | 084734       |                 |
|        | I-1722998-01                  | REINDERS INC                  | R             | 3/06/2018     |          | 204.48CR    | 084734       |                 |
|        | I-1723118-00                  | REINDERS INC                  | R             | 3/06/2018     |          | 254.81CR    | 084734       |                 |
|        | I-1723118-01                  | REINDERS INC                  | R             | 3/06/2018     |          | 593.96CR    | 084734       | 2,782.48        |

Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)

2/27/2018 3:42 PM

A / P CHECK REGISTER

PAGE: 6

PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18

VENDOR SET: 01

\*\*\*\* CHECK LISTING \*\*\*\*

BANK : AP ASSOCIATED

| VENDOR | NAME / I.D.                                         | DESC                               | CHECK<br>TYPE | CHECK<br>DATE          | DISCOUNT | AMOUNT               | CHECK<br>NO#     | CHECK<br>AMOUNT |
|--------|-----------------------------------------------------|------------------------------------|---------------|------------------------|----------|----------------------|------------------|-----------------|
| 0681   | ROGAN'S SHOES<br>I-239318                           | ROGAN'S SHOES                      | R             | 3/06/2018              |          | 495.00CR             | 084735           | 495.00          |
| 7513   | SAFE FLOW LLC<br>I-208102                           | SAFE FLOW LLC                      | R             | 3/06/2018              |          | 80.00CR              | 084736           | 80.00           |
| 0501   | SAINT MARY'S HOSPITAL<br>I-21602                    | SAINT MARY'S HOSPITAL              | R             | 3/06/2018              |          | 14.80CR              | 084737           | 14.80           |
| 7088   | SCHWEINER, NEAL<br>I-201802278007<br>I-ARV/35086658 | SCHWEINER, NEAL<br>SCHWEINER, NEAL | R<br>R        | 3/06/2018<br>3/06/2018 |          | 125.00CR<br>311.80CR | 084738<br>084738 | 436.80          |
| 7701   | SPANISH IN YOUR JOB LLC<br>I-201802278008           | SPANISH IN YOUR JOB LLC            | R             | 3/06/2018              |          | 100.00CR             | 084739           | 100.00          |
| 0999   | STAPLES ADVANTAGE<br>I-3368700181                   | STAPLES ADVANTAGE                  | R             | 3/06/2018              |          | 22.94CR              | 084740           | 22.94           |
| 0268   | TRUCK EQUIPMENT INC<br>I-781051-00                  | TRUCK EQUIPMENT INC                | R             | 3/06/2018              |          | 16.38CR              | 084741           | 16.38           |
| 0417   | TWEET GAROT MECHANICAL INC<br>I-57416               | TWEET GAROT MECHANICAL INC         | R             | 3/06/2018              |          | 174.00CR             | 084742           | 174.00          |
| 0272   | UNIFORM SHOPPE INC<br>I-274431                      | UNIFORM SHOPPE INC                 | R             | 3/06/2018              |          | 194.97CR             | 084743           | 194.97          |
| 7702   | USA SOFTBALL OF WI<br>I-2018-009                    | USA SOFTBALL OF WI                 | R             | 3/06/2018              |          | 51.00CR              | 084744           | 51.00           |
| 3205   | WI DEPT OF NATURAL RESOURCES<br>I-AT3396BG          | WI DEPT OF NATURAL RESOURCES       | R             | 3/06/2018              |          | 30.00CR              | 084745           | 30.00           |
| 6418   | WI DEPT OF NATURAL RESOURCES<br>I-370-0000007319    | WI DEPT OF NATURAL RESOURCES       | R             | 3/06/2018              |          | 75.00CR              | 084746           | 75.00           |

| * * T O T A L S * * | NO# | DISCOUNTS | CHECK AMT  | TOTAL APPLIED |
|---------------------|-----|-----------|------------|---------------|
| REGULAR CHECKS:     | 64  | 0.00      | 106,148.22 | 106,148.22    |
| HANDWRITTEN CHECKS: | 0   | 0.00      | 0.00       | 0.00          |
| PRE-WRITE CHECKS:   | 0   | 0.00      | 0.00       | 0.00          |
| DRAFTS:             | 0   | 0.00      | 0.00       | 0.00          |
| VOID CHECKS:        | 1   | 0.00      | 0.00       | 0.00          |
| NON CHECKS:         | 0   | 0.00      | 0.00       | 0.00          |
| CORRECTIONS:        | 0   | 0.00      | 0.00       | 0.00          |
| REGISTER TOTALS:    | 65  | 0.00      | 106,148.22 | 106,148.22    |

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)

2/27/2018 3:42 PM

A / P CHECK REGISTER

PAGE: 7

PACKET: 05813 MAR 2018 COUNCIL - 1 3-6-18

VENDOR SET: 01

\*\*\*\* CHECK LISTING \*\*\*\*

BANK : AP ASSOCIATED

| VENDOR | NAME / I.D. | DESC | CHECK<br>TYPE | CHECK<br>DATE | DISCOUNT | AMOUNT | CHECK<br>NO# | CHECK<br>AMOUNT |
|--------|-------------|------|---------------|---------------|----------|--------|--------------|-----------------|
|--------|-------------|------|---------------|---------------|----------|--------|--------------|-----------------|

## \*\* POSTING PERIOD RECAP \*\*

| FUND  | PERIOD | AMOUNT       |
|-------|--------|--------------|
| 100   | 3/2018 | 64,876.20CR  |
| 201   | 3/2018 | 754.76CR     |
| 405   | 3/2018 | 21,965.49CR  |
| 601   | 3/2018 | 16,676.18CR  |
| 650   | 3/2018 | 1,875.59CR   |
| ===== |        |              |
| ALL   |        | 106,148.22CR |

Attachment: 3-6-18 VOUCHERS (6733 : Voucher Approval.)