Board of Public Works

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

Regular Meeting

Final Minutes

Monday, February 12, 2024	7:30 PM	Council Chambers and Virtual

I. Call to Order

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

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

Scott Thoresen, Director of Public Works
Eric Rakers, City Engineer
Chase Kuffel, Assistant City Engineer
Betty Marovich, Recording Secretary
Chris Dahlke, Saint Norbert College (Remote)

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

None

III. Items

1. Approval of the January 8, 2024 Board of Public Works Meeting Minutes

   Alderperson Carpenter moved to approve the January 8, 2024 Board of Public Works Meeting Minutes, seconded by Alderperson Hansen. Upon vote, the motion passed unanimously.

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

2. Consider and Possible Action Regarding St. Norbert College Request for Garbage & Recycle Collection*

   Scott Thoresen, Director of Public Works, explained the request from St. Norbert College to have the City provide garbage and recycling collection services for St. Norbert owned housing. Mr. Thoresen explained the proposed agreement including cost associated with these collections and the services that would be offered. Mr. Thoresen stated that staff recommends approving the request for services.

   Alderperson Hansen moved to approve St. Norbert request for garbage and recycling collections performed by the City, seconded by Alderperson Ledvina.

   Alderperson Carpenter asked how bulk items will be collected if that is not part of the contract with the City.

Alderperson Carpenter moved to open the meeting for public comment at 7:34 PM, seconded by Alderperson Hansen. Upon vote, the motion passed unanimously.

Chris Dahlke, St. Norbert College, explained that the college has a separate contract for bulk item collection during two events at move in and move out.

Mayor Boyd moved to return to regular session at 7:35 PM, seconded by Alderperson Carpenter. Upon vote, the motion passed unanimously.

Upon vote, the motion passed unanimously.

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

3. Consideration and possible action on Resolution for Emergency Repairs under Project 23-16

Eric Rakers, City Engineer, explained the additional emergency repair work required as part of Project 23-16 Bridge Rehabilitation and the resolution to approve the work. Mr. Rakers explained the importance of having the bridge repairs completed for traffic use during road closures and construction of the new highway interchange. Mr. Rakers recommended approval of the resolution, which would allow staff to issue a change order for the work on the bridge.

Alderperson Hansen asked if the City would be responsible to cover the cost of a full bridge replacement if required. Mr. Rakers stated it would be the City's responsibility, but at that time staff would look to acquire grants to supplement the cost. Mayor Boyd stated that the proposed repairs will give the City time. Mr. Rakers stated it was a permanent fix. Alderperson Carpenter asked if staff intends to make Creamery an approved truck route during the upcoming construction and closures and if the proposed work pass state inspections. Mr. Rakers stated it would pass inspections and staff has a consultant complete inspections on bridges every two years, along with sign structures. Mr. Rakers explained that staff has no intention of making this a truck route or detour route for the upcoming construction closures. Alderperson Carpenter and Mayor Boyd stated they had seen something in the League of Wisconsin Municipalities regarding bridge inspections, inventories and standards. Mr. Rakers stated that the State may be looking at making changes, but at this time the City inspects every two years and submits the reports to Brown County, who submits them to the state. Mayor Boyd stated that he read that communities would be notified if changes would move forward. Alderperson Ledvina asked if a funding source needed to be designated. Mr. Rakers stated that the project is funded through the street management account and funds are available to cover the repair cost.

Mayor Boyd moved to approve the resolution for emergency repairs under Project 23-16, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

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

4. Consider and Possible Action on Approval of Temporary Limited Easement (TLE) Donation for Parcels WD-D00037-2 and WD-D0035-1 to Brown County for CTH GV Project.*

   Scott Thoresen, Director of Public Works, explained the request from the Wisconsin DOT and Brown County for temporary limited easement donation in the amount of $1,300 for two City owned parcels.

   Alderperson Hansen asked for an update on the progress of acquiring land/easements for the sidewalk/trail installation along the project. Mr. Thoresen explained that the process just started and that property owners were concerned about winter maintenance; the City plans to complete winter maintenance on the sidewalk/trail. Alderperson Hansen stated that he heard from the City Attorney that over the next few months municipalities should know whether they regain the ability to acquire property via imminent domain.

   Mayor Boyd moved to approve the Temporary Limited Easement Donation to Brown County for CTH GV Project, seconded by Alderperson Carpenter. Upon vote, the motion passed unanimously.

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

5. Consideration and possible action on the Agreement for Payment for Relocation and Replacement of Municipal Utility Facilities associated with I41 and Generations Boulevard Interchange*

   Eric Rakers, City Engineer, explained work the Wisconsin DOT will be completing as part of the new I41 interchange, which requires the City utilities to be relocated from that intersection. Mr. Rakers explained that the City is eligible to reimbursement up to 90% and estimated costs were included in the packet with the agreements. Mr. Rakers stated the City is responsible for an estimated $74,000 that was not included in the budget and asked that it be included during capital bonding later this year.

   Alderperson Carpenter moved to approve the agreements for payment for relocation and replacement of municipal utility facilities associated with I41 and Generations Boulevard interchange, seconded by Mayor Boyd. Upon vote, the motion passed unanimously.

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

6. Consider and Possible Action Regarding Village of Ashwaubenon Request for Support for Trail Extension on Main Avenue*

Scott Thoresen, Director of Public Works, explained the request from Village of Ashwaubenon for support and to apply jointly for a grant to extend the trail along Main Avenue. Mr. Thoresen explained that if Ashwaubenon would successfully be awarded the grant, staff would return with an agreement outlining the funding and City obligations.

Alderperson Hansen moved to approve supporting Village of Ashwaubenon and apply jointly for trail extension grant, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

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

7. Consideration and possible action regarding American Boulevard Sidewalk

Eric Rakers, City Engineer, explained the request received to install sidewalks on American Boulevard. Mr. Rakers explained the sidewalk requirement map included in the packet, which includes three categories: restrictive covenant, potentially will need walk, and does not meet requirement never need walk. Mr. Rakers further explained that there have been instances where sidewalk has been installed where not prescribed by the map and other times when the requirements listed have been upheld. Mr. Rakers explained that the past stance has been to not install sidewalks in business and industrial parks. Mr. Rakers explained the facility need for the American Boulevard corridor. Mr. Rakers explained that municipal code allowed for the Board to review the need for the sidewalk installation and American Boulevard would meet the requirements if the Board decided in favor of the sidewalk installation. Mr. Rakers explained how the costs were split between the property owners and the City when sidewalks were installed on Lawrence Drive. Mr. Rakers stated there would be additional follow-up steps if the Board wished to move forward with the sidewalks along American Boulevard, including sending out a survey to the property owners and scheduling a public information meeting.

Mayor Boyd asked if sidewalks were installed, if it would on both sides. Mr. Rakers stated that was staff's intent but the Board could propose alternatives. Alderperson Carpenter stated that both east and west business parks have staff walking during breaks and if American gets sidewalks, then requests will likely come in from the east park too. Alderperson Carpenter expressed concerns over installation based on one request and stated he would be interested to know if there was interest from businesses to install sidewalks along American. Alderperson Hansen asked how the legal action against imminent domain impacted this request and whether one property owner could derail the process by refusing. Scott Thoresen, Director of Public Works, explained that would be an issue if additional right-of-way would be required for installation. Mr. Rakers explained that there is adequate right-of-way in that corridor, though there might be a concern where the new round-about would be installed in conjunction with the Southbridge interchange. Mr. Thoresen explained that staff was looking for direction from the Board on whether there was interest in moving forward with the request. Alderperson Raasch expressed his concerns and lack of interest in moving forward with installing sidewalks on American Boulevard. Mayor Boyd expressed his concerns and lack of interest in moving forward with installing sidewalks on American Boulevard. Alderperson Ledvina suggested issuing a survey to the property owners and businesses adjacent to American Boulevard to have a better understanding of the potential interest.

Mr. Thoresen stated he was fairly confident that the businesses would not be interested since they would need to pay for it and maintain it. Alderperson Carpenter agreed that businesses would not be in favor of sidewalks and may cause some businesses to make plans to relocate or expand in other communities. Mr. Thoresen suggested waiting until the interchange is constructed with the sidewalk/trail and if that drives more pedestrian traffic, the sidewalks could be reevaluated along American.

Discussed. No action.

RESULT:	**NO ACTION**

8. Consider and Possible Action Regarding New Yard Waste Sites*

Scott Thoresen, Director of Public Works, explained the results from discussions in November 2021 for relocating the yard waste site, formerly known as the compost site. Mr. Thoresen explained the new direction the City is proposing for offering new yard waste sites on both the east and west sides of the City. Mr. Thoresen explained that Ledgeview is interested in continuing their collaboration with the City allowing the Ledgeview residents to utilize the east side yard waste site. Mr. Thoresen stated he has reached out to the Town of Lawrence to offer a similar collaboration for their residents to use the west side yard waste site. Mr. Thoresen stated that if the Board and Council were in favor of operating two sites, staff would work with the Wisconsin Department of Natural Resources for site evaluations. If approved by the DNR, staff would hire a consultant to design plans for construction in 2026.

Alderperson Hansen asked why staff plans to change the name of the site from compost to yard waste and if there would be a change in what materials are accepted. Mr. Thoresen explained that in the past, the City would create compost, but presently is a drop-off site for yard waste and it clears up the intention of the site. Mr. Thoresen stated there would not be a change to the materials that are accepted. Alderperson Hansen asked if there was consideration to accept food scraps. Mr. Thoresen explained the amount of work and regulations on that type of product acceptance and stated the City is not considering that. Alderperson Carpenter stated that having two sites will increase some costs including the tub grinder needing to chip brush at both locations and strongly suggested working with Lawrence on a partnership for the west side location.

Alderperson Carpenter moved to approve new yard waste sites, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

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

9. Consider and Possible Action Regarding Public Parking on City Owned Lot at 360 Main Avenue*

Scott Thoresen, Public Works Director, explained that in August of 2022 the City approved allowing parking at the City owned lot at 360 Main Avenue and at the time had decided to barricade the access to the lot during winter months due to winter maintenance concerns. Mr. Thoresen explained that staff had received a request from local business owners asking that the lot be available in the winter months. Mr. Thoresen asked the Board to direct staff on whether the lot should remain open during winter months.

Alderperson Carpenter asked for staff's recommendation on whether the lot should remain open with regards to surface material and potential development of the site. Mr. Thoresen explained that the parking was approved until such time the lot was redeveloped and staff has the means to maintain during the winter months but had previously requested that it be closed as the grade of the lot makes it more difficult to maintain than other lots around the City. Alderperson Carpenter asked if the lot was gravel. Mr. Thoresen stated the lot is paved. Alderperson Carpenter asked if there were stalls marked. Mr. Thoresen stated there were not marked stalls and the lot gets relatively full when it is open in non-winter months.

Mayor Boyd moved to approve public parking year-round on City owned lot at 360 Main Avenue, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

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

10. Discuss Full Sanitary Lateral Replacement

Eric Rakers, City Engineer, explained that staff is interested in obtaining prices during 2024 construction as a pilot program for full length sanitary lateral replacements as part of the City initiative to reduce inflow and infiltration. Mr. Rakers explained that staff is interested in pipe-bursting as a way of implementing the full length lateral replacements and explained how that process is completed. Mr. Rakers also shared videos of the process from Sewer Pros and M&E Construction.

Alderperson Carpenter asked what extent services are currently being replaced. Mr. Rakers stated that during construction, service laterals are replaced to the right-of-way and connected to the existing lateral at that point. Mr. Rakers explained during the videos how the full length lateral replacements occur, including accessing the basement, accessing the lateral at the house, and the pulling of the new pipe through the ground to the main line. Alderperson Ledvina asked if the pipe could be run from the main to the house, instead of vise versa. Mr. Rakers stated it could, but the pulling machine would need to be brought inside the house. Mr. Rakers explained that residents have been opting for pipe-bursting when they have failed laterals as it is cheaper than open cutting to replace the lateral. Mr. Rakers explained that the current process of replacing to the right-of-way is fairly expensive and preliminary numbers have shown that it may be around the same cost to pipe burst the full length. Mr. Rakers stated that staff intends to include bid items on an upcoming project to get pricing for traditional replacement to the right-of-way and also full length pipe bursting and will bring that information back to the Board and see if there is interest in moving forward with a pilot program to allow residents to elect for full length replacement as part of the project. Mr. Rakers added that sometimes the foundation drains are connected outside of the basement walls, making them a little more difficult to get to as part of the foundation drain disconnection program and with pipe bursting, the contractor will televise the lateral and see those connections, the new pipe bypasses it, and contractors can work with the home owner to install a sump pump for their foundation drains.

Mayor Boyd asked if staff would identify certain 'problem' houses to start with. Mr. Rakers stated he would like houses with clay or concrete laterals to be eligible. Alderperson Carpenter asked how big the hole in the basement needs to be in order to feed the new pipe through. Mr. Rakers stated it appeared to be about three foot by three foot. Other local municipalities offer a similar program with varying requirements for participation and cost sharing. Alderperson Carpenter spoke in favor of the program and outlined a few areas that still need to be worked out including funding and mandates. Mr. Rakers stated if the bids come in similar to the traditional work that the City is presently covering the cost of, likely the resident would not need to pay much for the full length replacement. Mayor Boyd asked what happened to the old pipe when the new one is pushed through. Mr. Rakers explained it is broken into pieces and pushed to the sides. Alderperson Hansen asked if the resident is responsible for repairs from their house to the right-of-way. Mr. Thoresen stated the resident is responsible for repairs from their house to the main. Mayor Boyd asked what staff needed from the Board to move forward. Mr. Rakers explained it was for discussion and to see if any Board members had concerns about the direction staff was proposing.

Discussion only. No action.

RESULT:	**DISCUSSED**

11. Consideration and possible action on Updates to the Foundation Drain Disconnection Program Policy

Chase Kuffel, Assistant City Engineer, explained the actions taken by staff and the updates to the program policy proposed since its approval in October 2023. Mr. Kuffel explained the following updates:
1. Recommend a pre-inspection with Engineering staff and Building Inspection staff during which staff will televise the lateral if possible to verify presence of foundation drains. Staff will then outline options for the homeowners following this initial inspection.
2. Staff created a reimbursement checklist to better guide homeowners and plumbers through the process.
3. Language was clarified for televising procedures.
4. Language was clarified for the timeline for reimbursement once invoices are submitted.
5. Drafted an exemption letter that is sent to properties clarifying that remedial action may need to be taken if excessive groundwater is noticed from the property in the future. Staff is discussing the future mandate with the legal department and once that is finalized, another letter will be sent to property owners with that update. Mr. Kuffel recommended the approval of the updates to the Foundation Drain Disconnection Program Policy.

Mayor Boyd stated his approval of the changes and expressed concerns brought to him regarding a property that had installed a sump pump that were afterwards told they did not need. Alderperson Carpenter asked if homeowners have expressed any concerns about contractors not being willing to work with them on payment until the reimbursement is processed. Mr. Kuffel stated that the feedback he has received from residents is that the reimbursement window falls within the thirty day window for paying the invoices. Scott Thoresen, Director of Public Works, explained a new policy that will be addressed by Finance and Personnel Committee allowing for quicker payments. Mayor Boyd asked if staff envisioned getting all the designated money spent for this project. Mr. Kuffel stated that he expected another surge of volunteers once the mandate letter goes out to homeowners.

Mayor Boyd moved to approve updates to the Foundation Drain Disconnection Program Policy, seconded by Alderperson Hansen. Upon vote, the motion passed unanimously.

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

12. Consideration and possible action on Third Amendmant to 2021 Agreement for 2024 Consulting Services*

Eric Rakers, City Engineer, explained that staff is requesting to extend the contract with Robert E. Lee and Associates for 2024 consulting services and included their 2024 rates for review.

Mayor Boyd asked about fiber work happening in his neighborhood by AT&T. Chase Kuffel, Assistant City Engineer, explained that TDS started a wave of fiber activity and some contractors, such as AT&T, have restricted their work to utility easements which do not require as many permits as the work TDS is doing. Alderperson Carpenter asked if a consultant could remain on the projects they are active on, but request bids for consultant services for new work. Mr. Rakers explained that staff utilizing the consultant discussed as a group and decided to extend one more year based on the work going on and request proposals for consultant services in 2025.

Alderperson Carpenter moved to approve the third amendment to 2021 agreement for 2024 consulting services, seconded by Mayor Boyd. Upon vote, the motion passed unanimously.

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

13. Consideration and possible action on Quotes for 2024 Materials Testing and Soil Borings*

Eric Rakers, City Engineer, explained the annual request for proposal process for consulting services for engineering work including materials testing and soil borings. Mr. Rakers explained this consultant work is funded through individual capital projects. Mr. Rakers recommended award of materials testing to Bay Area Testing and soil borings to ECS Midwest.

Alderperson Hansen asked what amount was budgeted for this work. Mr. Rakers stated they are not budgeted as consultant services but included in each individual project that requires the services.

Mayor Boyd moved to approve Bay Area Testing for 2024 materials testing and ECS Midwest for 2024 soil borings, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

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

14. Consideration and possible action on award of Contract 24-03 Sewer Lining*

Alderperson Carpenter moved to approve award of Contract 24-03 Sewer Lining, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

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

15. Consideration and possible action on award of Contract 24-05 Sidewalk and Curb Repairs*

Mayor Boyd moved to approve award of Contract 24-05 Sidewalk and Curb Repairs, seconded by Alderperson Carpenter. Upon vote, the motion passed unanimously.

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

16. Consideration and possible action on award of Contract 24-13 Crackfilling*

Alderperson Carpenter moved to approve award of Contract 24-13 Crackfilling, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

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

17. Consideration and possible action on award of Project 24-19 Mudjacking-Request for Proposal*

Alderperson Ledvina moved to approve award of Project 24-19 Mudjacking-Request for Proposal, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

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

IV. Future Agenda Items

None

V. Adjournment

Mayor Boyd moved to adjourn the meeting at 8:54 PM, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

Respectfully submitted,
Betty Marovich