



Board of Public Works

Regular Meeting

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

Final Minutes

Monday, January 8, 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	Aldersperson	Present	
Jonathon Hansen	Aldersperson	Present	
Shana Defnet Ledvina	Aldersperson	Excused	
Dean Raasch	Aldersperson	Present	

Scott Thoresen, Director of Public Works
Eric Rakers, City Engineer
Chase Kuffel, Assistant City Engineer
Marty Kosobucki, Parks, Recreation & Forestry Director
Larry Delo, City Administrator
Betty Marovich, Recording Secretary
Eric Zygarlicke, Water Department Supervisor (Remote)
Shannon Metzler, HR Director (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 November 13, 2023 Board of Public Works Meeting Minutes

Aldersperson Raasch moved to approve the November 13, 2023 Board of Public Works Meeting Minutes, seconded by Aldersperson Carpenter. Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Aldersperson
SECONDER:	Dan Carpenter, Aldersperson
AYES:	James Boyd, Dan Carpenter, Jonathon Hansen, Dean Raasch
EXCUSED:	Shana Defnet Ledvina

2. Consider and Possible Action on Replacing Existing Service Signs on S. Broadway & Bicentennial Park*

Scott Thoresen, Director of Public Works, outlined the previous action taken by the Board of Public Works in October 2023 regarding the service signs. Mr. Thoresen stated that following the October 2023 meeting, notices were sent to the service groups outlining the action taken by the Board. Mr. Thoresen received replies from multiple service groups requesting to keep the signs on S. Broadway and Bicentennial Park. Mr. Thoresen further outlined a policy from 2015 regarding the service signs. Mr. Thoresen recommended changes to the policy if the Board decided to retain the signs at the request

of the service groups. Mr. Thoresen explained revisions requested by the service groups and whether staff approved these recommendations or not. These recommendations included:

1. Under the section II Plaques on City Welcome Signs B Requirements sub section 5, recommended the following: if the Director is not able to contact the Civic group the sign maybe destroyed after 60 days. Staff did not have an issue with this revision.
2. Under IX Placement/Removal of Signs Subsection B; it may take longer than a month to replace a sign, recommend that the Director may approve a plan for replacement. Staff did not have a problem with this revision.
3. Suggested a new section to the policy outlining the following. Maintenance of Sign Structure and Area:
 - a. The City will maintain the Landscape area around the sign including trimming or removal trees to maintain the aesthetic of the sign including a proper sight line. Staff did not have a problem with this revision.
 - b. Maintain the structure of the sign by periodic sanding, prepping, and painting. The estimated cost for materials will be born by the civic groups. Labor is to be provided by the City. Staff did not agree with City providing labor and stated all costs should be the responsibility of the service groups.
 - c. Structural issues with the sign will be discussed by the Civic Groups for possible replacement. Staff suggested spelling out that costs would be the responsibility of the service groups.
4. Suggested that under the first paragraph that the City will endeavor to provide such areas for displaying such signage to foster an engaged community spirit. Staff did not believe there should be any other messages on the sign other than what is presently displayed.

Aldersperson Carpenter asked if there was a limit on the size of the sign and how many civic groups could be included. Mr. Thoresen responded that nine could be included based on the 2015 policy. Aldersperson Carpenter stated his preference to have all the service groups contacted and allow them to get on the signs to show support of the service groups. Mr. Thoresen explained that based on the size of the current structure, nine signs could fit and that making the signs smaller in order to fit more would cause them to not be able to be read. Mr. Thoresen further explained that the original signs were chosen on a first come-first serve basis with a waiting list after the nine spots were filled; if a group was to become inactive or take down their sign then the next group on the wait list would be given the opportunity to install their sign. Aldersperson Carpenter requested if the sign was redesigned that more groups be able to display signs. Mayor Boyd stated that the civic groups are all represented that he could think of. Aldersperson Hansen read the policy definition and stated that it would cover groups such as Pink Flamingo for inclusion. Mayor Boyd stated that he could think of about 15 organizations that would qualify under that definition and suggested making the definition stricter rather than opening it up for those groups. Aldersperson Hansen asked if staff was aware of any inactive groups being displayed currently, such as Ecumenical Partnership for Housing. Mr. Thoresen stated that he did not think that organization was active and has not heard from them when he sent out notices. Mr. Thoresen added that staff would plan to take down plaques from groups that have not responded.

Mayor Boyd moved to open the meeting at 7:43 PM, seconded by Aldersperson Carpenter

Mike Stumpf, 1826 Briarwood Ct, thanked the Board for the opportunity to speak in favor of keeping the service signs. Mr. Stumpf asked if the original complaint had been resolved regarding the service signs. Alderperson Hansen replied that the landscaping had been cleaned up but the paint and signs have not been refreshed.

Mr. Stumpf asked if the signs were structurally sound. Mr. Thoresen stated they have not been evaluated. Mayor Boyd stated they would be evaluated.

Mr. Stumpf appreciated that staff agreed with some of the recommendations for revisions to the 2015 policy. Mr. Stump explained his position with regards to the cost of materials and labor and why he recommended it the way he did. Mr. Stumpf, on behalf of the Lions Club, offered to take the lead for paying for materials and billing service groups.

Pat Lennon, 553 Fernando Dr, informed the Board that the Ecumenical Partnership for Housing was active and connected to the De Pere Christian Outreach and Food Pantry. Mayor Boyd asked if Mr. Lennon could let the group know that the City was trying to reach them.

Dave Reinardy, 446 Wilcox Ct, on behalf of De Pere Rotary, stated his support of the policy and retaining the service signs.

Mayor Boyd moved to return to regular session at 7:50 PM, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

Alderperson Carpenter asked if the policy was still in place that allowed groups to use City equipment. Mr. Thoresen explained that policy no longer existed because of liability. Mayor Boyd suggested strengthening the definition of a civic group in the policy. Mr. Thoresen stated that staff would work with the City Attorney to re-draft the policy for the service group signs to include the revisions discussed and bring back to the Board for consideration around March. Mr. Thoresen stated that he would also have staff evaluate the structure of the current signs, likely this spring. Mayor Boyd asked for further clarification with regards to who will perform maintenance and repairs. Mr. Thoresen stated that if staff can perform the maintenance and repairs internally it would be charged back to the service groups and if staff is unable to complete the work and a contractor needs to be brought in, staff would discuss with the service groups whether they will to move forward with those repairs at their expense. Mr. Thoresen added that in the event of large-scale structural repairs, discussions could be had regarding adding to the overall size of the signs to include more groups. Alderperson Raasch clarified that the City owned the signs, but were requesting that the service groups participate in the maintenance and costs associated with such. Mr. Thoresen and Mayor Boyd stated that was the intent. Alderperson Raasch suggested that a definition of a civic group may exist that states qualifying criteria for becoming a civic group that may strengthen the policy. Alderperson Raasch questioned how much the service groups would be able and willing to participate financially for repairs, which could take monies away from the causes they support and would Lions Club be able to up-front the monies for repairs as offered by Mr. Stumpf. Alderperson Carpenter expressed interest in finding funds to assist with service group repairs to the signs. Mayor Boyd suggested waiting until costs are better known before committing funding. Alderperson Raasch suggested public works having a line item in the budget for service group sign repairs. Larry Delo, City Administrator, explained that if monies are budgeted in the future, they need "serve a public purpose" and cannot be arbitrary.

Mayor Boyd moved to open the meeting at 8:02 PM, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

Mr. Stumpf explained why he suggested that the City perform the maintenance and repairs including liability concerns over having older individuals on ladders on City property. Mr. Stumpf added that when he thinks of events in De Pere, he thinks of Pink Flamingo and Celebrate De Pere, and Mr. Stumpf added that he believed both have contributed substantially to the City. Mr. Stumpf stated that he believes the service signs directly relate to the City mission statement to "foster and engage community spirit". Mr. Stumpf suggested adding the City logo to the top of the service signs. Mr. Lennon agreed with Mr. Stumpf with regards to the potential liability of having service group members working on City property and suggested having an annual rental fee per sign to cover labor costs for maintenance. Mr. Lennon added that the City could insure the sign on their property and have it covered in the event of an accident, but the service groups could not and would be covering the cost of replacement.

Mayor Boyd moved to return to regular session at 8:07 PM, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

Alderperson Carpenter requested staff work with the service groups to finalize the policy following the discussions and ideas brought up and bring the policy back for consideration. Mr. Thoresen stated staff's first step will be to update the policy and get that approved by the service groups, legal department, and the Board. Alderperson Hansen stated his support for the City owning the sign, adding the City logo, and providing the labor for upkeep. Alderperson Raasch stated his concerns over cost and the need to have serious conversations with regards to who covers major repairs or replacements. Alderperson Raasch also stated his support of an annual fee from service groups displayed on the signs to help cover maintenance labor costs. Mayor Boyd stated that annual fees are difficult to track but will remain part of the conversations moving forward for policy revisions.

Mayor Boyd moved to retain the signs, seconded by Alderperson Carpenter. Upon vote, the motion passed unanimously.

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

3. Consideration and possible action on Main Avenue Underpass Maintenance

Marty Kosobucki, Parks, Recreation & Forestry Director, summarized the options provided by staff for maintenance of the Main Avenue underpass including:

1. full maintenance, which was not recommended by staff or insurance. This option would require multiple personnel, equipment, and full traffic control operations, along with the purchase of a new slope mower.
2. acquire boom mower to mow the hillside; staff does not believe a larger boom mower will reach the entire hillside and will still require additional maintenance around obstacles and full traffic control operations.
3. contract service for mowing slope. Staff reached out to 18 local companies and none had interest in completing this work.

4. leave to grow naturally with minimal maintenance to ensure driver safety. This would require periodic minimal traffic control operations. This option is preferred by insurance.
5. goats for hire. Staff is still investigating this option and this option poses a new safety hazard of drivers ogling goats while in this area.
Staff recommends allowing the Main Avenue underpass to grow naturally with minimal maintenance until the area can be redesigned with Main Avenue reconstruction.

Mayor Boyd added that staff had previously been maintaining private property and this issue would need to be further discussed with those property owners moving forward. Mr. Kosobucki confirmed that staff discovered during this review that a sizable portion of land had been getting maintained by the City in the past. Mayor Boyd asked if staff did minimal maintenance if the private properties would be impacted. Mr. Kosobucki stated that the level of maintenance recommended would only be about a three foot cut along the curb line and would not impact the private property.

Alderson Raasch expressed his support for trimming along the top and bottom of the underpass and requested litter cleanup for the entire area. Alderson Raasch asked if it was possible to plant trees or wildflowers in the underpass for aesthetics. Mr. Kosobucki cautioned against trees but stated something could be done if the Board decided they wanted to spend the money, that would likely be ripped out with the Main Avenue reconstruction in a few years. Alderson Hansen requested the tall weed-like plants be removed. Mr. Kosobucki stated that many of the plants that appeared to be weeds are small trees and staff would remove those before they impact the hillside. Alderson Hansen stated his support for leaving the underpass to grow naturally with minimal maintenance but requested staff complete their investigation into the goats for hire. Alderson Carpenter asked if staff had the pest control contractor look into rodent issues in the area. Eric Rakers, City Engineer, stated staff did not review with the contractor yet. Mr. Rakers added that most of the concerns seemed centered on mice which may be outside the scope of work for the contractor. Alderson Carpenter stated that he did not support the goats for hire in this location. Alderson Raasch suggested using the goats in the different area that would be safer for onlookers and goats alike. Mr. Kosobucki stated that the goats are planned to help eradicate buckthorn and other invasives along the East River.

Alderson Carpenter moved to leave the underpass to grow naturally with minimal maintenance including trimming top and terrace, removing trees, and cleaning up trash, seconded by Mayor Boyd. Upon vote, the motion passed unanimously.

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

4. Consider and Possible Action on Water Volume Charges for PSC Rate Case*

Scott Thoresen, Director of Public Works, outlined the past action by the Board regarding the PSC rate case study for water rates. Mr. Thoresen explained that one of the aspects to be evaluated is the water volume charges and explained that presently the City has a declining rate structure which means as the water volume increases, the rate decreases. Mr. Thoresen explained there were two other options to consider:

1. constant rate structure. This means the price remains fixed no matter how much water is used.

2. inclining rate structure. This means the price increases as the volume increases. Staff is recommending retaining a declining rate structure.

Alderson Hansen moved to retain the declining rate structure, seconded by Mayor Boyd.

Alderson Carpenter asked if the new rates were included in the memo. Mr. Thoresen stated those were the existing rates.

Upon vote, the motion passed unanimously.

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

5. Consideration and possible action on Private Water System Inspection and Maintenance Ordinance*

Eric Zygarlicke, Water Department Supervisor, explained the draft ordinance included in the packet for consideration.

Mayor Boyd moved to approve the Private Water System Inspection and Maintenance Ordinance, seconded by Alderson Hansen. Upon vote, the motion passed unanimously.

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

6. Consideration and possible action on updates to 2022 General Conditions and Standard Specifications

Alderson Carpenter moved to approve the updates to General Conditions and Standard Specifications for 2024, seconded by Alderson Hansen. Upon vote, the motion passed unanimously.

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

7. Consideration and possible action on City Engineer Parking and Traffic Recommendations*

Eric Rakers, City Engineer, outlined the parking and traffic recommendations as follows:

1. painting parking stalls on Main Ave

2. allowing parking on James St on the north side

Mayor Boyd stated he had originally received this request and the businesses in that area will appreciate this change. Alderperson Raasch asked how many stalls would be available. Mr. Rakers stated that stalls would not be painted but that the block is +/- 200 feet and only has one driveway.

3. traffic light flash operations at Broadway/Merrill from midnight to 5 am

4. remove Main/Lawrence signal from ordinance

Mayor Boyd moved to approve parking and traffic recommendations, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

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

8. Discuss City Engineer Recommendations on No Action Parking and Traffic Discussion Items

Eric Rakers, City Engineer, outlined the parking and traffic discussion items as follows:

1. Main Annex parking restrictions

2. overnight parking on Maplewood Ct

3. truck traffic on Garroman Drive, including installation of "No Truck Route" signs

RESULT:	DISCUSSED
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9. Consideration and possible action on the 2024 Storm Lateral Assessment Charge for Existing Residential Properties

Eric Rakers, City Engineer, explained the annual storm lateral assessment charge for residential properties and how it is calculated.

Storm lateral assessment: \$2,246.27 per each lateral

Storm main assessment: \$606.38 per parcel

Both lateral and main assessment: \$2,852.65

Alderperson Hansen asked if the City has previously covered any portion of the lateral cost, as it covers 80% of the main cost. Mr. Rakers explained that the City has not because the lateral is 100% for the benefit of that individual property, whereas the Board previously decided it was best to participate in a portion of the main cost. Alderperson Carpenter added that the Storm Water Utility covers the portion that the City pays which is funded by all properties in the City.

Mayor Boyd moved to approve the 2024 storm lateral assessment charge for existing residential properties, seconded by Alderperson Raasch. Upon vote, the motion passed unanimously.

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

10. Consideration and possible action on the 2024 Storm Lateral Assessment Charge for Existing Non-Residential Properties

Eric Rakers, City Engineer, explained the storm lateral assessment charge for non-residential properties and how it is calculated.

Storm main assessment: \$11.00 per foot of parcel frontage

6" storm lateral assessment: \$2,576.33 per each lateral

8" storm lateral assessment: \$3,198.12 per each lateral

12" storm lateral assessment: \$3,637.02 per each lateral

Alderperson Raasch moved to approve rates for 2024 storm lateral assessment charges for existing non-residential properties, seconded by Alderperson Carpenter. Upon vote, the motion passed unanimously.

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

11. Discussion on Concrete Restoration Requirements for Work Completed by Utility Companies

Chase Kuffel, Assistant City Engineer, outlined the complaint received by Alderperson Hansen regarding concrete cores taken from a driveway as part of the TDS utility work. Mr. Kuffel explained why utility companies do concrete coring and the restoration process allowed through the City excavation permit application. Mr. Kuffel explained that the cores in question were outside of the right-of-way and did not have to follow the City's excavation permit process and staff suggested that the residents contact TDS directly with their concerns. TDS ultimately replaced the driveway sections at the complainant address. Mr. Kuffel stated that staff checked with other communities regarding concrete coring and results varied with some communities allowing similar practices to De Pere and others require full panel replacements. Mr. Kuffel further outlined costs associated with replacing cores compared to replacing full panels and further explained that increased costs associated with utility installation could lead to increased costs passed on to the resident as outlined by the Wisconsin Public Service Commission.

Mayor Boyd questioned the photo included in the memo. Mr. Kuffel explained there were two cores in the photo included and the blue/gray colored circle was from the epoxy used when they were replaced. Alderperson Hansen explained that the resident had been dissatisfied with the core settling and felt the surface should have been replaced to the state it was before the cores were taken out. Alderperson Hansen stated the owner had also questioned why the cores needed to be removed at that exact location and stated he better understood from staff's memo why certain locations are used. Alderperson Hansen

sympathized with the residents that experience issues with cores. Mr. Kuffel explained that if the cores are installed properly and flush, the driveway services the property the same and is strictly an aesthetic issue. Mayor Boyd asked if there was a better binding agent than epoxy for installing the cores. Eric Rakers, City Engineer, stated that epoxy was the best that staff is aware of. Mr. Rakers further added that this situation was a newer driveway but if full panel replacements are required on older driveways, it could have the opposite effect. Mayor Boyd asked if the situations were being evaluated on a case by case basis. Mr. Kuffel stated that staff tries to avoid cores but they are inevitable at times to confirm existing utilities which can result in discolored old versus new panels. Alderperson Carpenter asked if the two cores were for service line and main line. Mr. Kuffel confirmed it was a gas service line to the house and the gas main line. Alderperson Carpenter further questioned the location of utilities outside of the right-of-way. Mr. Kuffel explained that in new subdivisions, utilities are placed in a common trench outside of the right-of-way in a utility easement. Alderperson Carpenter questioned if depth could be determined other ways. Mr. Kuffel explained that WPS requests that depths be visually verified to try to prevent accidents. Mayor Boyd supported having the utilities handle concerns on a case by case basis. Alderperson Raasch agreed with having the complaints handled individually by the utilities. Alderperson Carpenter stated that social media can cause major damage to a company's reputation if there are multiple complaints that are not rectified but this concern was handled and can be used as an example for other complainants. Mayor Boyd stated that he did not receive complaints about TDS cores and asked if others had. Alderperson Raasch and Carpenter stated that TDS work was just beginning on the west side. Mr. Kuffel explained that the east side was completed in about August 2023 and a small portion of the west side was worked in before shutting down for the season. Mr. Kuffel stated that TDS has one or two more summers of work in De Pere.

Alderperson Hansen moved to require utility contractors to complete full panel replacements when cores are taken out. There was no second and the motion failed.

RESULT:	DISCUSSED
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12. Consider and Possible Action on WPS Replacing Decorative Street Lighting in the Downtown Areas*

Scott Thoresen, Director of Public Works, explained that in October 2023 the Board requested that WPS replace decorative street lighting with the Paragon light fixture. Mr. Thoresen explained that WPS will replace the lights as they burn out and provided a cost to have them all replaced at once. As this cost was not budgeted, if the Board would like to have the lights replaced in 2024, they would need to be funded through unassigned reserves.

Alderperson Hansen asked if the money budgeted for street light replacements could be used to replace these lights. Mr. Thoresen explained that the \$50,000 budgeted for street light replacements is to match a DOT grant designated for City street light replacements. Mayor Boyd supported replacing the lights in whole, but suggested waiting until it was budgeted in 2025. Alderperson Raasch supported budgeting for the replacements in 2025. Alderperson Hansen asked what would happen if the City waited until it was budgeted in 2025 and some lights burnt out. Mr. Thoresen stated his understanding was that WPS would replace the burnt out light with the new paragon fixture at that individual location.

Alderson Carpenter asked how many lights burn out each year. Mr. Thoresen stated it was only one or two annually.

Alderson Hansen moved to continue maintaining lights and replace with paragon as they fail and make a budget recommendation to allocate funds for the remaining light replacements in 2025, seconded by Mayor Boyd. Upon vote, the motion passed unanimously.

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

IV. Future Agenda Items

None

V. Adjournment

Mayor Boyd moved to adjourn the meeting at 9:00 PM, seconded by Alderson Raasch. Upon vote, the motion passed unanimously.

Respectfully submitted,
Betty Marovich