



Board of Public Works

Regular Meeting

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

Agenda

Monday, November 7, 2016	7:30 PM	De Pere City Hall Council Chambers
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Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Board of Public Works** of the City of De Pere will be held on **November 7, 2016** at **7:30 PM** in the **De Pere City Hall Council Chambers**, 335 S. Broadway Street, De Pere, WI 54115.

This meeting can be viewed LIVE at www.depere.tv. This meeting is also rebroadcast on TW Cable Channel 4 and AT&T U-verse Channel 99 throughout the week and available on demand at www.depere.tv.

- I. Call to Order
 - 1. Roll Call
- II. Public Comment
- III. Items
 - 1. Approval of Board of Public Works October 10, 2016 Meeting Minutes.
 - 2. Consider the Condition and Plan for Fountain.*
 - 3. Consider T-Mobile's Amendment to Current Lease Agreement on Merrill's Water Tower.*
 - 4. Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parcel WD-D0048-2). Submitted by R.E. Lee & Associates INC.*
 - 5. Consider Sidewalk Snow Removal Notification.
 - 6. Consider City Engineer Parking & Traffic Recommendations.*
 - 7. City Engineer Parking & Traffic Discussion Items.
- IV. Future Agenda Items
- V. Adjournment

***Items with an asterisk require City Council approval.**

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk-Treasurer's office at 339-4050 by Noon, Monday November 7, 2016 so that arrangements can be made.

Agenda Sent To:
Mayor
Alderpersons
Department Heads
Definitely De Pere

TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce

Notice is hereby given that a majority of the members of the Common Council of the City of De Pere may attend this meeting to gather information about a subject (s) over which they have decision-making responsibility.

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Public Works

FROM: Pam Denis

SUBJECT: Approval of Board of Public Works October 10, 2016 Meeting Minutes.

ATTACHMENTS:

- BOPW October 10, 2016 Draft Meeting Minutes (PDF)



Board of Public Works

Regular Meeting

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

Draft Minutes

Monday, October 10, 2016

7:30 PM

De Pere City Hall Council Chambers

I. Call to Order

The meeting was called to order at 7:40 PM by Mayor Michael J. Walsh

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

Others present were Scott Thoresen, Director of Public Works, Eric Rakers, City Engineer, and Pam Denis, Recording Secretary.

II. Public Comment

None

III. Items

- Approval of the Board of Public Works September 12, 2016 Meeting Minutes.

Aldersperson Boyd moved to approve the Board of Public Works September 12, 2016 minutes, Aldersperson Carpenter seconded the motion. Upon vote, the motion passed.

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

- Consider Request for Installation of Terrace Walks on Third Street.

Eric Rakers, City Engineer, reviewed the request received from St. Norbert College to install terrace walk at two locations: 315 Third Street and 601 Third Street. Discussion followed.

Mayor Walsh moved to approve the installation of the terrace walk at two locations with the cost for installation, maintenance, and future replacement to be paid by the property owner at those locations, Aldersperson Jennings seconded the motion. Upon vote, the motion passed.

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

- Consider Recommended Update to the Municipal Code, Section 150-15, Heavy Truck Routes.*

Eric Rakers, City Engineer, reviewed and presented an update to the City Municipal Code regarding the designated heavy truck route. The update request was to include Richco Road which is being reconstructed off of American Boulevard in the West Business Park to accommodate heavy trucks.

Alderperson Boyd moved to approve the update to the City Municipal Code for heavy trucks to include Richco Road. Mayor Walsh seconded the motion. Upon vote, the motion passed.

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

4. 2017 Snow & Ice Removal Rates.

Scott Thoresen, Director of Public Works, reviewed the City snow and ice removal fees and processes. He reviewed a table showing the past year's charges and the proposed fees for the 2016-2017 year. Staff is also requesting an increase in the minimum charge. Discussion followed including as to whether it would be possible to inform the public through various media as to the process, and also provide a warning before the cleaning to those property owners who had not cleaned their sidewalks per the city ordinance.

Alderperson Boyd moved to approve the 2017 rates for snow and ice removal and moved that staff would review the process of informing the public and bring that information back to the next Board of Public Works meeting, Alderperson Carpenter seconded the motion. Upon vote, the motion passed.

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

IV. Future Agenda Items

None.

V. Adjournment

Mayor Walsh moved to adjourn the Board of Public Works October 10, 2016 meeting, Alderperson Boyd seconded the motion. Upon vote, the motion passed and the meeting was adjourned at 7:57pm.

Respectfully submitted,
Pam Denis

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Public Works

FROM: Scott Thoresen

SUBJECT: Consider the Condition and Plan for Fountain.*

Issue: The Fountain by the Union Hotel has experienced another setback with a cracked pipe underground. Staff is requesting we close the fountain and no longer operate.

Summary:

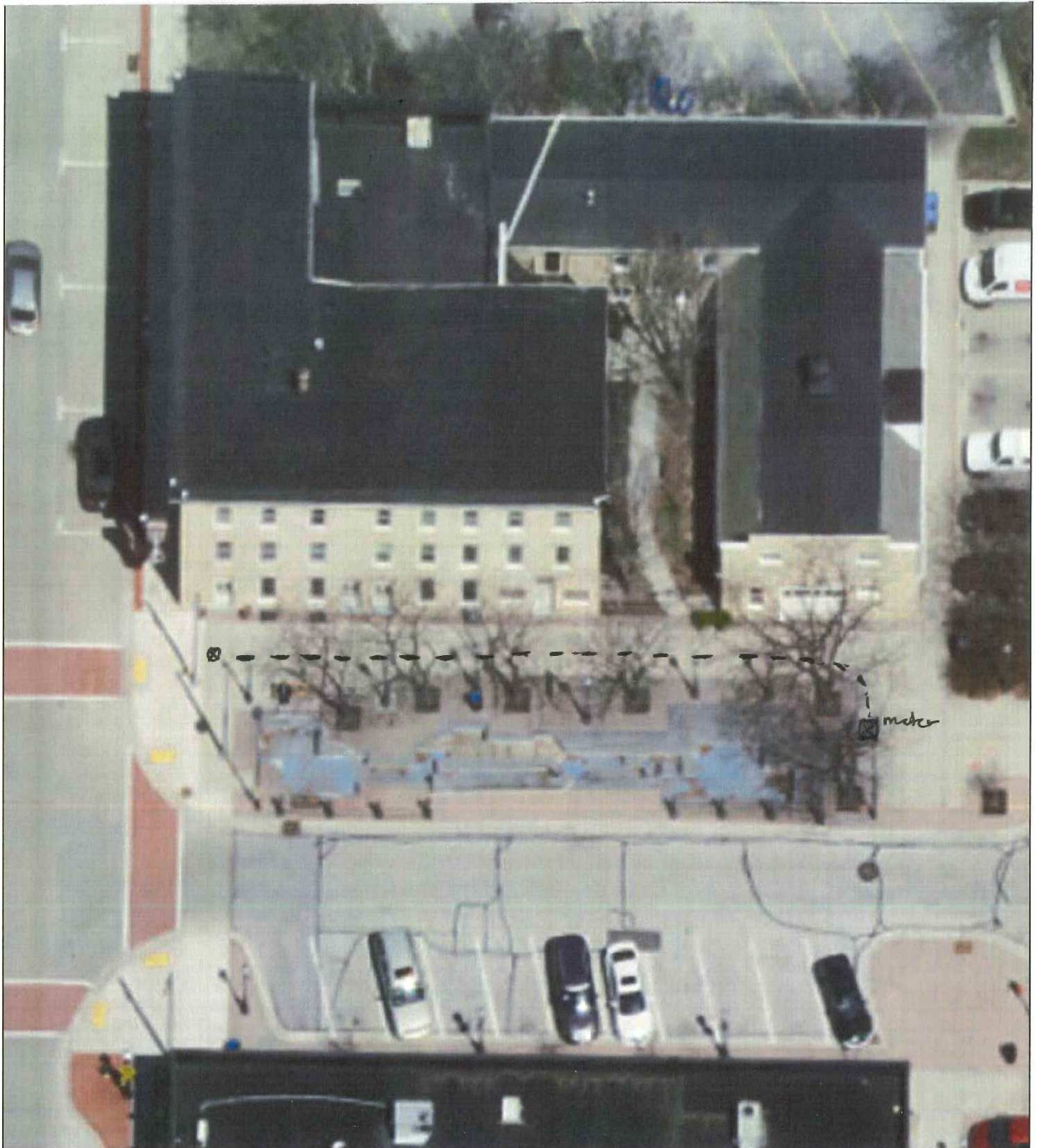
The fountain next to the Union Hotel has been in deteriorating condition for many years. Currently, the lights do not work and have not been replaced. The electrical is in failing condition and the exterior stone is in need of repair. Last year the decision was made to continue to run the fountain (as best we could) while our Planning Director works through the process of developing a new plan for this area.

We were able to get the fountain to run this past summer. However, while shutting down the fountain for the season we uncovered a leak in the water line beneath the sidewalk. This leak was verified by our Water Department staff. A consult with a contractor determined repairs and/or replacement to the water line would cost \$5,000 - \$20,000 (depending on where the break is). Due to the size of the pipe and where the pipe is located, we are not able to determine the exact location of the break until we dig. If the leak were close to the shut off valve or the meter pit, the repair cost would be on the lower side of the range.

Staff reviewed the situation at the City Development Team meeting and is recommending we do not fix the fountain. Instead of running the fountain we are proposing placing several decorative pots in the fountain. This would provide some aesthetic value, while our Planning Director continues to develop a new plan for the area.

ATTACHMENTS:

- Fountain (PDF)



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



Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010

10/26/2016
Scale 1:240

Attachment: Fountain (5271 : Consider Condition and Plan for Fountain)



City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Public Works

FROM: Scott Thoresen

SUBJECT: Consider T-Mobile's Amendment to Current Lease Agreement on Merrill's Water Tower.*

The City received a request from T-Mobile to upgrade their facilities on the Merrill Street water tower. The upgrades required an increase in additional ground area of 30.5 square feet for their equipment resulting in a need to amend the current lease agreement. The attached amendment to the tower lease agreement includes the additional ground area for the T-Mobile's equipment. In addition, the rent increased \$40 per month (\$480 per year). The current rent before this amendment is \$31,586.16 per year. The yearly revenues received for the lease goes into the water utility operating budget.

Staff recommends approving the proposed amendment to T-Mobile's current lease for Merrill Street water tower.

ATTACHMENTS:

- T-Mobile Amendment_11-2-16 (PDF)

Site Number: ML94454B
 Site Name: Merrill WT
 Market: ML

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO TOWER LEASE AGREEMENT ("Amendment") is made and entered into this day of _____, 2016 by and between the City of De Pere, a Wisconsin municipal corporation ("Landlord"), and T-Mobile Central LLC, a Delaware limited liability company authorized to do business in Wisconsin ("Tenant").

Recitals

The parties hereto recite, declare and agree as follows:

A. Landlord and Tenant entered into a Lease dated May 24, 2012 with respect to the Property located at 1481 Merrill Street, De Pere, WI 54115.

B. Landlord and Tenant desire to enter into this Amendment in order to modify and amend certain provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee covenant and agree as follows:

1. Effective as of _____, 2016 Tenant will have the right to expand its ground Leased Premises Area 30.5 sq.ft. as described and depicted on Exhibit A, which is attached hereto and by this reference incorporated herein.
2. Effective as of _____, 2016 Tenant will have the right to modify its Equipment as described and depicted on Exhibit B, which is attached hereto and by this reference incorporated herein, and Landlord hereby consents to and approves of the modifications described and depicted on Exhibit b in all respects.
3. In consideration for Landlord granting to Tenant said additional right to expand its Lease Area, Landlord and Tenant hereby agree that Tenant shall pay to Landlord an increase in rent in the amount of Forty and 00/100 Dollars (\$40.00) per month. Such increase in rent shall be prorated for the first month after approval of this First Amendment to Lease Agreement and paid to Landlord within 10 calendar days of the effective date of this First Amendment to Lease. Rent due under Paragraph 4 of the Lease after the effective date of this First Lease Amendment shall increase to two thousand six-hundred seventy-two and 18/100 dollars (\$2,672.18) from the current rent payment of two thousand six hundred thirty-two and 18/100 (\$2,632.18) to become the annual rent under Paragraph 4 of the Lease.
4. Tenant shall pay Landlord for all engineering, labor, administrative (including legal review) and equipment costs reasonably incurred by Landlord in subsequent (not including the modifications contemplated by this First Amendment to Lease) installation, modification, repair, improvement or removal of antenna facilities upon receipt of Landlord's itemized billing therefore.
5. The terms and conditions of the Lease are incorporated herein by this reference, and capitalized terms used in this Amendment shall have the same meanings such terms are given in the Lease.

Site Number: ML94454B

Site Name: Merrill WT

Market: ML

Except as specifically set forth herein, this Amendment shall in no way modify, alter or amend the remaining terms of the Lease, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Lease and this Amendment, the terms and conditions of this Amendment will govern and control.

6. Landlord represents and warrants to Tenant that the consent or approval of no third party, including and without limitation, a lender, is required with respect to the execution of this Amendment, or if any such third party consent or approval is required, Landlord has obtained any and all such consents or approvals.
7. The persons who have executed this Amendment represent and warrant they are duly authorized to execute this Amendment in their individual or representative capacity as indicated.

IN WITNESS WHEREOF, the parties have executed this Amendment effective as of the date of the execution by the last party to sign.

TENANT:

T-Mobile Central LLC
a Delaware Limited Liability Company

By: Name: Director, Engineering &Title: OperationsDate: 10-25-16

kimberly.kash@t-mobile.com
 Digitally signed by kimberly.kash@t-mobile.com
 DN: cn=kimberly.kash@t-mobile.com
 Date: 2016.10.12 11:03:54 -05'00'

T-Mobile Legal Approval

LESSOR:

The City of De Pere,
a Wisconsin Municipal Corporation

By: Name: Title: Date:

Site Number: ML94454B

Site Name: Merrill WT

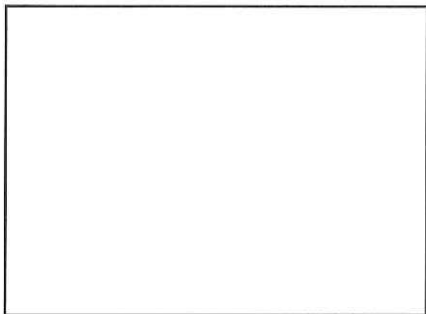
Market: ML

[Notary block for Corporation, Partnership, Limited Liability Company]

STATE OF _____)
) ss.
 COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____



(Use this space for notary stamp/seal)

Notary Public_____
Print Name_____
My commission expires

STATE OF Illinois)
) ss.
 COUNTY OF Cook)

I certify that I know or have satisfactory evidence that Faisal Afridi is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Director of T-Mobile Central LLC, a Delaware limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____



(Use this space for notary stamp/seal)

Notary Public_____
Print Name_____
My commission expires

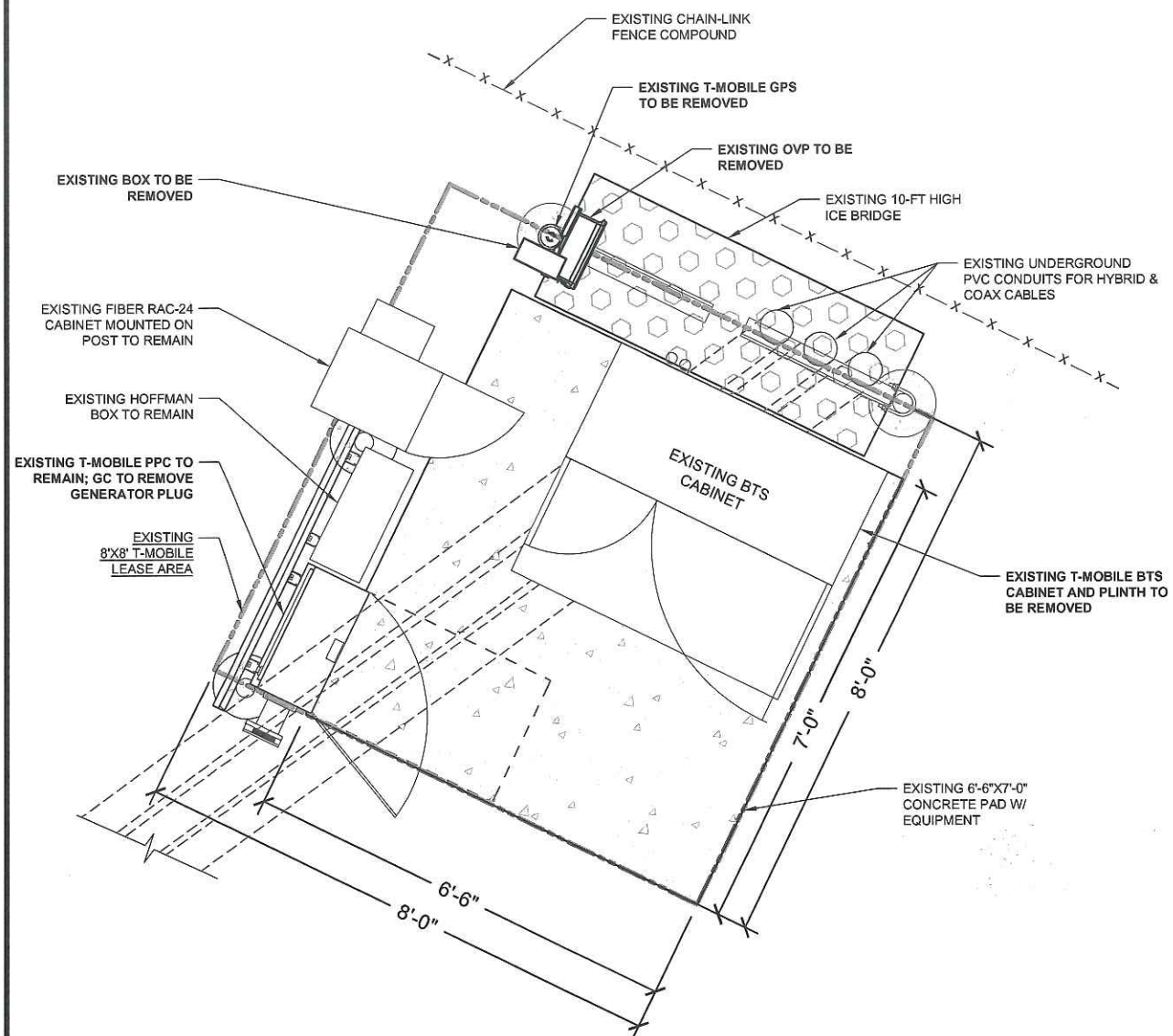
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Site Name: Merrill WT

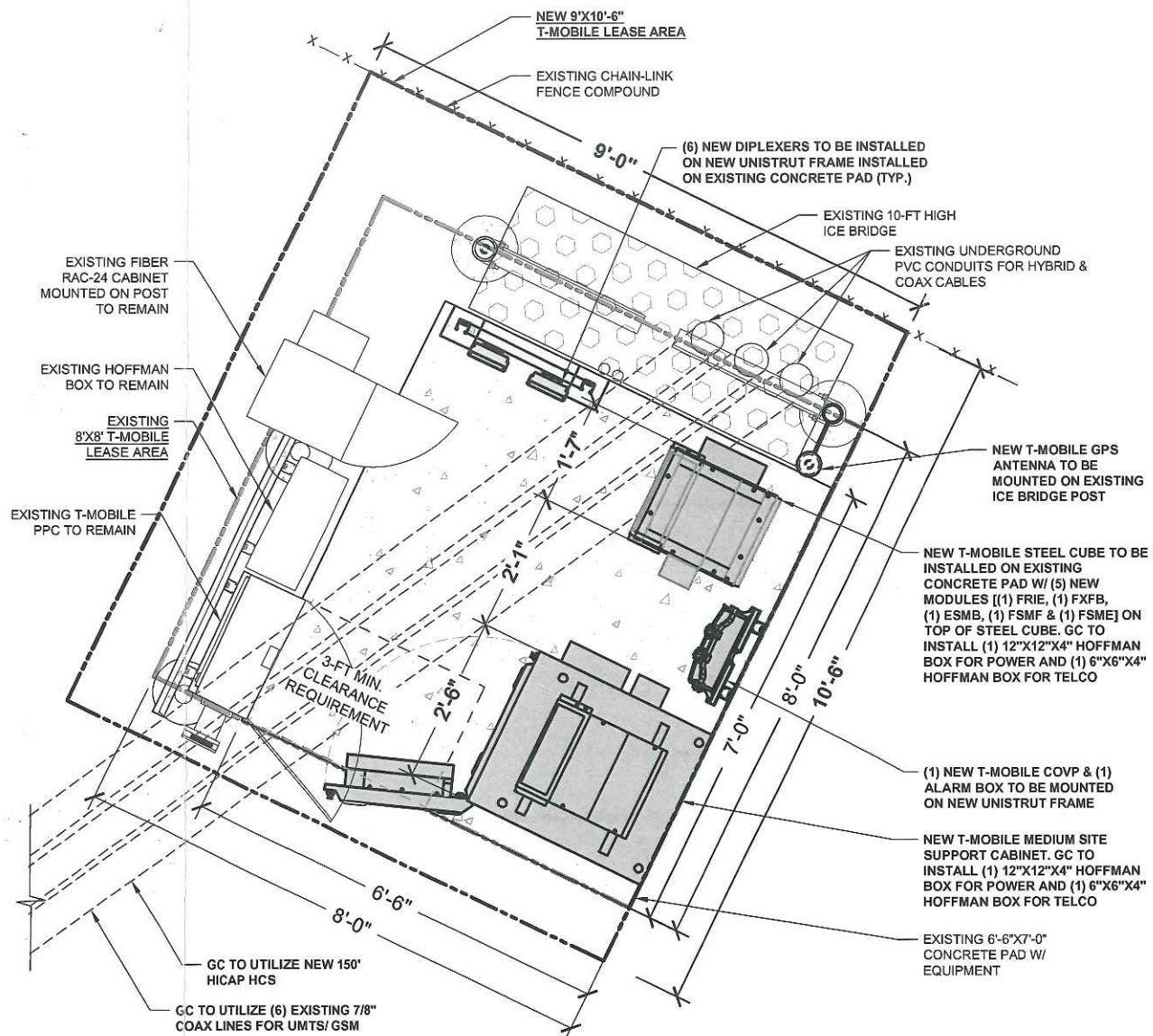
Market: ML

Exhibit A

(See Attached)



1 EXISTING EQUIPMENT LAYOUT
SCALE: 3/4"=1'-0" (3/4"=2'-0" IF 11 X 17 SHEET SIZE)



2 PROPOSED EQUIPMENT LAYOUT
SCALE: 3/4"=1'-0" (3/4"=2'-0" IF 11 X 17 SHEET SIZE)



T-Mobile

T-MOBILE
8550 WEST BRYN MAWR AVE.
SUITE 100
CHICAGO, IL 60631
MAIN: (773) 444-5400

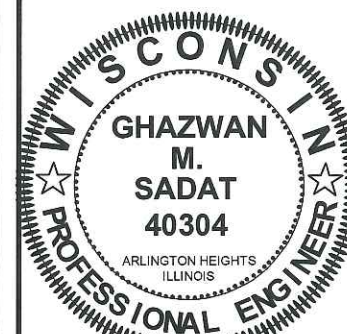


CONCORDIA, LTD
A PROFESSIONAL DESIGN FIRM
LICENSE # 3323-011- D.B.A.

CONCORDIA WIRELESS, INC.

361 RANDY ROAD
UNIT 101
CAROL STREAM, IL 60188
MAIN: (847) 981-0801

DRAWN BY: AW/FS CHECKED BY: GMS
CHECKED BY: RH APPROVED BY: GMS



ML94454B
MERRILL WT DE PERE
1481 MERRILL ST
DE PERE, WI 54115

EXISTING & PROPOSED
ENLARGED EQUIPMENT
LAYOUT

A-1A

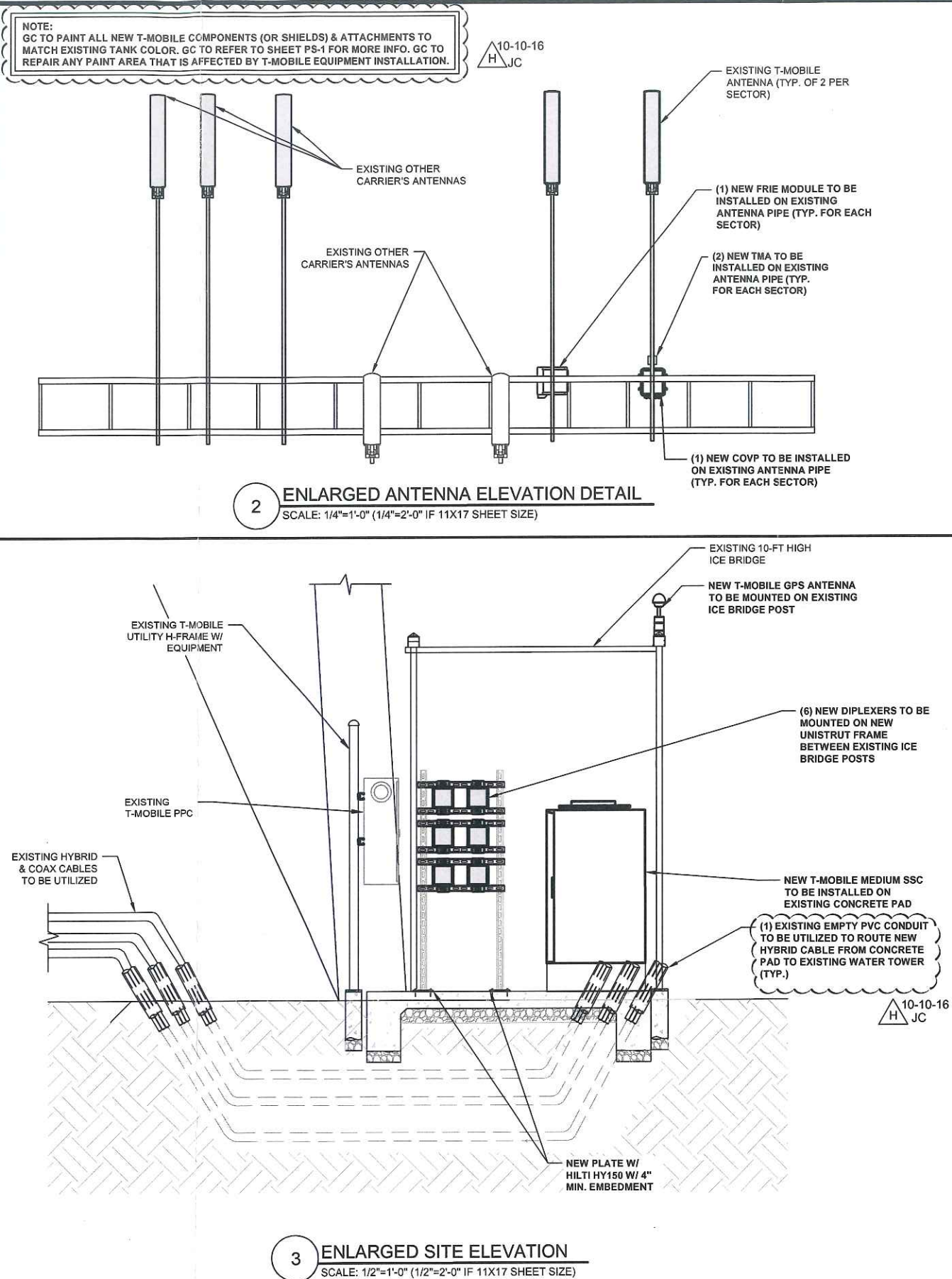
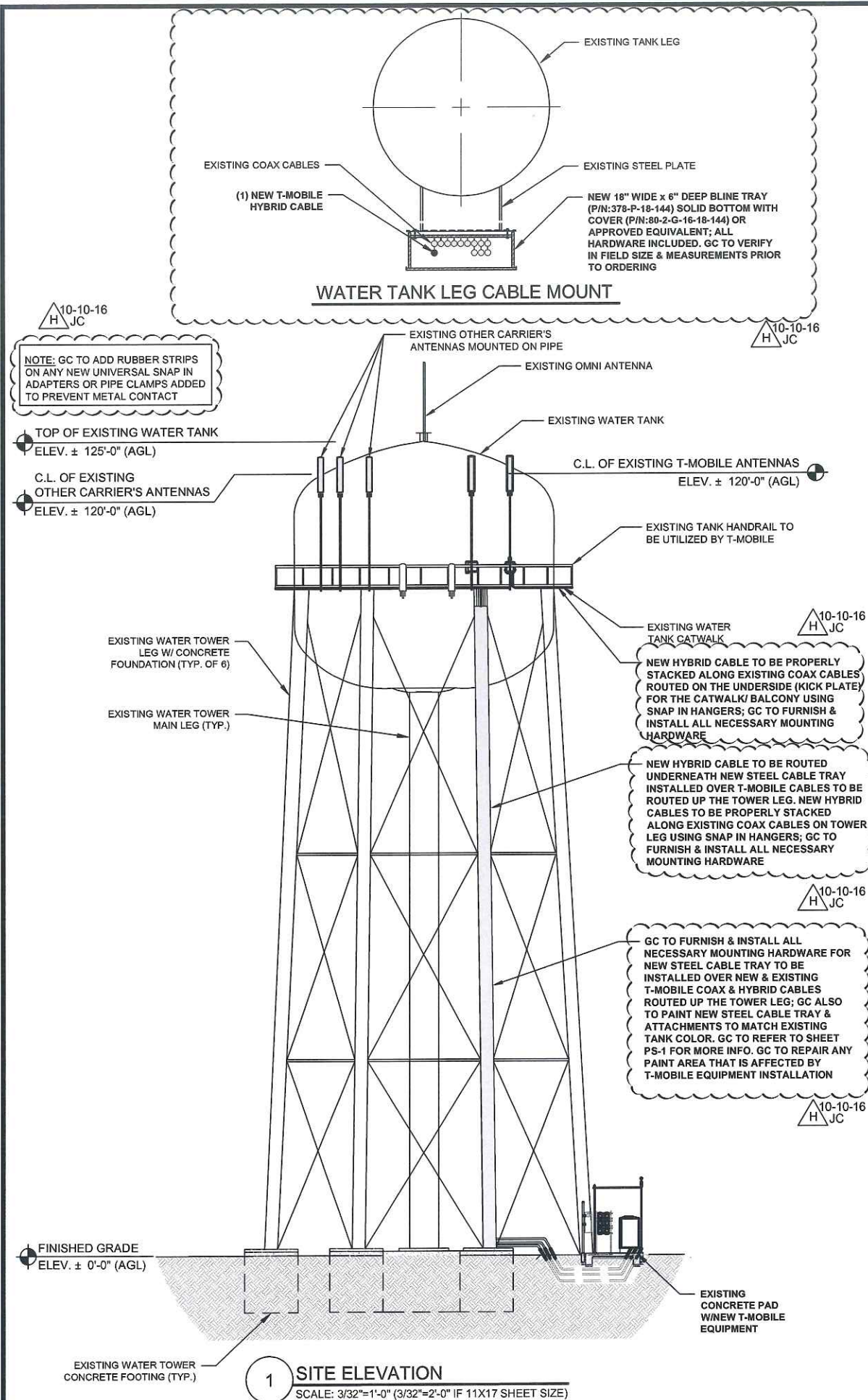
Site Number: ML94454B

Site Name: Merrill WT

Market: ML

Exhibit B

(See Attached)



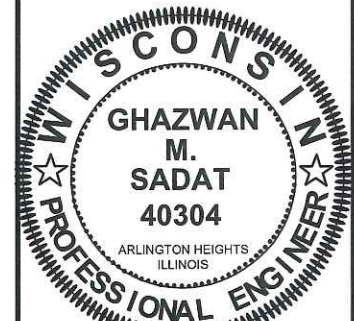
T-Mobile

T-MOBILE
8550 WEST BRYN MAWR AVE.
SUITE 100
CHICAGO, IL 60631
MAIN: (773) 444-5400

CONCORDIA, LTD
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361 RANDY ROAD
UNIT 101
CAROL STREAM, IL 60188
MAIN: (847) 981-0801

DRAWN BY: AW/FS CHECKED BY: GMS

CHECKED BY: RH APPROVED BY: GMS



Gy Sadat.

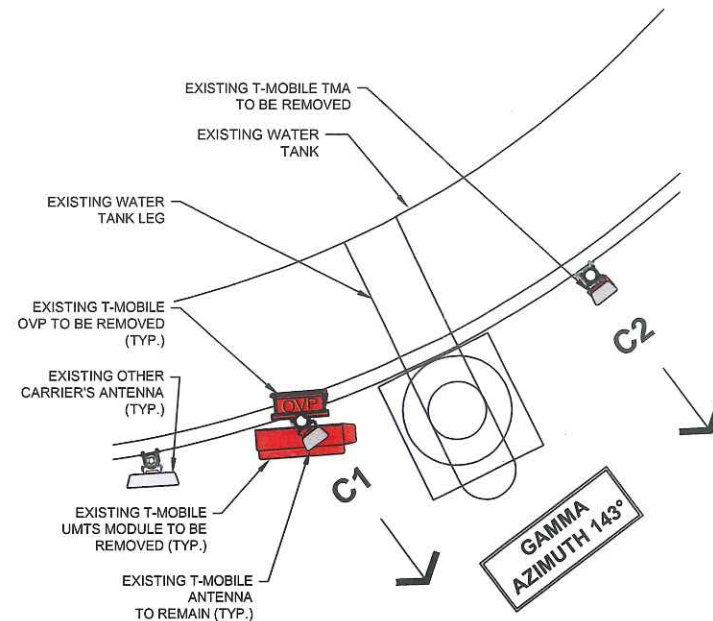
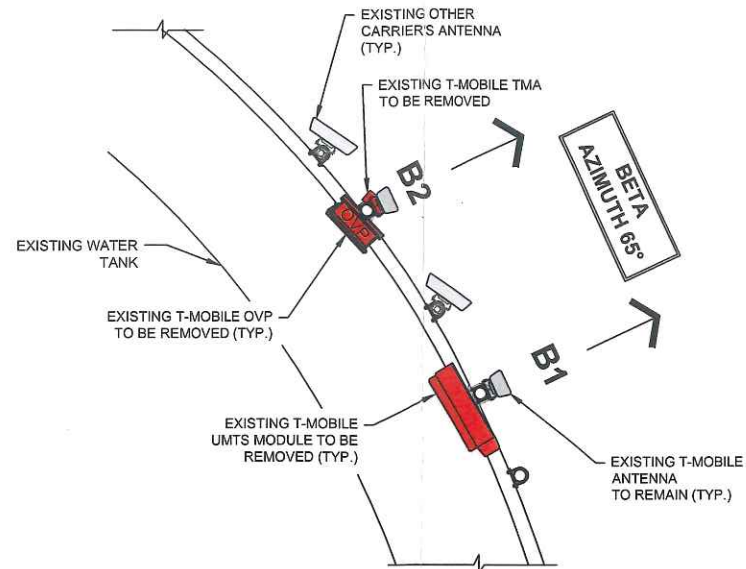
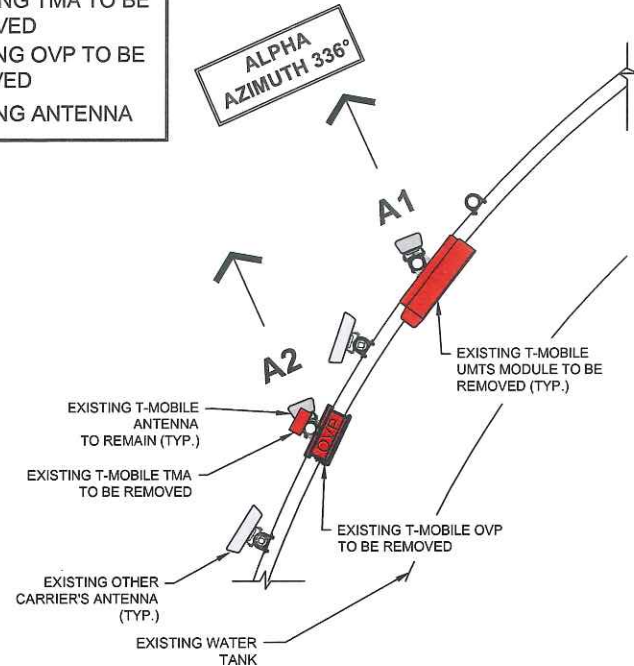
ML94454B
MERRILL WT DE PERE
1481 MERRILL ST
DE PERE, WI 54115

SITE ELEVATION

A-2 10-10-16
JC

LEGEND

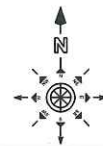
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-  EXISTING TMA TO BE REMOVED
-  EXISTING OVP TO BE REMOVED
-  EXISTING ANTENNA



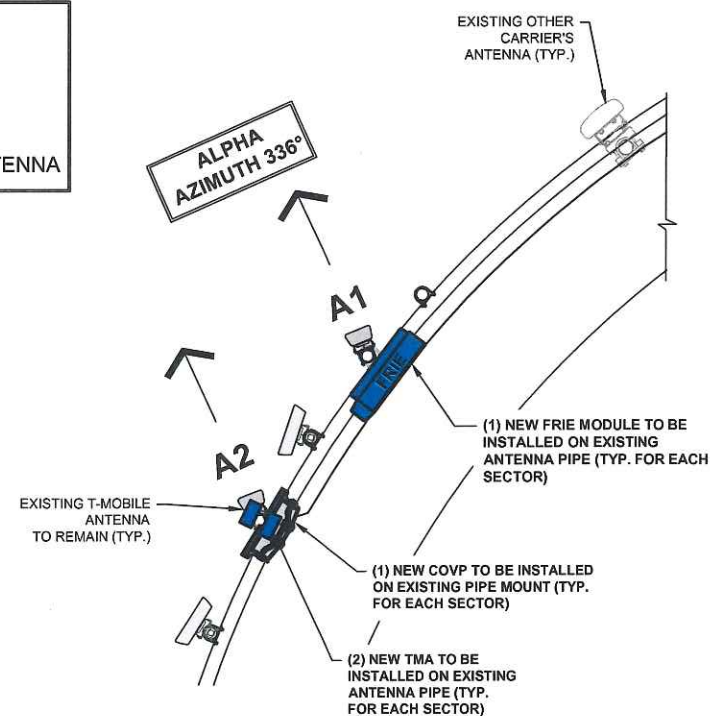
1

EXISTING T-MOBILE ANTENNA CONFIGURATION

SCALE: 1/2"=1'-0" (1/2"=2'-0" IF 11 X 17 SHEET SIZE)

**LEGEND**

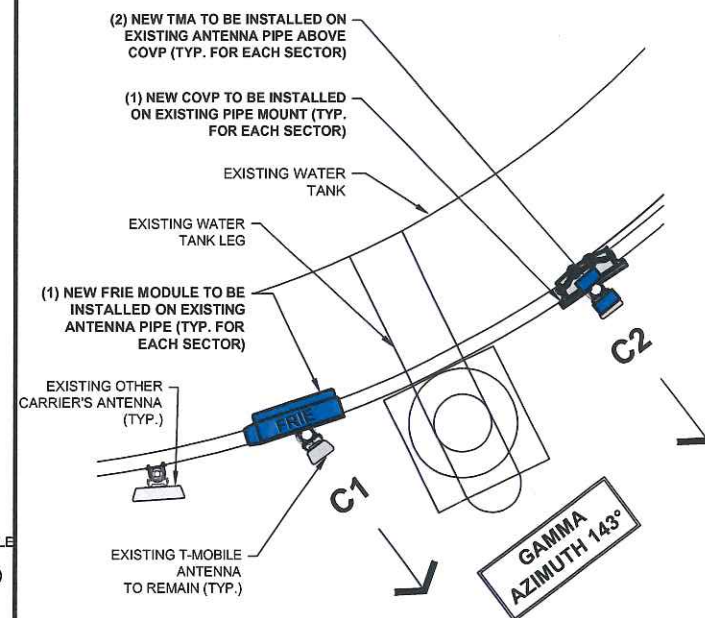
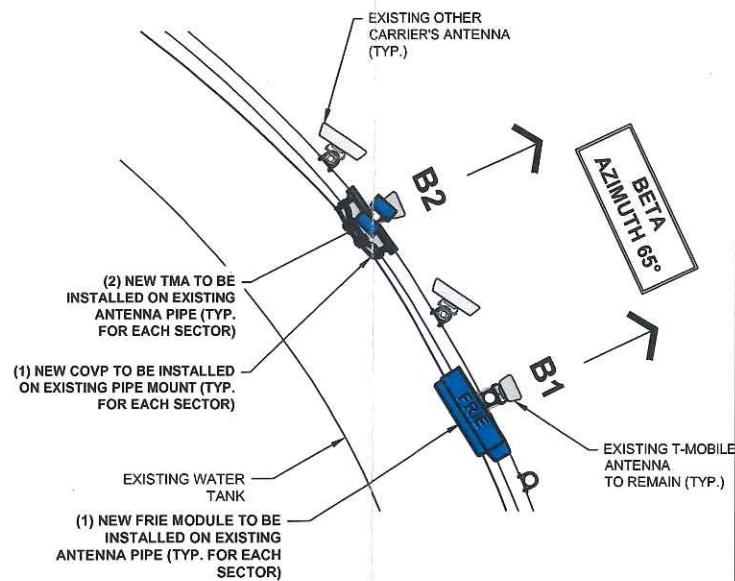
-  NEW FRIE
-  NEW TMA
-  NEW COVP
-  EXISTING ANTENNA



2

NEW T-MOBILE ANTENNA CONFIGURATION

SCALE: 1/2"=1'-0" (1/2"=2'-0" IF 11 X 17 SHEET SIZE)

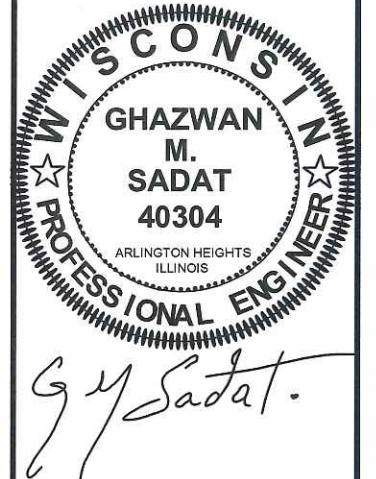
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361 RANDY ROAD
UNIT 101
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MAIN: (847) 981-0801

DRAWN BY: AW/FS CHECKED BY: GMS

CHECKED BY: RH APPROVED BY: GMS



ML94454B
MERRILL WT DE PERE
1481 MERRILL ST
DE PERE, WI 54115

EXISTING & PROPOSED
ANTENNA PLANS**A-2A**

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Planning

FROM: Peter Schleinz

SUBJECT: Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parcel WD-D0048-2). Submitted by R.E. Lee & Associates INC.*

Item: Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parcel WD-D0048-2). Submitted by R.E. Lee & Associates INC.*

REQUESTED ACTION:

Release of Easement Request.

Release of a utility easement on the subject property to allow for future building, parking lot, and loading dock expansion.

COMMON DESCRIPTION:

1745 E. Matthew Drive, located south from the E. Matthew drive and Scheuring Road intersection.

PARCEL NUMBERS:

WD-D0048-2

EXISTING ZONING:

I-B-2 (Industrial Business-2 District)

PROPOSED ZONING:

None.

SURROUNDING LAND USES:

Industrial and business uses to north, south, east and west.

COMPREHENSIVE PLAN:

Business park to north south, east, and west.

APPLICANT NAME:

Troy E. Hewitt, RLS, authorized agent for Burkland Development LLC
 Robert E. Lee INC
 1250 Centennial Center BLVD
 Hobart, WI 54155

SITE HISTORY:

The utility easement was created, by Certified Survey Map, in 1985. The subject vacant property was originally sold to the property owners for industrial development in 1991. An expansion occurred in 2012 on the west side of the building. Part of the existing building and drive lanes were constructed over the top of the utility easement that was created in 1985.

In order to allow for further expansion of the building and drive lanes, the petitioner proposed that the utility easement be released.

REVIEW:

When reviewing a release of easement request, staff considers the future need for utilities in the area as well as the location of alternative easements, recommendation of the Comprehensive Plan, and proposed future development.

1. City staff reviewed the easement and determined the easement to not be necessary for City needs. Other utilities including, power, telephone, cable, etc., have been consulted regarding the needed use of the easement 75% have responded thus far indicating the easement is not necessary.
2. The future needs of utilities may be accommodated by street fronted utility easements, as well as an easement that runs along the north property line of the subject parcel.
3. The Comprehensive plan identifies business park use in the area, but there is not a proposed street redesign, etc., that would trigger the need for more utility easements.
4. Future developments have access to street fronted easements.

For rezoning applications, the Board of Public Works provides a recommendation to the Common Council. The Common Council reviews the release, and if approved, formal Release of Easement documents are prepared by the City Attorney for signing by utilities and recording at the Register of Deeds office.

STAFF RECOMMENDATION:

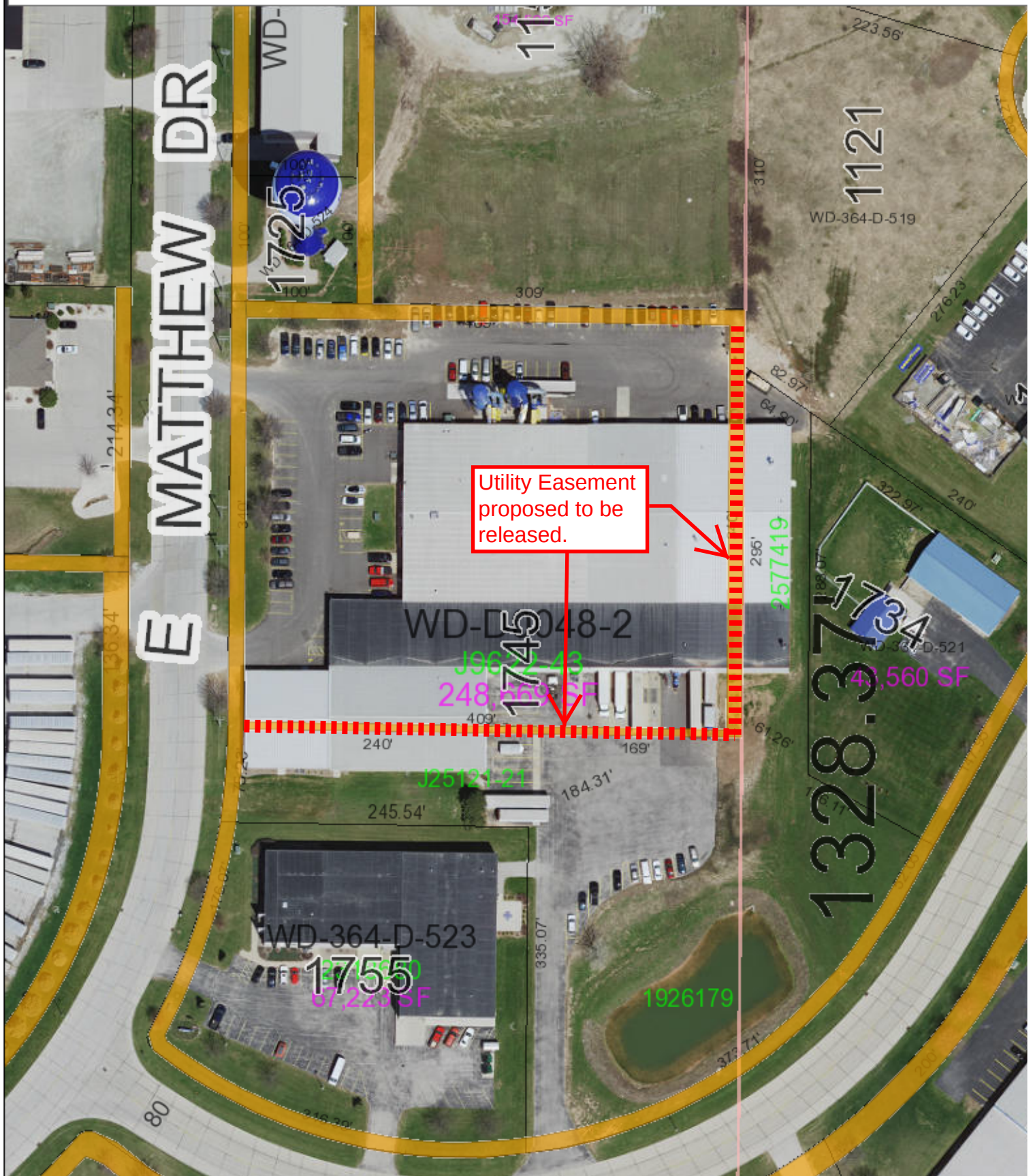
Staff recommends APPROVAL of the Release of Easement request subject to the following:

1. Subject to release by utilities that have authority to utilize the easement.

ATTACHMENTS:

- Site Map (PDF)
- Exhibit A (PDF)
- De Pere Easement Release Legal (DOCX)
- CSM RECORDED 15_CSM_215 (PDF)

Release of Easement at 1745 E. Matthew Drive (WD-D0048-2)

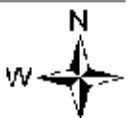


Attachment: Site Map (5200 : Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parc)



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

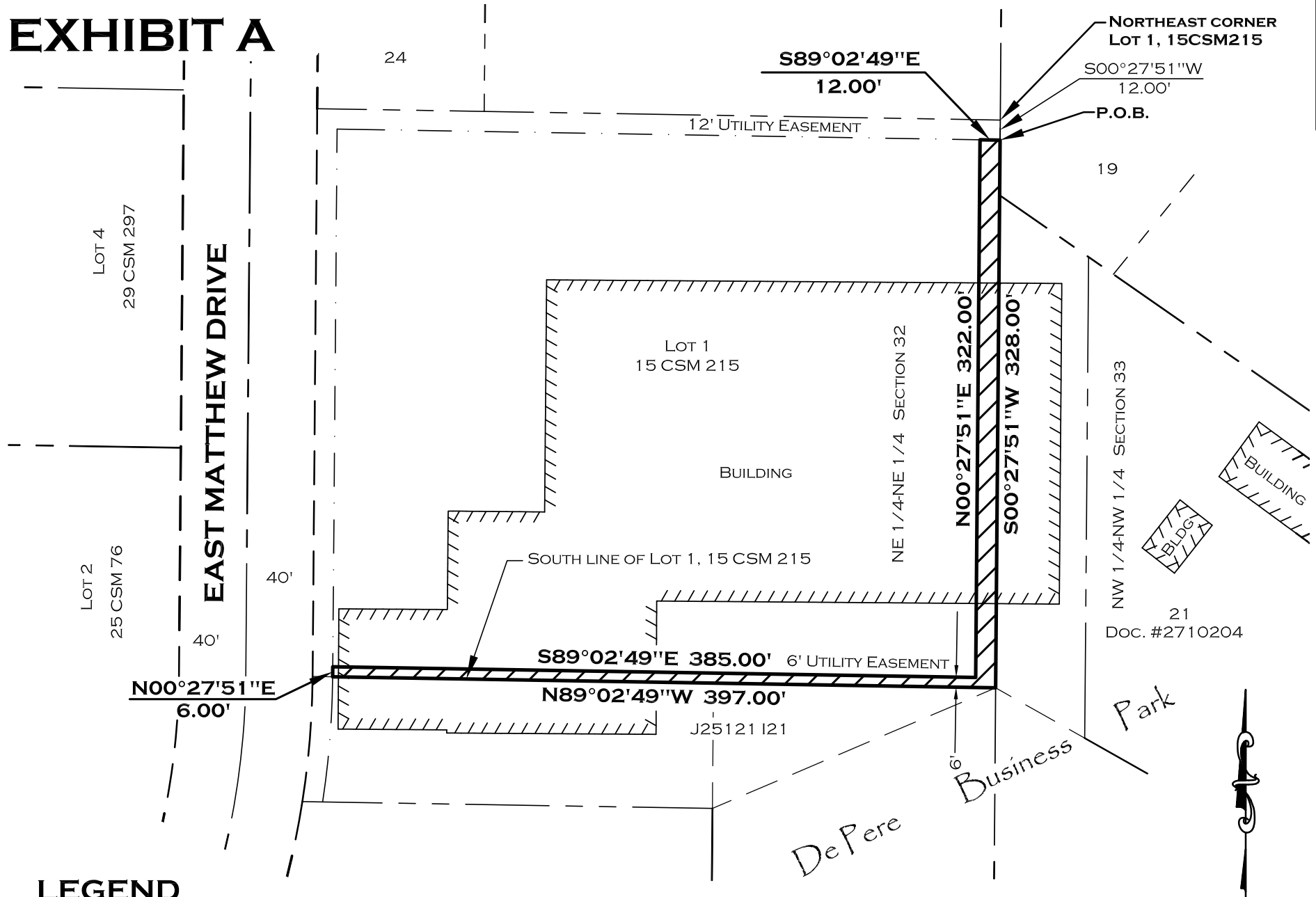
Map of De Pere, WI Provided By The De Pere Planning/GIS Department



10/18/2016

Packet Pg. 19

EXHIBIT A



LEGEND

- P.O.B. POINT OF BEGINNING
-  EASEMENT RELEASE AREA

SCALE: 1"=80'



DRAFTED BY: T. HEWITT ON 10/21/2016

R:\2000\2035\2035214\DWG\EASEMENT RELEASE.DWG

PREPARED BY:



ROBERT E. LEE & ASSOCIATES, INC.
 ENGINEERING, SURVEYING, ENVIRONMENTAL SERVICES
 1250 CENTENNIAL CENTRE BOULEVARD
 HOBART, WI. 54155 PHONE:(920) 662-9641
 FAX:(920) 662-9141 INTERNET: WWW.RELEEINC.COM

Part of Lot 1, Volume 15 of Certified Survey Maps, Page 215, Map Number 2979, Document Number 1061756, being part of the Northeast 1/4 of the Northeast 1/4 of Section 32, T23N, R20E, City of De Pere, Brown County, Wisconsin more fully described as follows:

Commencing at the northeast corner of said Lot 1; thence $S00^{\circ}27'51''W$, 12.00 feet on the east line of said Lot 1 to the **POINT OF BEGINNING**; thence continuing $S00^{\circ}27'51''W$, 328.00 feet on said east line to the southeast corner thereof; thence $N89^{\circ}02'49''W$, 397.00 feet on the south line of said Lot 1 to the east line of an existing utility easement; thence $N00^{\circ}27'51''E$, 6.00 feet; thence $S89^{\circ}02'49''E$, 385.00 feet on a line that is 6 feet northerly of and parallel to said south line; thence $N00^{\circ}27'51''E$, 322.00 feet on a line that is 12 feet west of and parallel to said east line of Lot 1 to a south line of an existing utility easement; thence $S89^{\circ}02'49''E$, 12.00 feet to the Point of Beginning.

1061756

2979

DRAFTED BY D. REIM

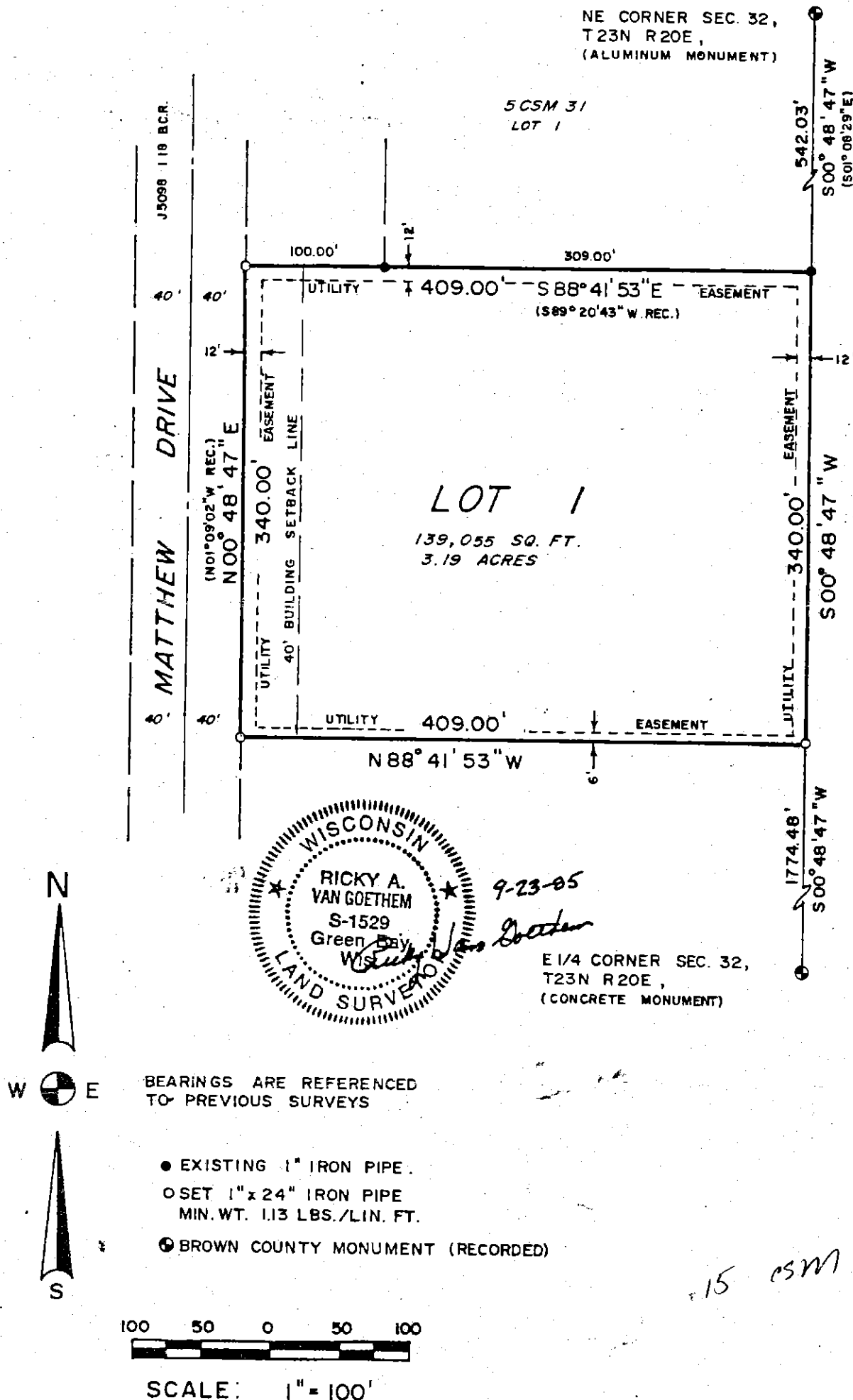
JN 404079

DISK 14 "404075"

9 - 19 - 1985

CERTIFIED SURVEY MAP

PART OF THE NE 1/4 OF THE NE 1/4, SECTION 32,
T 23N R 20E, CITY OF DEPERE, BROWN CO., WI.



Attachment: CSM RECORDED 15_CSM_215 (5200 : Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parc)

DePere
Cabinet

VOL 15 PAGE 215

SHEET 1 OF 3

Packet Pg. 22

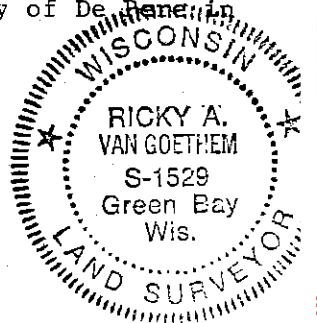
I, Ricky A. Van Goethem, Registered Land Surveyor, hereby certify that by the order and under the direction of the City of De Pere Administrator, Jerome Smits, I have surveyed, divided and mapped a parcel of land located in the Northeast 1/4 of the Northeast 1/4 of Section 32, T23N-R20E, City of De Pere, Brown County, Wisconsin described as follows:

Commencing at the Northeast corner of said Section 32, T23N-R20E; thence S00°48'47"W (recorded as S01°08'29"E) along the East line of the said NE 1/4 of the NE 1/4, a distance of 542.03 feet to the Southeast corner of Lot 1 of 5 CSM 31 Brown County Records, the Point of Beginning; thence continuing S00°48'47"W along said East line, a distance of 340.00 feet; thence N88°41'53"W, a distance of 409.00 feet; thence N00°48'47"E (recorded as N01°09'02"W) along the East right-of-way line of Matthew Drive, a distance of 340.00 feet; thence S88°41'53"E (recorded as S89°20'43"W) along the South line of said Lot 1 of 5 CSM 31, B.C.R., and the extension of said line, a distance of 409.00 feet to the Point of Beginning... containing 139,055 square feet or 3.19 acres of land more or less.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and that I have complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision ordinances of the City of De Pere in surveying and mapping of the same.

Dated this 24th day of September, 1985.

Ricky Van Goethem
Ricky A. VanGoethem, RLS #1529



OWNER'S CERTIFICATE

As owners, we the undersigned hereby certify that we caused the land described on this plat to be surveyed, divided, mapped, and dedicated as represented on the plat. We also certify that this plat is required by S-236.12 to be submitted to the following for approval or objection: City of De Pere

CITY OF DE PERE

By John D. Nusbaum
John D. Nusbaum, Mayor

Attest: Clayton H. Arndt
Clayton H. Arndt
City Clerk-Treasurer

STATE OF WISCONSIN) SS
BROWN COUNTY)

Personally came before me this 3rd day of October, 1985, the above named John D. Nusbaum, Mayor, and Clayton H. Arndt, City Clerk-Treasurer, of the City of De Pere, Wisconsin, to me known to be the persons and officers who executed the foregoing instrument and acknowledge that they executed the same as such officers as the deed of such corporation by its authority.

Mary T. Calaway
Notary Public, Brown County, Wisconsin
My Commission expires 2/27/1989

Approved for the City Plan Commission of the City of De Pere, Brown County, Wisconsin this 2nd day of October, 1985.

Andrew S. Radetski
Andrew S. Radetski
Director of Public Works

Attachment: CSM RECORDED 15_CSM_215 (5200 : Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parc

RESTRICTIVE COVENANTS

1. The land on all lot lines of all lots shall be graded by the subdivider and maintained by the abutting property owners to provide for the adequate drainage of surface water.
2. Owners of all lots shall grade areas abutting streets to conform to the establish sidewalk grade elevation and shall maintain the grade elevation for future sidewalks.
3. The land in the rear and the sides of all lots shall not be graded in such a manner as to interfere with the drainage of storm water.

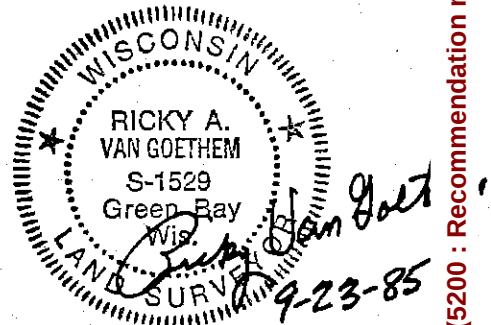
NOTE: "GRANT OF EASEMENT"

There is hereby granted jointly to the City of De Pere, Wisconsin, a municipal corporation, Wisconsin Public Service Corporation and the Wisconsin Telephone Company, both public utilities, and their successors and assigns, a perpetual right-of-way over and across and an easement in all lands designated herein as "utility easements" for purposes of construction, installation and maintenance of water distribution systems, sanitary and storm sewers, gas and electric distribution systems, telephone systems and cable television systems. No habitable structures or accessory buildings shall be constructed within or upon said easements. This easement shall be perpetual.

REGISTER'S OFFICE)
Brown Co., Wis.)

Received for record the _____ day of _____ A.D. 19____ at _____
o'clock ____ M. and recorded in Vol. _____ of Certified Survey Maps on Page _____.

Cathy Williquette
Register of Deeds



Attachment: CSM RECORDED 15_CSM_215 (5200 : Recommendation regarding the release of a utility easement at 1745 E. Matthew Drive (Parc)

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Public Works

FROM: Scott Thoresen

SUBJECT: Consider Sidewalk Snow Removal Notification.

At the October BOPW meeting, the Board requested staff research the possibility of notifying property owners when the City will be removing snow/ice from their sidewalk.

In discussing this item, I will provide a quick summary as to what is done when it comes to sidewalk snow and ice removal. Annually the Board of Public Works (BOPW) establishes what is to be charged to properties where the City removes snow and ice from the sidewalk. The recent rates were approved at the October 10, 2016 BOPW meeting:

Item	2016 Unit Cost	2017 Unit Cost	2016 Cost Per 90 Ft Lot	2017 Cost Per 90 Ft Lot
Snow Removal	\$0.92	\$1.01	\$82.80	\$90.90
Compacted Snow/Ice Removal	\$1.44	\$1.61	\$129.60	\$144.90

- Minimum charge of \$75.00 per lot.

These rates were established using current wage and equipment rates and the average amount of time to actually clear such snow and ice from the sidewalk. (See attached spreadsheet.)

Once the winter season begins, the City will only remove snow and/or ice from the sidewalk if the City receives a complaint that a sidewalk has snow and/or ice on it. Once staff receives the complaint, an inspection is done to determine if the sidewalk indeed has snow and/or ice on it. If so, then staff and equipment is scheduled to remove the snow and/or ice. Pictures are taken before and after of the sidewalk. Once the removal is complete the lineal footage of sidewalk is turned into the administrative staff which in turn creates an invoice using the rates established by the BOPW. The invoices are sent to the property owner that had the snow and/or ice removed. If the invoice is not paid the amount due to the City will go onto the tax roll as a special charge for services rendered. In the past seven years the City has had the following sidewalk snow and/or ice violations where the City has cleared the sidewalk and charged the property owner:

2015-2016 Snow Season = 35 properties

2014-2015 Snow Season = 49 properties
 2013-2014 Snow Season = 24 properties
 2012-2013 Snow Season = 86 properties
 2011-2012 Snow Season = 77 properties
 2010-2011 Snow Season = 93 properties
 2009-2010 Snow Season = 59 properties

The average for the above seven years is 60.4

The City in the past does not give out warnings or attempt to contact the property to remove the snow and/or ice because we need to address the issue immediately because of the hazard that has been brought to our attention. Attempting to contact property owners so they can remove the snow and/or ice will result in further delays from eliminating the hazard. It has been requested of staff to at least knock on the door to notify and hang door hangers. The issue with doing this is it will delay snow/ice removal by at least one day along with adding to staff time to re-inspect. Additionally, this arguably creates a different standard for clearing the sidewalks for those residents who conform to the 24 hour time frame and for those who do not.

City staff annually publishes the requirements in our newsletter to let all property owners know of their responsibility to keep their sidewalks clear of snow and/or ice. This information is also posted on our website.

Staff recently met to discuss the possibility whether we should be looking at providing notice to those properties that have not removed the snow/ice from their sidewalks.

Our City ordinance requires snow/ice to be removed within 24 hours of the last snow fall. Communities around the area vary from 24 hours up to 48 hours as to when snow/ice needs to be removed from sidewalks. Is 24 hours enough time to remove snow/ice? We often receive feedback from property owners that they were out of town for a few days and there is no way they can remove the snow/ice within 24 hours. The City itself even has issues of removing the snow/ice from sidewalks within 24 hours. During this discussion, staff felt the ordinance should be possibly revised to allow for 48 hours for removing the snow/ice from sidewalks.

How much notice should be given so the snow/ice removal is minimally delayed? State statute 893.83 does offer some protection which prohibits an action for damages or injuries sustained because of a natural snow or ice accumulation unless the accumulation existed for three (3) weeks. So implementing a notification policy will cause delays in getting the sidewalk snow/ice removal completed without necessarily impacting the liability for the City.

As far as notifying, what is considered a fair notification but at the same time allows for timely snow/ice removal? The American's With Disabilities Act (ADA) requires sidewalks be "readily accessible to and useable" by persons with disabilities. Temporary or isolated interruptions are not prohibited.

A notification process will increase the costs for the City to remove snow/ice from sidewalk. The reason for this staff will need to do a second inspection of the sidewalk to determine after property owners were notified whether or not the property owner did the snow/ice removal. The unit cost for snow removal would go from \$1.01 LF to \$1.36 LF and ice removal would go from \$1.61 LF to \$1.96 LF. (See attached spreadsheet) If BOPW decides to move forward with

notification policy then the Board will need to adopt the following rates for the upcoming snow season:

Item	2016 Unit Cost	2017 Unit Cost	2016 Cost Per 90 Ft Lot	2017 Cost Per 90 Ft Lot
Snow Removal	\$0.92	\$1.36	\$82.80	\$122.40
Compacted Snow/Ice Removal	\$1.44	\$1.96	\$129.60	\$176.40

There are really only two types of notification staff felt could be done.

- 1) Send a letter: A letter could take a minimum of three (3) days for the property owner to receive. In addition, most of the time the notices will go to the owner of the property so if the property is a rental property the tenants may not get the notice.
- 2) Door hanger notice: This type of notice is something the water department currently does when we need to shut off the water on any given block. The unfortunate issue with this type of notification is the door hanger may not necessarily be hung where the property owner uses therefore the property owner may not see notice.

In addition, the following are some issues with developing a notification policy:

- 1) Increase costs for those that are not concerned with a notification. As mentioned above, approximately 60 properties annually are invoiced for sidewalk snow/ice removal. Staff typically will receive complaints of approximately 10% of these properties of where the issue of notification comes up. By implementing a notification policy, the costs for the other 90% of properties goes up.
- 2) Issue of fairness. The ordinance provides for when sidewalk snow/ice needs to be removed. Implementing a notification process then gives those properties that were in violation of the ordinance additional time to remove the snow/ice.
- 3) The City will still get complaints that property owners never received the notice.

In addition, staff discussed ways to inform the community regarding sidewalk snow/ice removal:

- Continue with newsletter notification. However, the annual mailing of newsletter has been eliminated.
- Place notification on website.
- Possibly publish in paper if costs to do so are minimal.
- Possible notification with quarterly water bill.

In summary, the intent of this memo is for the Board to determine whether the City should consider implementing a notification policy for sidewalk snow/ice removal. Staff has no recommendations other than possibly revising the ordinance to allow for 48 hours for sidewalk snow/ice removal.

ATTACHMENTS:

- Discuss Sidewalk Snow Removal Notification - attachment #1 (PDF)
- Discuss Sidewalk Snow Removal Notification - attachment #2 (PDF)

2016-2017 Snow Removal Rates

Labor	Equipment Operator	Office Assistant	City Forester	Total
Hours	0.5	0.25	0.5	
**Rate (hourly wage & benefits)	\$36.71	\$30.59	\$48.72	
Labor Cost	\$18.35	\$7.65	\$24.36	\$50.36

Equipment	Trackless		Pickup Truck	Total
Hours	0.5		0.5	
Rate	\$67.24		\$13.68	
Equipment Cost	\$33.62		\$6.84	\$40.46

Total Cost				\$90.82
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Compute Unit Cost Per 90 Foot Lot for Snow Removal

Unit Cost = Total Cost / 90

\$1.01

2016-2017 Ice Removal Rates

Labor	Equipment Operator	Office Assistant	City Forester	Total
Hours	1	0.25	0.5	
**Rate (hourly wage & benefits)	\$36.71	\$30.59	\$48.72	
Labor Cost	\$36.71	\$7.65	\$24.36	\$68.72

Equipment	Trackless		Pickup Truck	Total
Hours	1		0.5	
Rate	\$67.24		\$14.22	
Equipment Cost	\$67.24		\$7.11	\$74.35

Salt				Total
Quantity	50 pounds			
Cost per Ton	\$57.66			\$1.44
Salt Cost				\$1.44

Total Cost				\$144.51
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Compute Unit Cost Per 90 Foot Lot for Ice Removal

Unit Cost = Total Cost / 90

\$1.61

**Note: Rate = 1.4(for benefits) * hourly rate

Equipment Operator hourly rate =		\$26.22
Office Assistant hourly rate =		\$21.85
City Forester hourly rate =		\$34.80

2016-2017 Snow Removal Rates

Labor	Equipment Operator	Office Assistant	City Forester	Total
Hours	0.5	0.25	1	
**Rate (hourly wage & benefits)	\$36.71	\$30.59	\$48.72	
Labor Cost	\$18.35	\$7.65	\$48.72	\$74.72

Equipment	Trackless		Pickup Truck	Total
Hours	0.5		1	
Rate	\$67.24		\$13.68	
Equipment Cost	\$33.62		\$13.68	\$47.30

Total Cost				\$122.02
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Compute Unit Cost Per 90 Foot Lot for Snow Removal

$$\text{Unit Cost} = \text{Total Cost} / 90$$

\$1.36

2016-2017 Ice Removal Rates

Labor	Equipment Operator	Office Assistant	City Forester	Total
Hours	1	0.25	1	
**Rate (hourly wage & benefits)	\$36.71	\$30.59	\$48.72	
Labor Cost	\$36.71	\$7.65	\$48.72	\$93.08

Equipment	Trackless		Pickup Truck	Total
Hours	1		1	
Rate	\$67.24		\$14.22	
Equipment Cost	\$67.24		\$14.22	\$81.46

Salt				Total
Quantity	50 pounds			
Cost per Ton	\$57.66			\$1.44
Salt Cost				\$1.44

Total Cost				\$175.98
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Compute Unit Cost Per 90 Foot Lot for Ice Removal

$$\text{Unit Cost} = \text{Total Cost} / 90$$

\$1.96

**Note: Rate = 1.4(for benefits) * hourly rate

Equipment Operator hourly rate =		\$26.22
Office Assistant hourly rate =		\$21.85
City Forester hourly rate =		\$34.80

adds extra day to remove
city forester

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: Consider City Engineer Parking & Traffic Recommendations.*

**City Engineer Parking and Traffic Recommendations
October 12, 2016 Meeting**

Parking Items:

1. Restrict Loading on the West Side of Fifth Near the Intersection with Grant.
 - Staff observed trucks unloading in the dedicated right turn lane for southbound traffic on Fifth. This has created a traffic hazard during peak hours. This is currently signed for no parking, however no parking does not prohibit loading.

Recommendation:

- Staff recommends changing the west side of Fifth Street from Reid Street to 155 feet north from “No Parking” to “No Standing, Stopping or Parking between Signs”. This is a dedicated right turn lane.
2. Restrict Parking near the Crosswalk on the south side of Charles Street at Winnebago Street.
 - The Charles and Winnebago Street intersection is a “T” intersection, with Winnebago Street extending to the north. There are two crosswalks painted at this intersection. Due to the intersection configuration, motorists are parking between the two crosswalks on the south side of Charles Street. With this location being a major access into Legion Park, the Police Department is concerned about cars parking at this location.

Recommendation:

- Staff recommends installing “No Standing, Stopping, or Parking between Signs” on the south side of Charles Street at Winnebago Street. The parking restriction will be from 30 feet west of Winnebago Street extended to 30 feet east of Winnebago Street extended.
3. Clarify No Parking Sign on Sixth Street Near Seventh Street

- Parking is restricted on the south and east side of Sixth Street from Seventh to 282 feet east and north. The signage in the field states “No Parking Here to Corner”, however, with the intersection, and horizontal curves in the area, the location of which corner is being defined is confusing.

Recommendation:

- Staff recommends changing the sign from “No Parking Here to Corner” to “No Parking” from Seventh Street to 282 feet east and north. This does not require a change in the Municipal Code as this area is already No Parking.
4. Restrict Parking on the east side of N. Huron at George Street.
- Staff received request to restrict parking on the east side of Huron Street, just north of George Street. This section of Huron Street is only 24 feet wide and if there is a south bound vehicle on Huron at George Street and another parked on the east side of the street, there is not enough room to turn from George Street. George Street is a collector street and this situation could cause a safety concern.

Recommendation:

- Staff recommends restricting parking on the east side of Huron Street from George Street to 95 feet north.
5. Restrict Parking at 600 S. Michigan (Near Bolles Street)
- The school has requested parking restrictions on the 600 block of S. Michigan Street, on the west side by Bolles Street. There is a driveway at Bolles Street that is the bus exit from Fox View School. Vehicles are parked too close to the intersection with Bolles Street. It creates confusion because the area is designated as a through lane and bus drivers do not know if vehicles are parked or driving thru the intersection.

Recommendation:

- Staff recommends the installation of “No Stopping, Standing, or Parking between Signs” on the west side of Michigan Street from 100 feet north of Bolles Street to Bolles Street.
6. Restrict Parking at 600 S. Michigan (Near Merrill Street)
- The school has requested parking restrictions on the west side of Michigan Street from the corner of Merrill to the first driveway south. They have placed temporary no parking police signs there now. The school changed the bus driveway a few years ago which created enough space for cars to park between Merrill Street and the driveway. When vehicles park at that location, the buses cannot make the turn to get into the parking lot.

Recommendation:

- Staff recommends installing “No Stopping, Standing, or Parking between Signs” on the west side of Michigan Street from Merrill Street to 80 feet south of Merrill Street.
7. Increase the Limits of the Parking Restriction on the North Side of Westwood Drive Across from the Employee Entrance for Westwood Elementary School.

- Staff received a complaint from Lamers Bus and the Police School Liaison that buses are having a difficult time turning out of the driveway when vehicles are stopped on the north side. Staff observed the situation and concurred with the concern.

Recommendation

- Staff recommends increasing the limits for “No Stopping or Standing or Parking between Signs during School Hours When Children are Present 7:30 a.m. to 4:00 p.m.” on the north side of Westwood Street to extend in front of 1138 Westwood Drive (1390 feet east of Ninth Street).

Safety and Other Requests

8. Install a Crosswalk on Lawrence at County Clare.

- Staff received a request to install a crosswalk on Lawrence Drive at County Clare Road. Sidewalk was just constructed in the area to connect Lawrence Drive to the Southwest Park in 2015. Additionally, this section of Lawrence Drive was recently designated as a collector street by Brown County. Below in italics are the criteria for the installation of crosswalks.

- (1) *The street to be crossed is designated as an arterial or collector street.*
- (2) *It is more than 300 feet from the next street crossing.*
- (3) *There is adequate demand to justify the crosswalk. Adequate demand is defined as one of the following:*
 - a. *The crosswalk would serve 20 pedestrians per hour during the peak hour or 60 pedestrians total for the highest consecutive 4-hour period; or*
 - b. *The crossing is on a direct route to or from a pedestrian generator, such as a school, library, hospital, senior center, park, or employment center.*
- (4) *The location has adequate site distance. Adequate site distance is based on 10 times the posted speed.*
- (5) *The crosswalk will have to be constructed to be compliant with the American with Disabilities Act. Each crossing will require advanced warning signs installed per the Manual on Uniform Traffic Control Devices and adequate night time illumination.*

Recommendation:

- Staff recommends the creation of a crosswalk on Lawrence Drive at County Clare Road. This location meets the criteria identified above.

9. Update on the Broadway Pedestrian Crossing at Bomier Street Crossing

- Staff had received a complaint about difficulties in crossing Broadway at Bomier Street. Staff evaluated the crossing and observed pedestrian crossings at this location. There is an adequate pedestrian refuge in the center median to permit crossing Broadway one half at a time. The challenge with the crossing is

consistent with other crossings around the City, which are motorists not yielding to pedestrians.

Recommendation:

- Staff recommends the addition of crosswalk signs at the crosswalk to match other crosswalks on Broadway.

10. Update Municipal Code for Bike Lanes

- Bicycle lanes are listed in Section 150.22 of the Ordinance. Several bike lanes have been added over the past three years including:
 - i. American Boulevard – Fortune Avenue to Scheuring Road
 - ii. Fortune Avenue – Lawrence Drive to American Boulevard

Recommendation:

- Update Section 150-22 of the Municipal Code to include the bike lanes as listed above.

City of De Pere, Wisconsin

**Request For Board of Public Works Action**

MEETING DATE: November 7, 2016

DEPARTMENT: Public Works

FROM: Eric Rakers

SUBJECT: City Engineer Parking & Traffic Discussion Items.

**City Engineer Parking and Traffic Discussion Items – No Action
October 12, 2016**

Parking and Parking Lot Items:

1. Restrict Parking on One Side of Park Street at Ninth Street
 - Staff evaluated. There are cars parked regularly on both sides. The street is a local street and 30 feet wide.
 - By restricting parking, we will be pushing parking into nearby residential areas. The area where cars are parking is multifamily/assisted living.
2. Restrict Parking on Erie near Virginia Street
 - A resident expressed concern for vision when exiting Virginia onto Erie Street
 - To effectively improve the vision triangle, parking would need to be restricted for a large distance. This situation is similar to many situations around the City. A driver needs to stop for pedestrians and then go forward to see beyond vehicles. Additionally, restricting the parking will push parking farther into residential areas.
3. Restrict Parking on the East Side of Fifth Near the Intersection with Grant
 - A resident requested that parking be restricted due to trucks parking in this area.
 - Staff observed the truck unloading on the east side of Fifth and it did not impact traffic.
4. Convert 2 Hour Parking to Long Term at 405 Grant Street
 - This area was restricted to 2 hour parking for a school that had been located at 405 Grant Street. St. Norbert has purchased this building and changed the use.
 - Staff supports this request. However, with the change in land use in the area, it makes sense to evaluate the 2 hour parking on the south side of the entire block. Staff is contacting property owners to gather input to convert 2 hour parking to long term parking for the entire block. This will be brought back to the Board.
5. Eliminate One Parking Stall on 4th Street at 405 Grant Street -
 - Staff received this request due to difficulties when large trucks exit the loading dock of 405 Grant Street.
 - Staff evaluated. Because the conflict is only periodic, no action is being taken.

6. Marquette Square Items
 - The police department received a request for more long term parking in Marquette Square.
 - Long term parking has been added to the overall downtown area on the east side in 2016. The need for additional long term parking will be evaluated as part of a future downtown study.
7. Restrict Parking on Sixth Street
 - A request was made to extend the existing parking restrictions on Sixth Street, near Seventh.
 - No action is being taken at this time. This request did not come from the neighbors and there is no accident history. Additionally, this is a local, residential street.
8. Nicolet Square Items
 - Staff has received several requests for the Nicolet Square Parking Lot including:
 - i. Convert to One Way Traffic Between 3rd, 4th, Main, and Reid.
 - ii. Convert Some Parking to Angled Parking in the main parking area
 - iii. Add a Stop Sign in the Parking Lot
 - Staff is taking no action at this time. No changes are recommended until input is gathered on the Nicolet Square master plan.

Safety and Other Requests

9. Eliminate Left turn onto Lewis from Broadway
 - Staff received a request to evaluate/eliminate the left turn movement from south bound Broadway onto east bound Lewis Street due to the proximity of the roundabout.
 - Staff is taking no action at this time. The review of the left turn movement from Broadway onto Lewis Street will be completed as part of a traffic study being completed with the Mulva Center.
10. Place a Crossing Guard on Ninth and Westwood
 - A resident requested a crossing guard at the intersection.
 - Pedestrian and traffic count were completed on 10/11/2016. The pedestrian counts were very low.
 - No action at this time. Staff has been evaluating the criteria for where crossing guards should be placed. This location will be included as part of the evaluation.
11. Improve Pedestrian Marking/Signage at the Cross Walks at Webster and Chicago
 - i. A resident requested additional signage/markings at this location.
 - ii. This is an all-way stop intersection.
 - iii. The police department will evaluate/observe vehicles yielding to pedestrians. No signing/painting is to be completed at this time.
12. Place an Additional Street Light Near 1007 and 1011 Twilight (Clara – 1007 Twilight – 336-5663)
 - A neighbor requested an additional street light in this block.
 - Technically, this block does conform to the minimum lighting requirements for a residential area; however, there is a horizontal curve on the block which impacts the amount of light extending to the center of the block.
 - Staff is sending a survey to the residents to see if there is consensus for installation of a light. This will be brought back to the Board.

Speed

13. Speed on Grant east of Fifth

- Staff received a request to evaluate the speed of vehicles on Grant, east of Fifth street.
- This area has been engineered to minimize speed by having bump-outs at the intersection and on-street parking.
- No additional action at this time. Staff placed the traffic counters at this location to analyze speed. 99% of the drivers were going less than 35 mph and 87% are going less than 30 mph.

14. Speed limit reduction - Fort Howard Avenue

- A resident requested that the speed limit be reduced from 35mph to 25 mph near 1010 Fort Howard Avenue.
- There is no action at this time. Staff has just gathered the vehicle speed information and will be discussing. This will be brought back to the Board.

Updates

15. Paint Parking Stall Lines on Reid Street, East of Third

- No action. The City has been in discussions to vacate Reid Street, east of Third Street to St. Norbert after it is resurfaced in 2018.

16. Crossing Difficulty on Broadway at George, Randall, Ridgeway (Citizen Requests – Update from Last Meeting)

- Study is being completed by Ayres and Associates. A public information meeting is being held on November 14th at 5 p.m. in the Council Chambers.