



AGENDA FOR PUBLIC WORKS COMMISSION

A Public Works Commission meeting will be held on **Wednesday, October 26, 2022 at 5:30 PM** in the **Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.**

Join Zoom Meeting

<https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmllVEFEb1dzVDNwdi91UHFYQT09>

Meeting ID: 270 860 8080

Passcode: 206751

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1. **Call to Order - Roll Call**

2. **Approve Minutes**

[Approve September 2022 Minutes](#)

3. **Discussion Items**

a. Airport Update

b. [Sump Pump Reimbursement](#)

c. [Award Equipment Purchases for WWTF](#)

d. [Discussion & Recommendation of Changes for Sec. 38 Streets, Sidewalks & Other Public Places](#)

e. [Recommendation for Snowmobile Route](#)

f. Project Updates

g. [Building Code/Violation Report](#)

h. Payment of Monthly Water & Sewer Bills

i. Departmental Reports

j. Director's Report

4. **Adjourn**

NOTICE: It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Becki Weyer, City Clerk, at 819 Superior Avenue, Tomah, WI 54660.

MINUTES FOR PUBLIC WORKS COMMISSION

A Public Works Commission was held on **Wednesday, September 28, 2022 at 5:30 PM** in the Council Chambers at City Hall, 819 Superior Avenue, Tomah, WI.

Join Zoom Meeting

<https://us06web.zoom.us/j/2708608080?pwd=ZTZ0cmllVEFEb1dzVDNwdi91UHFYQT09>

Meeting ID: 270 860 8080

Passcode: 206751

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Call to Order - Roll Call

John Glynn (P), Dean Peterson (P), Lamont Kiefer (P), Brian Rice (A), Kerwin Greeno (P), Mayor Mike Murray (P), Adam Gigous (A). Quorum Present. Also present, Director Kirk Arity, Mark Rezin and Brandy Leis.

Approve Minutes

August 2022 Minutes 1st by Peterson, 2nd by Mayor Murray. All ayes. Motion approved.

Discussion Items

- 1) Airport Update
 - a) Everything is looking good. Trees could be trimmed. Fuel pump is down, should be fixed very soon.
- 2) Request to Appear: Mary Jo Lanska
 - a) A report was given by Mrs. Lanska on how and why the trees in the boulevard should be saved.
- 3) Sump Pump Reimbursements
 - a) 1422 Butts Ave & 1418 Butts Ave. 1st by Mayor Murray, 2nd by Peterson. All ayes. Motion approved.
- 4) Street Supervisor Position Posting Approval.
 - a) 1st by Mayor Murray, 2nd by Peterson to approve the Job Posting. All ayes. Motion approved.
- 5) Approval of Amendment to ALP for North South Runway in Earnest
 - a) 1st by Mayor Murray, 2nd by Glynn to approve the new mapping. All ayes. Motion approved.
- 6) Discussion of Street Privilege Permits
 - a) Discussion was had about putting a more consistent process together for Street Privilege Permits, more will be presented at future meeting.
- 7) Project Updates
 - a) All the pipe was in on Tuesday and curb and gutter should be put in at the end of the week.
 - b) Motion by Mayor Murray, 2nd by Peterson to approve payment #2 to Gerke Excavating. All ayes. Motion approved.
- 8) Building Code/Violation Report
 - a) Reviewed by committee.

b) Committee would like more detail on the spreadsheet about the properties violations.

9) Payment of Monthly Water & Sewer Bills

a) Sewer- 1st by Mayor Murray, 2nd by Peterson to approve water bills as presented. All ayes. Motion approved.

b) Water--1st by Mayor Murray, 2nd by Peterson to approve water bills as presented. All ayes. Motion approved.

10) Departmental Reports

a) Sewer- Pumping 1.1 million gallons. Fixed gas sensor in grit screen that was struck by lightning. Lift station controller went out and is fixed now. Driveway is all done. Visited with local business to remind them about dumping contaminants in the sewer. Required lab tests may change for 2023. Seeing a good amount of decrease in daily pumping.

b) Water-933,000 gallons a day. DNR has released new standard for PFAS, 70 parts per trillion. There is not a concern for PFAS at this time in the cities water. Info was put on the website regarding PFAS. Have been testing large meters and are almost finished. Starting fall flushing in a week. Updating mapping system.

c) Public Works- Put a pad for a fuel tank at Rec Park for the mowers etc. This will cut down the cost of refueling and labor. Chip sealing in the alley ways.

11) Director's Report

a) October 8th is the budget workshop. Reducing staffing in Public Works by one truck driver due to efficiency in the current methods.

Adjourn 1st by Peterson, 2nd by Mayor Murray at 7:05 PM. All ayes. Motion approved.

Submitted by: Kim Lambert

Minutes will be approved at October PWC meeting.

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Sump Pump Reimbursement

**Summary and background information:
(Appropriate documents attached)**

1418 Butts - \$115.00

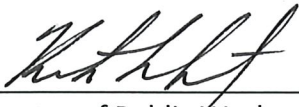
1422 Butts - \$240.00

Fiscal Note:

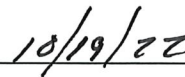
\$355.00

Recommendation:

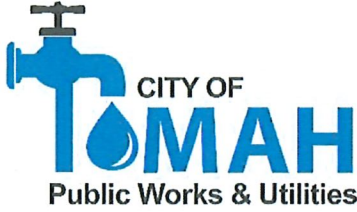
I recommend reimbursements for each property listed above.



Director of Public Works
Kirk Arity



Date



819 Superior Ave, Tomah, WI 54660
608-374-7430 | www.tomahonline.com

Attn: City Resident

The City of Tomah is having a sump pump header line installed adjacent to your property. We would like to offer you a cost share program. By connecting to the header line you will help alleviate standing water on your property which can be a prime breeding ground for mosquitos. Discharging the water properly into the storm sewer will prevent hazardous conditions on the sidewalks and the roadways when temperatures drop below freezing.

In order to be approved for this program, you will need to supply receipts and the form below. Receipts can be for such things as materials, rentals, plumber/contractor costs, etc. The work needs to be completed along with the required information returned to the Public Works Department.

If you have any questions, please contact, Kirk Arity, Director of Public Works at 608-374-7430

REQUEST FOR REIMBURSEMENT FORM

Residential Sump Pump Installation Program

Name: ALAN T. PISAREK

Address: 1418 BUTTS AVE TOMAH 54660

Phone: (Home) 608 343 8288 (Cell) 608 377 2262

Email: STATU1966@gmail.com

Total cost of eligible expenses: \$230.00

Total reimbursement requested (50% of eligible expenses, not to exceed \$500.00): \$115.00

Signature: [Handwritten Signature] Date: 9/19/2022

Office Use Only: Director of Public Works Approval: YES <input type="checkbox"/> NO <input type="checkbox"/>	Initial: _____
Check No. _____	Check Issue Date: _____

902908

CUSTOMER'S ORDER NO. Steam Sealer DATE 9/16/2022
NAME Alan Pisarek
ADDRESS 1418 Butts Av
CITY, STATE, ZIP Fonch WI 54660

SOLD BY CASH C.O.D. CHARGE ON ACCT. MDSE. RETD. PAID OUT

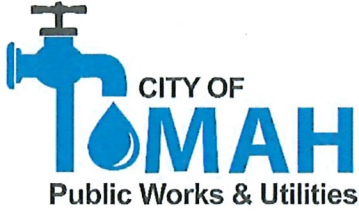
QUAN.	DESCRIPTION	PRICE	AMOUNT
1	Labor		180.00
2			
3	mt		50.00
4			
5			
6			
7	Roops Plumbing		
8	25604 Raymond Av		
9	Fonch WI		
10			
11			
12			
13			
14			
RECEIVED BY		TAX	
		TOTAL	230.00

Pd 9/18/22

A-24705W
T-46901

KEEP THIS SLIP FOR REFERENCE

01-11



819 Superior Ave, Tomah, WI 54660
608-374-7430 | www.tomahonline.com

Attn: City Resident

The City of Tomah is having a sump pump header line installed adjacent to your property. We would like to offer you a cost share program. By connecting to the header line you will help alleviate standing water on your property which can be a prime breeding ground for mosquitos. Discharging the water properly into the storm sewer will prevent hazardous conditions on the sidewalks and the roadways when temperatures drop below freezing.

In order to be approved for this program, you will need to supply receipts and the form below. Receipts can be for such things as materials, rentals, plumber/contractor costs, etc. The work needs to be completed along with the required information returned to the Public Works Department.

If you have any questions, please contact, Kirk Arity, Director of Public Works at 608-374-7430

REQUEST FOR REIMBURSEMENT FORM

Residential Sump Pump Installation Program

Name: Kermit + Gasper

Address: 1422 Batts Ave

Phone: (Home) 608-343-8844 (Cell) same

Email: Kern2place@hotmail.com

Total cost of eligible expenses: \$490.00

Total reimbursement requested (50% of eligible expenses, not to exceed \$500.00): \$240

Signature: Kermit Gasper

Date: 8 Sept 2022

Office Use Only: Director of Public Works Approval: YES <input type="checkbox"/> NO <input type="checkbox"/>	Initial: _____
Check No. _____	Check Issue Date: _____

902907

CUSTOMER'S ORDER NO. STORIN SOUTER		DATE 7/6/2022				
NAME Kermit Gospel						
ADDRESS 1422 Butts AV						
CITY, STATE, ZIP Tombh VT 54660						
SOLD BY	CASH	C.O.D.	CHARGE	ON. ACCT.	MDSE. RETD.	PAID OUT
QUAN.	DESCRIPTION	PRICE	AMOUNT			
1	LABOR		180	00		
2	MATERIAL		300	00		
3						
4						
5						
6	REGGIE PLUMBING					
7	25604 DAYWOOD AV					
8	TOMBH VT 54660					
9						
10						
11						
12						
13						
14						
RECEIVED BY					TAX	
					TOTAL	\$480.00

A-24705W
T-46901

KEEP THIS SLIP FOR REFERENCE

01-11

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Award Equipment Purchases for WWTF

**Summary and background information:
(Appropriate documents attached)**

A summary will be provided at the meeting along with recommendations from Town & Country Engineering.

Fiscal Note:

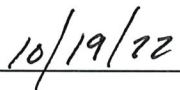
As presented

Recommendation:

I recommend award of the various equipment purchase as presented by Town & Country.



Director of Public Works
Kirk Arity



Date

STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Discussion & Recommendation of Changes for Sec. 38 Streets, Sidewalks & Other Public Places.

**Summary and background information:
(Appropriate documents attached)**


In reviewing our street privilege open permits, we have found some areas that need updating.

Fiscal Note:

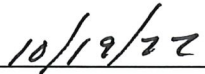
N/A

Recommendation:

I recommend the following changes per the attached.



Director of Public Works
Kirk Arity



Date

Chapter 38 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE I. IN GENERAL

Sec. 38-1. Official map.

- (a) *Purpose and intent.* To conserve and promote the public health, safety, convenience and general welfare, the city has adopted and established the official map of the city consisting of one sheet and depicting the city and the area outside the city over which the city has extraterritorial jurisdiction. It is the further purpose of the official map to show the width and location of streets, highways and parkways in order to promote the efficient and economical development of the city.
- (b) *Amendments.* The city council, whenever and as often as it may deem it for the public interest, may change or add to the official map of the city in conformity with the state statutes.
- (c) *Filing of certificate.* Immediately upon the adoption, the city clerk shall file with the county register of deeds a certificate showing the city has established the official map and shall do likewise as to any change or addition.

(Code 1993, § 8.08(1), (3), (6))

State law reference(s)—Official maps, Wis. Stats. § 62.23(6).

Sec. 38-2. Building permits; plot plans.

For the purpose of preserving the integrity of the official map, no permit shall be issued for any **building construction or disturbance** in the bed of any street, highway or parkway shown or laid out on the map, except as provided in Wis. Stats. § 62.23(6)(d) or (e). The proper official authorized by the city council to issue building permits shall require each applicant to submit a plot plan certified by a qualified surveyor for approval. The plot plan shall accurately show the location of any proposed building with reference to any street as shown on the official map.

(Code 1993, § 8.08(5))

Sec. 38-3. Permit fees.

Fees for all permits required by this chapter shall be as determined by resolution of the city council from time to time.

(Code 1993, § 8.10)

Sec. 38-4. Definitions.

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

Carriage walk means any walkway constructed between the sidewalk and the curb or lateral lines of a roadway.

Nonresidential property means all property other than property used exclusively as one-family and two-family dwellings.

Residential property means property used exclusively as one-family and two-family dwellings.

Sidewalk means the paved walk between the curblines or the lateral lines of a roadway and the adjacent property lines, constructed for the use of pedestrians. The term "sidewalk" shall not include carriage walks.

(Code 1993, § 8.02)

Sec. 38-5. Grade of streets and sidewalks.

The grade of all streets, alleys and sidewalks shall be established by resolution by the council. No street, alley or sidewalk shall be worked until the grade thereof is established. No person shall alter the grade of any street, alley, sidewalk or public ground or any part thereof by any means whatsoever unless authorized or instructed to do so by the council or the director of public works and utilities. All the alterations of grade shall be recorded by the officer authorizing the alteration.

(Code 1993, § 8.01)

Secs. 38-6—38-28. Reserved.

ARTICLE II. SIDEWALKS

Sec. 38-29. Maintenance.

All sidewalks in the city shall be maintained in good condition or repair, free from obstructions to permit passageway by pedestrians. The council may from time to time make all needful rules and regulations for carrying these provisions into effect and regulating the use of the sidewalks of the city and preventing their obstruction.

(Code 1993, § 8.02(2))

Sec. 38-30. Snow and ice removal.

- (a) *Owners responsibility.* The owner or occupant of any lot or parcel shall promptly each day, and in no event later than 24 hours after any snowstorm, remove all snow and ice which may have fallen or accumulated upon the sidewalk in front of such lot or parcel; provided, when ice has so formed that it cannot be removed, the owner or occupant shall keep the same sprinkled with a material which will prevent the sidewalk from being dangerous to pedestrians. This provision does not apply to the owner or occupant of any sidewalk 25 feet or more away from the respective property line of the owner or occupant.
- (b) *City's option to clear sidewalks.* In any case where the owner, occupant or person in charge of any building or structure or unoccupied lot shall fail to clear his respective sidewalk of snow and ice as set forth above, then and in that event, the city may elect to clear said sidewalks as follows:
 - (1) Written notice shall be delivered to and left in a conspicuous place on the premises informing said person of his failure to clear said sidewalk, the city's intention to clear the same and the potential costs thereof, no less than 24 hours prior to the city's clearing said sidewalk.
 - (2) The city shall clear or cause to be cleared all snow and ice from said sidewalk, and shall charge the expenses of so doing pursuant to a fee schedule established by the city council or designated city

(Supp. No. 17)

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personnel, subject to approval by the city council. The charges shall be set forth in a statement to the clerk who, in turn, shall mail the same to the owner, occupant or person in charge of the subject premises. If said statement is not paid in full within 30 days thereafter, the statement shall be reported to the clerk, who shall enter the charges on the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate, or as provided under Wis. Stats. § 66.615(3)(f).

(c) *Deposit of snow on streets or sidewalks.*

- (1) No person shall deposit or cause to be deposited any snow or ice taken and removed from his premises or elsewhere upon any sidewalk, alley, parkway, public place or street in the city, except snow removed from sidewalk areas where there are no boulevards or terraces. Snow shall not be piled at or near intersections so as to obstruct the view of pedestrians or operators of motor vehicles.
- (2) No person shall remove or deposit any snow from building rooftops into a public alley, except by specific permission of the director of public works, and if such permission is granted, the deposited snow must be moved from the alley within a reasonable length of time to be designated by the director of public works at the time permission is granted.

(Ord. No. 2010-12-04-D, § 1, 12-14-2010)

Sec. 38-31. Sidewalk construction.

The council may from time to time establish the width, determine the material and prescribe the method of construction of standard sidewalks. The provisions of the city's building code and its zoning regulations, as well as this chapter, shall apply to the construction of sidewalks. In the event of conflict among provisions of this Code, the more stringent regulation shall prevail.

(Code 1993, § 8.02(3))

Sec. 38-32. Unsafe and defective sidewalks.

The public works and utilities commission may order any sidewalk that is unsafe, defective or insufficient to be repaired or removed and replaced with a sidewalk with the standard fixed by the council. The city shall have the sole and exclusive discretion to determine whether any sidewalk is in need of repair and/or replacement.

(Code 1993, § 8.02(4))

Sec. 38-33. Repair; replacement.

- (a) *Residential property.* The city shall pay for the repair or replacement of sidewalks for residential property; provided, however, that the city shall not pay for, and the owner shall bear responsibility for, any repair or replacement which is the proximate result of any intentional or negligent damage by the property owner, or the property owner's tenant, lessee, assignee, employee, agent, or guest.
- (b) *Nonresidential property.* The property owner of nonresidential property shall pay for all repair or replacement of sidewalks for said property.
- (c) *Notice to owner.* If the property owner is responsible for maintenance, repairs, and replacement of sidewalks pursuant to this article, the city may, by resolution or order, direct laying, removal, replacement or repair or any sidewalk or part thereof. Notice of the directive shall be served upon the responsible owner of each property either by personally delivering the same to the owner or his agent or, in case the owner or agent cannot be found in the city, by publishing one insertion in the official newspaper.

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(d) *Default by owner.* If the property owner, after notice has been served as provided in this section, shall neglect for a period of 20 days after notice to lay, remove, replace or repair the sidewalk, the city may cause the work to be done at the expense of the owner. The charges shall be entered in the tax roll as a special tax to be collected in the same manner as other taxes.

(Code 1993, § 8.02(5)–(7))

Sec. 38-34. Restricted use of sidewalks.

No person shall operate a skateboard, scooter, roller skate, roller blades or bicycle on the sidewalks of Superior Ave. from Council St. to Washington St.

(Code 1993, § 7.11)

Sec. 38-35. Street reconstruction.

All properties adjacent to street reconstruction where a city street section is being completed and when fronting upon parcels within the city limits and/or create a continuation of sidewalk to be determined by the public works commission, shall have sidewalk installed where none exists and sidewalk repaired or replaced when the existing sidewalk is deemed unsafe, defective or insufficient. The cost for newly constructed sidewalks and/or repair shall be paid pursuant to sections 38-33 and 38-122 of this Code.

(Ord. No. 2010-05-03D, § 2, 5-11-2010; Ord. No. 2022-05-12-D , § 1, 5-17-2022)

Secs. 38-36—38-56. Reserved.

ARTICLE III. DRIVEWAYS

Sec. 38-57. Permit required.

No person shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a driveway permit from the director of public works and utilities.

(Code 1993, § 8.03(1))

Sec. 38-58. Construction.

In addition to construction standards and specifications otherwise provided in this Code, the minimum standards set forth in this section shall apply to all driveway construction. In the event of conflicting applicable Code provisions, the most stringent regulation shall apply.

- (1) *Driveway width.* No driveway shall exceed 24 feet in width at the outer or street edge of the sidewalk, unless special permission is obtained from the public works and utilities commission.
- (2) *Obstruction of intersections prohibited.* At intersections no driveway shall provide direct ingress to or egress from the street intersection area nor occupy areas of the roadway deemed necessary by the council for effective traffic control or highway signs or signals.
- (3) *Interference with streets and adjacent areas prohibited.* No driveway apron shall extend into the street further than the face of the curb and under no circumstances shall the driveway apron extend into the

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gutter area. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches or roadside areas or any existing structure on the right-of-way.

- (4) *Drainage.* When required by the director of public works and utilities to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his own expense.
- (5) *Paving.* All driveway entrances and approaches that are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction established by the council.

(Code 1993, § 8.03(2)(a)—(d))

Sec. 38-59. Curbs, gutters, and sidewalks.

When curbs or gutters are removed during driveway construction, the new connection shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat, workmanlike manner. Any sidewalk areas that are damaged or inadequate by reason of vehicle travel across sidewalk shall be replaced.

(Code 1993, § 8.03(2)(e))

Sec. 38-60. Liability for damages.

The permittee hereunder shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances.

(Code 1993, § 8.03(2)(e))

Secs. 38-61—38-78. Reserved.

ARTICLE IV. EXCAVATIONS

Sec. 38-79. Applicability.

The provisions of this article shall not apply to excavation work under the direction of the public works and utilities commission by city employees or contractors performing work under contract with the city necessitating openings or excavations in city streets, which openings or excavations shall be regulated by the contract between the city and the contractor.

(Code 1993, § 8.04(6))

Sec. 38-80. Permit required.

No person shall dig or cause to be dug any ditch or other excavation in the platted way of any public street or public alley in the City without having obtained a permit from the director of public works and utilities or his designee. Application for the permit shall be in writing on forms provided by the City and signed by the person contemplating the work or by the authorized agent of such person and filed with the City not less than 48 hours prior to the commencement of the excavation. Upon receipt of such application, the City shall investigate and determine whether a permit shall be issued and may prescribe terms and conditions for the issuance of the permit.

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which terms may include, at the discretion of the City Administrator/Director of Public Works or Zoning Administrator, submission of a certificate of liability insurance covering the applicant and the City during all phases of the opening and closing of the ditch or excavation, and/or provision for a surety bond to insure the replacement and restoration of the street or alley opened as provided in Subsection 38-81. Such conditions as prescribed by the City shall be set forth in writing on the permit. The City shall keep shall keep a record of all permits issued hereunder, which record shall indicate the date the permit was granted, the location of the ditch and any special terms or conditions prescribed. Failure to obtain a permit prior to commencement of the excavation, except as provided for in Subsection B, will result in a forfeiture as provided in § 240-9 of this chapter. No person shall make or cause to be made any excavation or opening in any street, alley, highway, sidewalk or other public way within the city without first obtaining a permit from the director of public works and utilities.

(Code 1993, § 8.04(1))

Sec. 38-81. Frozen ground.

No permit shall be issued and no opening in the streets or sidewalks for any purposes shall be permitted when the ground is frozen, except where necessary as determined by the director of public works and utilities.

(Code 1993, § 8.04(3)(a))

Sec. 38-82. Insurance required.

Prior to commencement of excavation work, a permittee shall furnish the director of public works and utilities satisfactory written evidence that he has in force and will maintain during the life of the permit and the period of excavation public liability insurance, bodily injury of not less than \$100,000.00 for one person, \$300,000.00 for one accident, and property damage insurance of not less than \$50,000.00.

(Code 1993, § 8.04(2))

Commented [BB1]: Perhaps here (or another section) is where you would add the financial surety requirement for each permittee

Sec. 38-83. Construction specifications.

Driveway construction shall be subject to the building and zoning provisions of this Code, as well as the specifications set forth in this section. In the event of conflicting provisions, the more stringent regulation shall apply. Driveway construction shall comply with the following standards:

- (1) *Preservation of surface areas.* In opening any street or other public way, all paving or ballasting materials shall be removed with the least possible loss of or injury to surfacing material.
- (2) *Restoration of surface areas, monuments, and hubs.* The paving materials, sand, gravel and earth or other material moved or penetrated, and all surface monuments or hubs must be replaced as nearly as possible in their original condition or position and within the same relation to the remainder as before. The city may elect to have the city make the pavement repair for any street or sidewalk opening, in which case the cost of making the repair and of maintaining for one year shall be charged to the person making the street opening.
- (3) *Backfill material.* Any excavated material that in the opinion of the director of public works is not suitable for refilling shall be replaced with approved backfill material.
- (4) *Method of backfilling.* In refilling the opening, the earth must be puddled or laid in layers not more than 12 feet in depth and each layer rammed, tamped or flushed to prevent after-settling. When the side of the trench will not stand, perpendicular sheathing and braces must be used to prevent caving. No timber, bracing, lagging, sheathing or other lumber shall be left in any trench.

(Code 1993, § 8.04(3)(b), (d))

Sec. 38-84. Trash removal.

All rubbish shall be immediately removed, leaving the street or sidewalk in perfect repair, the same to be so maintained for a period of one year.

(Code 1993, § 8.04(3)(d))

Sec. 38-85. Containment of excavated material.

Excavated material from trenches shall be placed so as to cause the least practicable inconvenience to the public and the least interference with the free flow of water along gutters.

(Code 1993, § 8.04(3)(b))

Sec. 38-86. Protective measures required; liability for damages.

All necessary precautions shall be taken to guard the public effectively from accidents or damage to persons or property through the period of the work. Each person making the opening shall be held liable for all damages, including costs incurred by the city in defending any action brought against it for damages, as well as the cost of any appeal that may result from the neglect by the person or his employees to take necessary precaution against injury or damage to persons, vehicles or property of any kind. Protective measures to be employed by permittees shall include, but not be limited to, the following:

- (1) *Barriers.* Every person shall enclose with sufficient barriers each opening that he may make in the streets or public ways of the city.
- (2) *Safeguarding of equipment.* All machinery and equipment shall be locked or otherwise effectively safeguarded from unauthorized use when not being used by the permittee, his agents or employees.
- (3) *Warning lights.* Warning lights shall be kept burning from sunset to sunrise, one light to be placed at each end of the opening in the street or way and other lights sufficient in number and properly spaced to give adequate warning.
- (4) *Proximity to pipe installations.* Except by special permission from the director of public works and utilities, no trench shall be excavated more than 250 feet in advance of pipe laying or left unfilled more than 500 feet where pipe has been laid.

(Code 1993, § 8.04(3)(c))

Sec. 38-87. Excavation of new streets limited.

Whenever the council determines to provide for the permanent improvement or repaving of any street, the determination shall be made not less than 30 days before the work of improvement or repaving begins. Immediately after the determination by the council, the director of public works and utilities shall notify in writing each person, utility, city department or other agency owning or controlling any sewer, water main, conduit or other utility in or under the street or any real property abutting the street, that all excavation work in the street must be completed within 30 days. After the permanent improvement or repaving, no permit shall be issued to open, cut or excavate the street for a period of five years after the date of improvement or repaving, unless in the opinion of the public works and utilities commission an emergency exists which makes it absolutely essential that the permit be issued.

(Supp. No. 17)

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(Code 1993, § 8.04(4))

Sec. 38-88. Emergency excavations.

In the event of an emergency, any person, his agents or employees owning or controlling any sewer, water main, conduit or utility in or under any street may take immediate, proper emergency measures to remedy dangerous conditions for the protection of property, life, health or safety without obtaining an excavation permit, provided that the person shall apply for an excavation permit not later than the end of the next succeeding business day and shall not make any permanent repairs without first obtaining an excavation permit hereunder.

(Code 1993, § 8.04(5))

Secs. 38-89—38-119. Reserved.

ARTICLE V. NEW CONSTRUCTION

Sec. 38-120. Sidewalk construction required.

- (1) Within one year of the issuance of a building permit for a new residence and nonresidential parcels, the property owner shall install sidewalk for the entire length of the property at his expense provided that the proper street grade has been established. If the proper street grade has not been established, sidewalk may not be installed until an order is issued by the city.
- (2) Sidewalks shall be installed abutting properties occupied by new residential construction along any street with an urban section prior to the completion of its construction or the issuance of an occupancy permit. Those receiving permits during the winter months shall install the required sidewalk no later than June 30th of the succeeding year.
- (3) *Exceptions.* The public works and utilities commission may determine that sidewalk is not required when any one of the following conditions apply:
 - a. There is insufficient right-of-way.
 - b. The installation encourages pedestrian traffic in an otherwise dangerous area.
 - c. The installation abuts industrial zoned lands. (Unless situated between other pedestrian generating areas).

(Code 1993, § 8.07(3); Ord. No. 2010-05-03D, § 3, 5-11-2010; Ord. No. 2015-09-07-D, § 1, 9-8-2015)

Sec. 38-121. Curb and gutter installation required.

Within one year of the issuance of a building permit, the property owner shall install curb and gutter for the entire length of the frontage of the property at his expense provided that the proper street grade has been established. If the proper street grade has not been established, curb and gutter may not be installed until an order is issued by the city.

(Code 1993, § 8.07(4))

Sec. 38-122. Construction costs.

- (a) Owner responsibility. The property owner shall be responsible for the payment of new sidewalk construction, curb, and gutter and paving and shall pay the costs in accordance with the terms and policies of the council.
- (b) Site work by city; cost estimates. All site work by city employees for installation of curb and gutter for existing structures shall be billed at the city rate and paid by the owner. Upon written request, the director of public works and utilities shall provide the owner with an estimate of the cost.

(Code 1993, § 8.07(1), (2), (5), (7); Ord. No. 2022-02-03-D, § 1, 2-15-2022)

Sec. 38-123. Variances/exceptions.

The property owner may seek relief from the requirements of this article by requesting in writing a hearing before the public works and utilities commission. the request shall be made no later than the time limitations set forth in this article. For determining whether to grant relief from the sidewalk requirements, the public works and utilities commission shall use the criteria established under subsection 38-120(3) of this Code. Any variance/exception must be approved by the city council upon recommendation from the commission.

(Code 1993, § 8.07(6); Ord. No. 2010-05-03D, § 4, 5-11-2010)

Secs. 38-124—38-144. Reserved.

ARTICLE VI. OBSTRUCTIONS AND ENCROACHMENTS

Sec. 38-145. Prohibited.

No person shall encroach upon any street, alley, sidewalk, public grounds or lands dedicated to public use or any part thereof or permit the encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as otherwise provided in this article.

(Code 1993, § 8.05(1))

Sec. 38-146. Removal.

The obstructions and encroachments brought to the city's attention shall be removed within 24 hours after receipt of a warning letter from the department of public works to the property owner. If the obstruction or encroachment is not removed within 24 hours of the warning letter, a citation shall be issued. The city may then immediately cause the obstruction or encroachment to be removed and report the cost in writing to the clerk. The charge shall be entered in the tax roll as a special tax to be collected in the same manner as other taxes.

(Code 1993, § 8.05(1))

Sec. 38-147. Exceptions.

The prohibitions in this section do not apply to the following:

- (1) Public utility encroachments authorized by state law or city ordinance.

- (2) Awnings, signs, overhead sidewalk heaters and canopies, provided they are installed and maintained in accordance with this chapter.
- (3) Temporary encroachments or obstructions authorized by permit.
- (4) Excavations and openings in streets permitted by this chapter.

(Code 1993, § 8.05(2))

Sec. 38-148 Penalties.

Any person who shall violate any provision of this chapter or any order, rule or regulation made thereunder shall be subject to a penalty as provided in Chapter 4, Sec. 1-14 of this Code.

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STAFF COMMITTEE PREPARATION REPORT

Agenda Item:

Recommendation for Snowmobile Route

**Summary and background information:
(Appropriate documents attached)**


The snowmobile club is wanting to change a portion of the route/trail along N. Glendale Ave & along ET.

Fiscal Note:

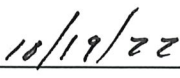
N/A

Recommendation:

I recommend the PW&C recommend to the Committee of the Whole the revised route/trail for approval.



Director of Public Works
Kirk Arity



Date

Sec. 44-153. - Authorized snowmobile route.

Please review to what changes should be added to the route change proposal.

No person shall operate a snowmobile on city-owned property, except over the route designated on the snowmobile route map which by reference is incorporated herein. The snowmobile trail shall be more particularly designated by officially marked signs, but is generally described as follows:

Commencing at the southern edge of Lake Tomah; thence southerly across private land outside the city limits;

Thence easterly across private land and reentering the city limits;

Thence southeasterly across private land to the city-owned property at Recreation Park at the gate at the junction of Grassman St. and Kristi Ln.;

Thence southerly across Recreation Park to the fence bordering Recreation Park;

Thence northeasterly along the fence and exiting Recreation Park at the gate midway between Fair St. and Hugh Dickie Dr. (CTH CM);

Thence southerly along Butts Ave. to the junction of Hugh Dickie Dr.;

Thence easterly along Hugh Dickie Dr. to the junction of W. Clifton St. (USH 16);

Thence southerly along W. Clifton St. and exiting the city limits;

Thence easterly across private land and reentering the city limits at the junction of Hollister Ave., Center Dr. and a town road (Goose Ave.); thence easterly along Center Dr. to the junction of S. Superior Ave. (STH 131);

Thence easterly, northerly, and northeasterly across private land and crossing Council Creek at the snowmobile bridge;

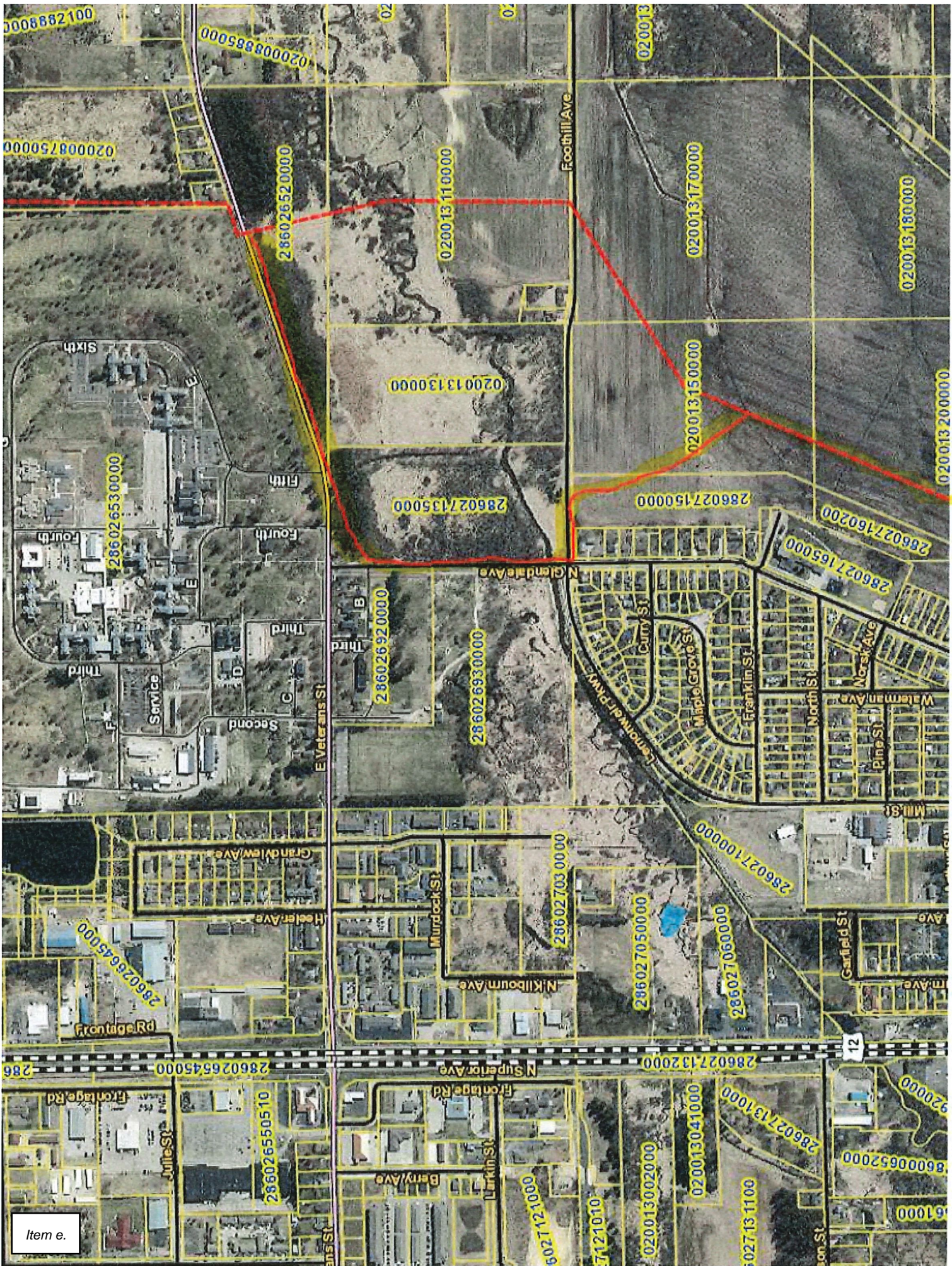
Thence easterly and northeasterly across private land to the junction of a town road (Grain Ave.);

Thence northeasterly across private land to a trail intersection; then either:

- (1) Continuing northerly across private land to the junction of E. Clifton St. (USH 12 & 16) and King Ave. right-of-way; thence northerly on the King Ave. right-of-way to the junction of E. Monowau St.; thence westerly across private land to the city-owned property at Frank G. Andres Firemen's Park; thence northerly across Firemen's Park and ending at the pedestrian bridge on the E. Monroe St. right-of-way; or,
- (2) Easterly across private land; thence easterly across private land and exiting the city limits to a trail intersection; thence either
- (3) Southeasterly and northeasterly across private land and reentering the city limits; thence northeasterly across private land to the junction of E. Clifton St. and Winnebago Ave.; thence easterly along E. Clifton St. and exiting the city limits; or

- (4) Northerly across private land to the junction of E. Clifton St. and reentering the city limits; thence northeasterly across the city-owned property at Bloyer Field; thence northerly along the western boundary of the north-south airport runway; thence westerly across private land to the junction of E. Brownell St. and Sime Ave; thence northerly along Sime Ave. to the junction of Toro St.; thence westerly and northerly across private land to the junction of Plastic Ave.; thence northerly across private land to the junction of Town Line Rd.; thence westerly along Town Line Rd. to an area west of the Council Creek vehicle bridge and exiting the city limits; thence northeasterly and northerly across private land and reentering the city limits at the Lemonweir River snowmobile bridge; thence northerly across private land to the junction of E. Veterans St. (CTH ET) at a trail intersection; thence either
- (5) Westerly along E. Veterans St. to the junction of N. Glendale Ave.; thence southerly along N. Glendale Ave. to the city-owned property at Veterans' Park; thence westerly across Veterans' Park; thence westerly across private land to the junction of N. Superior Ave. (USH 12); thence southerly along N. Superior Ave. to the junction north of Jefferson St.; thence westerly and southwesterly across private land to the junction of Hansen St.; thence westerly along Hansen St.; thence southwesterly across private land to the junction of Noth Ave. (CTH ET); thence southerly along Noth Ave. to the junction of Park View Dr. and the city-owned property at Lake Park; thence southerly across Lake Park to the northern edge of Lake Tomah; thence southerly across Lake Tomah and rejoining the trail at the southern edge of Lake Tomah; or
- (6) Easterly on E. Veterans St. and exiting the city limits; thence easterly along CTH ET; thence northerly and westerly and northerly across private land and reentering the city limits at the junction of a town road (Foley Ave.) at a trail intersection; thence either
- (7) Easterly along the town road and exiting the city limits; thence easterly along the town road to an area east of the I-94 bridge; thence northerly across private land and reentering the city limits at the Mud Creek snowmobile bridge; thence northerly and northeasterly across private land to the junction of STH 21; thence northerly and northwesterly across private land to the junction of E. Andres St. right-of-way; thence westerly on the E. Andres St. right-of-way and exiting the city limits to the north or rejoining the trail southerly at the junction of N. Superior Ave; or
- (8) Westerly along a town road (Foley Ave.); thence westerly across private land to the junction of N. Superior Ave.; thence northerly along N. Superior Ave. and exiting the city limits north of the junction of E. Andres St. or rejoining the trail easterly at the junction of the E. Andres St. right-of-way.

(Code 1993, § 7.16)



Item e.



September Permit Report

09/01/2022 - 09/30/2022

Permit #	Permit Date	Permit Type	Project Description	Parcel Address	Total Fees	Construction Value
6285	9/29/2022	Sign Permit	Replacing top section of wall sign (adding Tomah2 to top section of sign)	1120 N SUPERIOR AVENUE	\$40.00	0.00
6284	9/29/2022	Electrical	Electrical for bathroom remodel. Panel upgrade (fuse to breaker) 100 amp	429 W JUNEAU STREET	\$55.00	3,700.00
6283	9/29/2022	Electrical	Service panel upgrade(fuse to breaker)100 amp	1701 SUPERIOR AVENUE	\$45.00	2,500.00
6282	9/29/2022	Fence	4' chain link fence in rear yard >2' from property lines	417 GANNON COURT	\$20.00	0.00
6281	9/29/2022	Fence	4' wood fence >2' from property lines	532 FRANKLIN STREET	\$20.00	0.00
6280	9/29/2022	Alter/Addition One or Two Family	Kitchen remodel	1212 HOLLISTER AVENUE	\$100.00	10,000.00
6279	9/22/2022	Fence	6' wooden fence >2' from property lines	721 W JACKSON STREET	\$20.00	0.00
6278	9/21/2022	Township-LaGrange (New const.)	New single family home	23083 Derby Ave.	\$1,312.20	0.00
6277	9/21/2022	Shed Permit<150 square feet	11 x 13 shed in side yard	1618 SUPERIOR AVENUE	\$15.00	1,500.00
6276	9/20/2022	Shed Permit<150 square feet	8 x 10 shed in rear yard	303 SCHALLER STREET	\$15.00	4,100.00
6275	9/19/2022	Electrical	Electrical for fuel pumps (scope of work attached)	1710 WINNEBAGO AVENUE	\$250.00	30,000.00
6274	9/19/2022	Electrical	Installing power and lighting for new storage units	1100 E McCoy Blvd	\$262.00	33,000.00
6273	9/19/2022	Mechanical	Replacing furnace	403 Superior Ave.	\$60.00	5,400.00
6272	9/19/2022	Plumbing	Plumbing for bathroom remodel and and plumbing in addition	100 E WARREN STREET	\$78.00	12,000.00
6271	9/16/2022	Fence	6' wooden fence >2' from property lines	1218 HANSEN STREET	\$20.00	0.00

6270	9/14/2022	Fence	New 8' security fence (Top 1' section barbed wire) around perimeter of property	802 W VETERANS STREET	\$20.00	0.00
6269	9/13/2022	Fence	6' wooden fence in side yard >2' from property lines	520 SUPERIOR AVENUE	\$20.00	0.00
6268	9/13/2022	Fence	6' wooden fence in rear and side yard >2' from property lines	516 SUPERIOR AVENUE	\$20.00	0.00
6266	9/7/2022	Plumbing	Installing all new plumbing in house(remodel)	1200 KILBOURN AVENUE	\$65.00	7,000.00
6265	9/6/2022	Deck Permit	Replacing back deck and stairs (5 x 8)	120 E MONROE STREET	\$35.00	3,000.00
6264	9/1/2022	Plumbing	Plumbing for bathroom addition inside existing warehouse	1605 TOWNLINE ROAD	\$98.00	17,890.00
6263	9/1/2022	Electrical	Service pedestal for mobile home and electrical for detached garage	615 Collin Dr.	\$50.00	2,500.00
6262	9/1/2022	Electrical	Service pedestal for mobile home and electrical for detached garage	623 Collin Dr.	\$50.00	2,500.00
6261	9/1/2022	Electrical	Service pedestal for mobile home and electrical for detached garage	619 Collin Dr.	\$50.00	2,500.00
6260	9/1/2022	Electrical	Service pedestal for mobile home and electrical for detached garage	611 Collin Dr.	\$50.00	2,500.00
6257	9/1/2022	Electrical	Installing surface mounted receptacles	917 ALDERMAN STREET	\$30.00	500.00
6256	9/1/2022	Electrical	Electrical for bathroom addition inside existing building.	800 Sime Ave.	\$155.00	3,500.00
6255	9/1/2022	Sign Permit	Walls signs and monument sign for new EMS Building	400 N Glendale Ave.	\$0.00	0.00
Totals					\$2,955.20	144,090.00

Total Records: 28

10/11/2022