

**NOTICE OF PUBLIC MEETING****Public Works Committee/**

Ryan Austin, Chairperson  
Matt Zacher, Secretary  
Patrick Delaney  
Mayor Blaser

Notice is hereby given of a meeting of the Public Works Committee to be held in the **1<sup>st</sup> Floor Conference Room** at City Hall, 444 West Grand Ave, Wisconsin Rapids **5:00 pm on Thursday, March 3rd, 2022**. **The public may listen to the meeting by calling 1-312-626-6799 Access code: 859 0354 4276**. The meeting will also be streamed LIVE on the City of Wisconsin Rapids Facebook page. This meeting is also available after its conclusion on the City's Facebook page and Community Media's YouTube page, which can be accessed at [www.wr-cm.org](http://www.wr-cm.org). If a member of the public wishes to submit comments to the Public Works Committee regarding an agenda item and does not wish to be present in person, please contact Committee chair Ryan Austin via email at [raustin@wirapids.org](mailto:raustin@wirapids.org) before the meeting.

**Agenda**

1. Call to order
2. Review the Snow Removal Policy
3. Review Engineering & Street Department activities report
4. Review proposed transportation utility ordinance, and review proposed changes to current special assessment ordinances in Chapters 5 and 6.
5. Review 2022 Asphalt Contract bid results and consider bid award.
6. Review 2022 Crushing Contract bid results and consider bid award.
7. Review and consider a feasibility study to address noise and vehicle delays associated with the railroad on the west side of the City.
8. Review referral list
9. Adjourn

Ryan Austin, Chairperson

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The City of Wisconsin Rapids provides access to meetings to all citizens. If access to this meeting through video or audio means is not possible due to a disability, notification to the City's IT Manager at 715-421-8288 at least 48 hours prior to the scheduled meeting is encouraged to request accommodations.



## Public Works Committee

**Date of Request:** 01/24/2022 & 2/24/2022

**Requestor:** Paul Vollert Public Works Superintendent

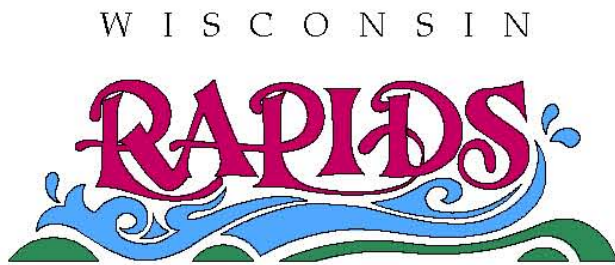
**Request/Referral:** Review and approve proposed changes to the snow removal policy

**Background information:** Review of the snow removal policy and recommended changes due to the current need and equipment used.

**Options available:** See attached

**Action you are requesting the committee take:** Approve the recommended changes to the snow removal policy.

**How will the item be financed?** No financing needed for approval of the policy.



## **PUBLIC WORKS DEPARTMENT**

1411 CHASE STREET  
WISCONSIN RAPIDS, WI 54495  
(715) 421-8218 FAX (715) 421-8281

### **DE-ICING AND SNOW REMOVAL POLICY**

This policy is written for the purpose of insuring a uniform de-icing and snow removal procedure is in effect for the City of Wisconsin Rapids and to accomplish the work necessary with the personnel available with the equipment presently in the Public Works Fleet. This policy may be amended from time to time based on circumstances and conditions but nothing herein is meant to be a guarantee that certain streets will be plowed or de-iced by a certain time of the day as this is contingent upon when the slippery conditions or snow prevails in the area. As new developments occur and new equipment becomes available that will aid in providing better services, appropriate recommendations will be made in an effort to implement them. Suggestions and comments on methods of improving this policy are welcomed.

It is the intent of the City of Wisconsin Rapids to provide the highest degree of service to the residents of the City but to accomplish this within the budget and framework established by the governing body, and to meet to the **requirements of Section 893.83 of the Wisconsin Statutes.**

#### **1. Weather Service and Storm Notification:**

The City of Wisconsin Rapids utilizes various weather information sources such as internet, television, and radio weather reports to assist with snow removal plans. Public Works personnel may also confer with Wood County Highway Dept. for additional weather information to aid in the planning process. Although this information is beneficial, it may not be 100% accurate and therefore, supervisory assessment and judgement is necessary.

In addition, the City of Wisconsin Rapids Police Department is charged with the responsibility of alerting supervisory personnel within the Public Works Department when and if driving conditions are hazardous or an unsafe condition exists. A call-in list for supervisors to contact will be provided to Wood County dispatch and the W.R. Police Department.

#### **2. Snow Accumulation Depth:**

It shall be the policy of the City of Wisconsin Rapids to remove snow from the streets when and if the accumulation reaches four (4) inches or more. Lesser amounts will be removed upon decision of supervisory personnel when in their opinion the failure to remove could result in additional cost to the City in applying abrasives or chemicals.

### **3. Snow Removal Plan:**

It shall be the policy of the City to remove snowfalls from City streets within a twenty-four hour period after the snowfall has ended. This twenty-four hour period is required because sufficient personnel may not be available to work around the clock.

The Public Works Department has a total of eighteen (~~17~~ 18) units available for snow removal from streets and City owned parking lots. In addition, there are two (2) sidewalk plows and three (3) alley plows. The City is divided into areas or zones with one unit being assigned each area. Whenever and wherever possible, the same driver or operator is assigned the same area or zone for each snow removal operation. This will allow the driver or operator to become familiar with the area; they will know problem areas, traffic patterns, and will be able to accomplish the snow removal operation in the least possible time.

In the event of break down, accident, etc. involving a snow removal unit, the area or zone to which the unit was assigned may not be plowed within the twenty-four (24) hour period and must wait until other areas are cleared of snow and another unit is available for work.

Attachment #1 is a list of Public Works equipment assigned areas to plow.

### **4. Streets Closed During Winter Months:**

It shall be the policy of the City, in an effort to reduce the cost of snow removal, to refrain from clearing snow from certain streets which are not used generally during the winter months. These streets would be those on which no structures or residences were located and would not be plowed unless a request was received from the property owner and there is a need for access. These streets will be posted with appropriate signs and a list is attached as Attachment #2.

### **5. De-Icing Plan:**

The City of Wisconsin Rapids has a total of approximately 149 miles of local roads (298 lane miles) and 12 miles of State Highways (48 lane miles). It has ~~three~~(~~3~~) (4) ~~four~~ sanders available with operators to de-ice the entire City and one (1) sander available as a spare. It is evident that the entire City can not be de-iced immediately; therefore, priorities have been established to insure the safe flow of traffic in high volume traffic areas. The following priority is hereby established:

- Priority One – Highways and downtown area
- Priority Two – Hills
- Priority Three – Arterial streets – Truck routes
- Priority Four – Secondary streets

Along this same line, not all streets will be de-iced by use of chemicals and it is not the policy of the City to have bare pavement on all City streets. Those streets and areas falling in priority one and two will be de-iced using chemicals and in most cases will be bare pavement. Those streets falling in priority three will have intersection and mid-block chemical application and those streets in priority four will be de-iced using abrasives. Enclosed as Attachment #3 is the de-icing schedule that lists the order employees will be called in to apply salt and/or sand. Also attached are maps illustrating the various streets and how de-icing is done on each. See Attachment #4.

## **6. Alley Plowing:**

As noted above, the City has three (3) units for the plowing of alleys. Alleys will be plowed during and somewhat after streets have been plowed. These alleys are broken down into East Side – West Side and a list is enclosed as Attachment #5. Alleys with ~~grass or~~ gravel surfaces may not be plowed until after the ground has frozen.

## **7. Sidewalk Plowing and Shoveling:**

The City also has sidewalk plows with which to remove snow from City maintained sidewalks **and bike trails**. Because of the volume of sidewalks and the need for personnel in other areas of the snow removal operation, it is not possible to have a bare pavement policy with respect to sidewalks. Every effort within the Public Works Department will be made to make the sidewalks safe for pedestrian traffic, however, care, good judgement and caution should be exercised by the general public. A list of City maintained sidewalks on which snow is to be removed is enclosed as Attachment #6. Along with the sidewalks that are maintained by the city sidewalk plows there are also locations requiring to be shoveled by hand. Every effort is made to have these locations cleared within 24 hours of the end of the snow event. A list of shovel by hand locations is enclosed as Attachment #8

## **8. Snow Loading Operation:**

Upon completion of the snow removal operations, the Public Works Department will enter the snow loading operation where snowbanks are loaded off streets in key areas. Normally this operation is started after a snowstorm and is only done if the accumulation is sufficient to impede pedestrian traffic, and to provide sufficient space for on street parking. Where traffic volumes permit, snow will be removed during the normal daytime hours. In some areas, a combination of nighttime and daytime hours will be used where it better serves the public. Highways may be cleared during night hours for worker safety reasons. No guarantee is made that the snow will be loaded out within a specific period. Snow dumping sites in several locations will be used to allow solids or garbage to settle out on the ground prior to entering the storm sewers and waterways. These sites will be cleaned in the spring after the snow melts. Attachment #7 is included with a list of streets, schools, and churches in which snow should be removed from. **It is also the policy of the city to not remove snowbanks from the state highways in the city until such time that the accumulation is such that the traffic lane width is reduced to not allow safe traffic flow or poor visibility. Nothing herein guarantees the removal of the snow within a specific time.**

### **~~Snow Loading – Main Highways:~~**

~~It is the policy of the City not to remove snow from the main highways in the City (Hwy 54-13-73-34) until such time as the accumulation is such that the traffic lane width is reduced so as to make it unsafe for the even flow of the traffic or in the event snow deposits are such that the removal of snow from the street from a plowing operation would result in snow being pushed on sidewalks. Nothing herein guarantees the removal of this snow within a specified period.~~

## **9. Cross-Walk and Intersection Clearing: Shoveling:**

~~Shoveling~~ Removing of snow from cross walks within the City has in the past been the responsibility of the Public Works Department. The number of these crosswalks exceeds 3,000. As personnel are available, snow will be removed from these crosswalks with the priority being:

- 1 – Main highways
- 2 – School areas
- 3 – Arterial streets
- 4 – All other areas

There is no guarantee that snow will be removed from these crosswalks in a specified time; residents when clearing snow from their sidewalks should make every effort to remove the snow from their crosswalks.

In the event heavy snowfalls occur throughout the winter months, accumulations of snow may exist at intersections, which make it difficult for the motoring public to obtain good visibility in all directions, when this occurs the Public Works Department will make every effort to go around and remove those banks, at which time they will also go thru and open crosswalks that are not open.

~~Therefore, the public should use care, good judgement and caution when using crosswalks.~~

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## **10. Salt Sand Locations:**

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## **11. Borderline Street Agreement (Grand Rapids):**

Attached is the most recent borderline street agreement for road maintenance with the Town of Grand Rapids. This agreement is made with the Town to ensure streets get plowed and de-iced by one of the parties to the agreement. Updates to this agreement will be made on an annual or as-needed basis. See Attachment #10.

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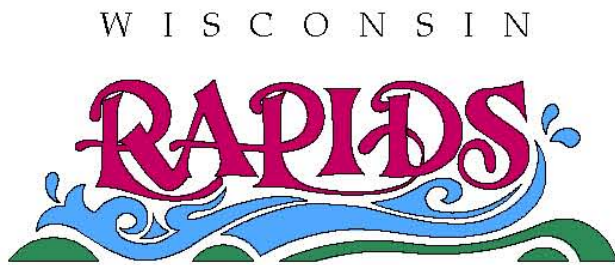
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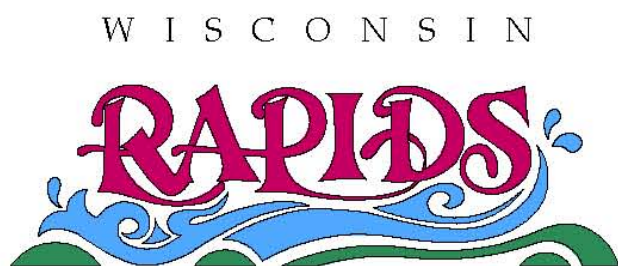
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### **February 2022**

#### ***Refuse and Recycling***

- Garbage Collection estimated at 307.52 tons (314.63 tons in 2021)
- Recycling Collection estimated at 82.02 tons (81.1 tons in 2021)

#### ***Construction***

- Reviewed 2022 construction plans and recommended changes or trees that may need to be removed
- Completed material take offs and ordered materials

#### ***Public Works Maintenance***

- Plowed highways and Arterial streets for five different snow events of less than 2 ½" of snow
- Cleared R/W in green spaces to prevent damage to new mowers
- Cleared R/W in areas that trees were hanging out into roadway and hitting garbage trucks and sweepers
- Trimmed R/W trees in Chipseal Street area
- Four employees attended Pump maintenance training in Chetek
- Nine employees attended Saltwise Smart Salting training
- Eight employees attended Trench Safety training put on by United Training
- Installed two inside drops on Sanitary manholes and rebuilt flow lines
- Completed Ladder inspection
- Assisted Library with book shelf construction
- Cut brush around storm water ponds
- Cleaned up storm damage trees in Woodlands Business Park
- Repaired broken boards on Expressway noise fence
- Trimmed trees for Police Department at shooting range
- Took delivery and built garbage cans and organized area
- Went and got 528 tons of salt from Green Bay docks
- Removed snow from the downtown business area
- Patched City Streets
- Set up OSHA 10 training, forklift training and Competent person training to be completed in March of 2022

#### ***Paint and Signs***

- Finishing up season equipment maintenance
- Removed signs damaged during snow events
- Removed winter banners and installed spring banners
- Assisted with plowing of snow
- Refacing signs for spring installation.

- Worked on Parking Ordinance sign changes and removals
- Installed Stop signs at 12<sup>th</sup> and Chestnut Street
- Constructed signs for Town of Grand Rapids
- Setup and take down of Voter directional signage

### ***Shop and Repairs***

- Multiple repairs to snow fighting equipment after an event
- Hard surface loader bucket
- Multiple big truck services
- Serviced and repaired seven dewatering pumps
- Started servicing and repaired small engine equipment
- Hard surface tractor backhoe bucket
- Patched floor and walls of Garbage Truck
- Replaced roller bearings and prepared screener for season
- Diagnosed beginning of engine failure on 2008 Volvo Loader
- Serviced Dozer for season
- Repaired Body damage to excavator
- Prepared steamer for use
- Started maintenance and preparation for season on riding lawnmowers
- Building Kangaroo fence for Zoo project

### ***Building Maintenance***

- Assisting with painting of Centralia Center lease space
- Painted Locker room floor and walls at City Garage



**ENGINEERING DEPARTMENT**  
**444 West Grand Avenue**  
**Wisconsin Rapids, WI 54495-2780**  
Engineering (715) 421-8205 FAX (715) 421-8291

## **ENGINEERING DEPARTMENT Monthly Activity Report**

February 2022

### Transportation Utility

- Press Release 2/16/2022
- Public Comment Period (2/16/2022 to 2/24/2022) - 21 comments and inquiries
- Work has continued on final account verification with RaSmith along with ordinance review.

### Permits & Degradation

- 11 Permits/Applications for asphalt paving (0), driveway grades/concrete pour inspections (0), storm water (1), excavating (4), Street Privilege (0), storm connection (0), permit parking (0), banner (1), contractor licenses (5)
  - Major Permit Applications Include:
    - Nsight Fiber Optic ~10 mile fiber optic project
    - Marshfield Clinic Expansion
- 27 Diggers Locates for Storm Sewer & Sanitary Sewer (1/26/22 – 2/23/22)
  - 3 Emergency locates during work hours
  - 3 Emergency locates after hours
- Degradation fees - this year = \$11,288.70
  - This month =\$8,542.80

### Traffic

- Vision Triangle Complaints
  - E Grand Ave and 16<sup>th</sup> St S
  - 4<sup>th</sup> Ave N and W Grand Ave – Southbound left – review is ongoing
- Stop Sign Requests
  - 10/14/2021 - Two Mile and 1<sup>st</sup> St S – review is scheduled
  - 4/20/2021 – 12<sup>th</sup> St and Chestnut St. Study is complete. Sign approved. Signs installed 2/17/22
- ITS Standalone Signal Grant
  - Consultant is preparing contracts for signature.
- Signal complaints
  - 2/8/2022 - 8<sup>th</sup> St S and Chestnut St – Detector malfunction due to broken wire in pavement. Once frost leaves, line will be removed and replaced. Timing is set on a temporary basis to keep vehicles moving sufficiently.
  - 8<sup>th</sup> St sign bridge at Chestnut St fell and needs replacing – A new pole has been ordered and will be installed when the weather breaks.
  - Nov. 2021 - Griffith and 8<sup>th</sup> St queuing lengths. Review is ongoing.



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Project Designs/Construction underway:

### 2021 Projects

- RECC Rail Spur – Construction is substantially complete as of January 8<sup>th</sup>, 2022. A final walk-thru occurred January 31<sup>st</sup>. Subsequent punch list and close-out items have been ongoing.

### Maintenance Projects

- Sidewalk Concrete Cutting (Safe Step) –RFP documents are prepared and will go out in February
- Sidewalk and Curb & Gutter Maintenance – RFP documents are prepared and will go out in February

### 2022 Reconstruction Projects

- Design for 2022 Projects
  - Fremont St – 13<sup>th</sup> to 14<sup>th</sup> Ave design - 100% complete
  - W Jackson St – Expressway to Jackson St Bridge – 100% complete
  - 9<sup>th</sup> Ave N (8<sup>th</sup> Ave N to Fremont St) – 100% complete
  - Smith St (Railroad to Riverview Dr) – 100% complete
  - Cherry St (Riverview Dr to 1<sup>st</sup> St N) – 100% complete
  - Fremont St – 7<sup>th</sup> to 10<sup>th</sup> Ave design is 99% complete
  - Rosecrans St (9<sup>th</sup> Ave N to east dead end) –90% complete
- Construction for 2022 Projects
  - DOA/Lyon Park Levee – The City is still awaiting confirmation from the DNR to issue a flood plain permit for this project. An application was made in early February for an Army Corp of Engineers and DNR Chapter 30 – waterway permit for riprap installation.
  - Temporary Easement documents have been created for all projects.
  - Letters are being mailed out 2/24/22 for Smith St and Cherry St residents with project details, easement documents and a preconstruction walk-thru date of 4/6/22.
  - W Jackson St and 9<sup>th</sup> Ave N will require hiring a hazardous material consultant, per the DNR, to be on call during excavations on these projects. A request for proposal has been mailed out to firms with a due date of March 25<sup>th</sup>.
- 2022 Contracts
  - Sewer Lining Contract (contract awarded to Visu Sewer) – All documentation was prepared and signed. A preconstruction meeting is scheduled the first week of March.
  - Crushing Contract – 100% (Bid Opening 2/24/2022)
  - Asphalt Contract – 100% (Bid Opening scheduled 3/1/2022)
  - Concrete Contract – 100% (Bid Opening scheduled 3/14/2022)





**ENGINEERING DEPARTMENT**  
**444 West Grand Avenue**  
**Wisconsin Rapids, WI 54495-2780**  
Engineering (715) 421-8205 FAX (715) 421-8291

### 2023 Reconstruction Projects

- Preliminary Survey for 2023 Projects
  - Oak St (E Jackson St to 16<sup>th</sup> St) – 100%
  - 9<sup>th</sup> St S (Peach St to Chestnut St) – 0%
  - McKinley St (8<sup>th</sup> Ave N to 14<sup>th</sup> Ave N) – 0%
  - Shorewood Terrance (1<sup>st</sup> St N to Termini) – 0%
  - Apricot St and Broadway St – 100%
- Design for 2023 Projects: The following list is what is currently proposed in the CIP. However, the list of projects result in nearly 2 miles of road improvements. Our typical production for design and construction is about 1 mile. At this point, we are anticipating that 1 project, perhaps McKinley St, will be delayed until 2024.
  - Oak St (E Jackson St to 16<sup>th</sup> St) – 10%; Preliminary survey data was incorporated into CAD, Structure inspection data was reviewed and drafted into CAD, and the project is generally prepared at this point to start design
  - 9<sup>th</sup> St S (Peach St to Chestnut St) – 0%
  - McKinley St (8<sup>th</sup> Ave N to 14<sup>th</sup> Ave N) – 0%
  - Shorewood Terrance (1<sup>st</sup> St N to Termini) – 0%
  - Apricot St and Broadway St – 70%; Geotech work was complete by Nov. 15<sup>th</sup>. Waiting on report.

### Storm Water Utility

- Annual MS4 Report to be submitted by March 31<sup>st</sup>.
- Storm Utility Billing Updates – Final adjustments from 12/31/2021 have been completed and will be forwarded to WWLC in the near future.



## Public Works Committee

**Date of Request:** 2/25/2022

**Requestor:** Joe Eichsteadt, City Engineer

**Request/Referral:** Review proposed transportation utility ordinance, and review proposed changes to current special assessment ordinances in Chapter 5 and 6.

**Background information:**

Transportation Utility Update

- A. ~~Model is being finalized now~~
- B. ~~Set preliminary target revenue amount~~
- C. **Public review period in February**
- D. **Reconsider ordinance in March / April**

Public Comment Period

Started February 16<sup>th</sup>. To date we have received approximately 21 comments.

Transportation Utility Implementation – see attached.

**Options available:** ordinance revisions can be considered at this meeting or a future meeting as necessary

**Action you are requesting the committee take:** Consider approving ordinance changes.

**How will the item be financed?**

As presented before Council on September 21, 2021 except as noted in red.

ORDINANCE NO. MC\_\_\_\_  
CITY OF WISCONSIN RAPIDS

A GENERAL ORDINANCE CREATING CHAPTER 51 OF THE WISCONSIN RAPIDS MUNICIPAL CODE REGARDING CREATION OF A TRANSPORTATION UTILITY

WHEREAS Wisconsin Rapids has reviewed funding options to develop a sustainable model for its transportation system funding, including a Transportation Utility, during 2020, 2021 and 2022 and determined that establishment of a Transportation Utility with fees based on trips generated by property uses is the most appropriate method to address all three issues; and

WHEREAS, the City Council concluded that a Transportation Utility is the most equitable means to apportion the cost of transportation system improvements as it requires those who make the greatest use of the City's transportation system the most responsible for the cost of said system; and

WHEREAS, the Common Council has held public comment periods on the draft ordinance at its meetings;

NOW, THEREFORE, the Common Council of the City of Wisconsin Rapids does ordain as follows:

SECTION I Chapter 51 of the Wisconsin Rapids Municipal Code is hereby created to read as follows:

51.01	Findings And Declarations of Policy
51.02	Establishment
51.03	Authority
51.04	Interpretation
51.05	Severability Of Ordinance Provisions
51.06	Definitions
51.07	Transportation Utility Fund
51.08	Transportation User Fee
51.09	Credits And Adjustments
51.10	Determination Of Transportation User Fee
51.11	Appeal
51.12	Billing And Collection of Fees

#### 51.01 FINDINGS AND DECLARATIONS OF POLICY

The City of Wisconsin Rapids finds that the management of the transportation system within the City of Wisconsin Rapids is a matter that affects the health, safety and welfare of the City, its citizens and businesses, and others in the surrounding area. Timely maintenance, construction and reconstruction of the City's transportation system ensures safe and efficient travel throughout the City. A sound transportation system enhances livability, property values and economic vitality. A transportation utility provides an equitable, sustainable source of funds for the maintenance, construction, and reconstruction of transportation infrastructure under the jurisdiction of the City of Wisconsin Rapids. The Common Council has reviewed funding options to develop a sustainable model for its transportation system funding, including a Transportation Utility, during 2020 and 2021 and determined that establishment of a Transportation Utility with fees based on trips generated by property uses is the most appropriate method to address all three issues. In order to protect the health, safety and welfare of the public, the City of Wisconsin Rapids is exercising its authority to establish a Transportation Utility for transportation management services. The City is acting under the authority granted by Chapters 62 and 66 of the Wisconsin Statutes, including but not limited to Sections 62.04, 62.11, 66.0101, 66.0621, 66.0627, 66.0628, 66.0809, and 66.0811.

#### 51.02 ESTABLISHMENT

There is hereby established a Transportation Utility in the City of Wisconsin Rapids. The operation of the Transportation Utility shall be under the supervision of the City Engineer.

### 51.03 AUTHORITY

- (1) The City, acting through the Transportation Utility, may acquire, construct, lease, own, operate, maintain, extend, expand, replace, repair, conduct, manage and finance such facilities, operations and activities, as are deemed by the City to be proper and reasonably necessary for a transportation system. These facilities may include, without limitation due to enumeration, roads, streets, sidewalks, and such other facilities as will support the management of a transportation system.
- (2) Street sweeping, snow removal, and stormwater management activities are hereby excluded from the financial and operational authority of the Transportation Utility.
- (3) The common council hereby designates the City Engineer to administer and enforce the provisions of this ordinance.

### 51.04 INTERPRETATION

In their interpretation and application, the provisions of this ordinance shall be interpreted liberally to secure the ends sought hereby and shall not be deemed a limitation or repeal of any other power granted to the City by Wisconsin Statutes.

### 51.05 SEVERABILITY OF ORDINANCE PROVISIONS

If any section, provision, paragraph, word, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby and shall continue in full force and effect.

### 51.06 DEFINITIONS

As used in this chapter, the following terms, phrases, words and their derivatives shall have the meaning given herein:

- (1) **ASSESSED PARTY:** Person or entity who received, prior to the date of the adoption of this Chapter, a special assessment from the City with a designated period of time wherein payment for assessments could be made and who still owns the same parcel as of the date of the adoption of this Chapter.
- (2) **CITY ENGINEER:** The person appointed by the City Common Council to oversee the City's Engineering Department, or his or her designee.
- (3) **DEVELOPED PARCEL:** A parcel or legal portion of real property, on which an improvement exists or is in the process of being constructed. Improvement on developed property includes, but is not limited to buildings, parking lots, outside storage, and other uses that impact the transportation system.
- (4) **DEVELOPED USE:** The use of a parcel based on how the owner or occupant(s) uses the improvements on the parcel.
- (5) **GROSS SQUARE FOOTAGE:** The area of all structures located on a site, measured along the exterior walls of such structures, and including but not limited to enclosed courtyards and stairwells, but not including fences and parking areas which are not enclosed within a building.

- (6) ITE MANUAL: International Traffic Engineer's Manual, **11<sup>th</sup> Edition September 2021**, published by the Institute of Transportation Engineers as may be amended from time to time.
- (7) TRIP: A single one-direction person or vehicle movement with either the origin or destination inside a study area. A trip has an origin and a destination at its respective ends.
- (8) TRIP GENERATION RATE: The number of vehicle trips on an average weekday, as determined by reference to the ITE Manual.
- (9) UNOCCUPIED: Completely empty, uninhabited and unused, including no janitorial, maintenance, or other regular activities.
- (10) UTILITY ACCOUNT CUSTOMER: The entity in whose name a water, sanitary sewer and/or stormwater account exists and who is responsible for payment of charges for said account.
- (11) UTILITY ACCOUNT: The entity to which the Transportation User Fee will be charged.
- (12) VACANT: A residential building that is not occupied by any inhabitants, or a commercial building that is completely empty, UNOCCUPIED and/or unused continuously for at least 3 months.
- (13) UNDEVELOPED PROPERTY: An unimproved property, having no assessed improvements or built infrastructure.

#### 51.07 TRANSPORTATION UTILITY FUND.

- (1) Revenue generated by the Transportation Utility shall be used only for the following:
  - (a) Transportation related administration costs
  - (b) Street pavement preservation activities (grind/inlay, slurry seal, crack seal, chip seal, or other generally accepted means of maintenance)
  - (c) Street construction and/or reconstruction activities on City streets
  - (d) Sidewalk construction, or reconstruction of sidewalks identified on the official street map
  - (e) Street lighting and appurtenances
  - (f) Traffic control and signalization maintenance, construction or reconstruction
  - (g) Structures used for the storage, maintenance, and repair of transportation related operational equipment.

All fees collected pursuant to this Chapter shall be deposited in the City's Transportation Utility Fund. The City Engineer shall prepare an annual budget, which is to include costs related to the operation of the Utility. The budget is subject to approval by the Common Council.

#### 51.08 TRANSPORTATION USER FEE

- (1) Every owner of developed property shall pay a Transportation User Fee
- (2) The fee shall be based on the developed property's direct and indirect uses of, or benefits derived from the use of the transportation system.

- (3) The fee imposed under this chapter shall become due and payable from and after the effective date of this chapter, and for property developed after the effective date of this chapter, from and after the date the property becomes developed.
- (4) The Transportation User Fee imposed under subsection (1) of this section may be paid by the owner, occupant, business or anyone designated by the owner; however, if the Transportation User Fee is not paid promptly, when due, the City shall proceed to collect such charges from the utility account customer in any manner provided by law, including a levy on the property as a special charge pursuant to Wis. Stats. Section 66.0627. The mailing of a bill for such charges to the owner will serve as notice to the owner that failure to pay the charges when due may result in them being charged pursuant to authority of Wis. Stats. Section 66.0627, which may result in the unpaid charges to be placed on the tax roll of the benefitted property.
- (5) The fee imposed under this Chapter shall begin with utility bills issued on or after the effective date of the adoption of this ordinance.

#### 51.09 DETERMINATION OF TRANSPORTATION USER FEE

- (1) The Transportation User Fee shall be comprised of a base fee and a trip fee as identified in Table A:
  - (a) Base Fee — a fee that is equal for all utility accounts that recognizes that each utility account is receiving a uniform benefit of access to the transportation system and includes administrative costs and those fixed capital, operating and maintenance costs of the transportation system that are not recoverable by the usage fee or other confirmed revenue source. The base fee is determined by dividing the total amount of fixed base costs by the total number of utility accounts.
  - (b) Trip Fee — a fee on each utility account that is determined by multiplying the number of trips assigned to the utility account by the per-trip rate. The per-trip rate is determined by dividing the total utility budget as identified in Table A (not including the fixed base costs budget) by the total number of trips generated by all utility accounts. The number of trips assigned to each utility account is calculated using land use trip generation rates from the ITE Manual as amended multiplied by a scale factor (i.e., square foot, etc.) and adjusted where appropriate by a deduction factor (i.e., seasonal land uses, K-12 school year, seasonal park properties, direct State or County road access and partial State or County road access).
- (2) The base fee and per-trip rate shall be in an amount set forth from time to time by resolution of the City Common Council and is described in Table A. Staff shall present the City Common Council with a draft resolution proposing an adjustment based on the proposed transportation system improvements budget for the projected improvement

program time frame. Any adjustment of the charge shall be effective on the date determined in the resolution.

- (3) For each utility account, the City Engineer shall determine the category of use from the ITE Manual that shall apply to each developed utility account within the City. In the absence of a specific use category from within the ITE Manual for a particular developed use, the City Engineer shall determine the appropriate category by interpreting the ITE Manual and assigning the category that most accurately reflects the traffic generated by the particular developed use. After determining the appropriate use category for a developed parcel, the City Engineer shall use the trip generation figures for the assigned use category from the ITE Manual to calculate the usage fee using the per-trip rate in the most current resolution. The City Engineer may require and consider the results of a traffic study, provided that such study shall be conducted by a registered professional engineer in conformance with the methodology outlined in the WisDOT Bureau of Traffic Operations Traffic Impact Analysis Guidelines, latest edition, Chapter 3, part B titled "Traffic Volumes." The determination of a use category shall not be considered a land use decision for land use planning.
- (4) If the use of a property changes such that its use category either increases or decreases trips, the person responsible for the property must notify the City Engineer within 30 days to obtain a new determination regarding the Transportation User Fee for that property. The request shall be made on forms provided by the City that the property owner will need to complete and submit with information pertinent to the request. The new fee will be applied with the next City services billing. If the utility account customer neglects to notify the City, and the change would result in a lower monthly Transportation User Fee, no refund will be made for the time between when the change was made and when the City became aware of the change. If the change would result in a higher monthly Transportation User Fee, the City will calculate the amount owed back to the time the change was made and apply that to the next City services billing.
- (5) The model shall be reviewed periodically as determined by the Common Council and if there is any significant change in the ITE Manual.

#### 51.10 EXCEPTIONS, CREDITS AND WAIVERS

- (1) Exceptions to Fee. The following shall not be subject to the Transportation User Fee:
  - (a) Parking lots which are not associated with any services or uses other than public parking.
  - (b) Undeveloped publicly owned parkland, open spaces, and greenways, unless public off-street parking designed to accommodate the use of such areas is provided.
  - (c) Undeveloped properties.



(2) VACANCY FEE CREDIT

- (a) When any property within the City becomes vacant, a credit in the amount of the trip fee may be granted if the utility account customer notifies the City Engineer in writing 30 days prior to the anticipated date of vacancy, and continues said notification every month thereafter of vacancy, and shall sign an affidavit each month affirming said vacancy for that month. All outstanding water, sanitary sewer, stormwater and Transportation User Fee charges must be paid before a credit will be granted. The minimum vacancy to qualify for a trip fee credit shall be three (3) months. No credit will be granted for the base fee.
- (b) Fees shall be credited in accordance with this section only while the property remains vacant. Providing the City has been notified and the customer has so affirmed, after 3 consecutive months of vacancy, a trip fee credit shall be granted and made retroactive to the first day of vacancy. The customer shall continually notify and affirm continued vacancy to the City Engineer each month. The person responsible shall notify the City Engineer within 5 days of the premises being re-occupied, partially occupied or used, regardless of whether water service is restored. The person responsible shall reimburse the City for any fees credited during a period of non-vacancy.
- (c) Payment of the administrative fee as indicated in Table A shall accompany the written notice.

(3) ASSESSED PARTY FEE CREDIT

- (a) Within 30 days of the commencement of the Transportation Utility, each Assessed Party will be issued a credit towards their Transportation Utility account in a sum equal to:  
The Transportation Utility Fee as calculated for said property as of the date the credit is given, as extrapolated and accrued to the date the Assessed Party's assessment payments would have ended had the Assessed Party (or if the Assessed Party) deferred payments and paid installments as allowed in the original notice of assessment.
- (b) Assessed Party Fee Credits shall be limited to no more than the amount of the Assessed Party's total special assessment for the street portion of the project.
- (c) Notwithstanding the credit above, the Assessed Party will be charged the Transportation Utility Fees as outlined in this Chapter

51.11 APPEAL

- (1) Any utility account customer may appeal their category of use determination by filing a written appeal to the City Engineer and submitting the appeal administrative fee as described in Table A. All outstanding water, sanitary sewer, stormwater and Transportation User Fee charges must be paid before an appeal can be made. The written appeal shall specify the grounds for challenge to category of use and shall state the category of use that the appellant considers to be appropriate.

- (2) The appeal shall be made in writing and be filed with the City Engineer within 30 days of the date on the utility bill. The appeal submittal must be complete and all fees paid in order for it to be reviewed.
- (3) The appeal must specify the basis for the appeal and may include a traffic study prepared as noted in Section 51.09(3) above, and shall be limited to the facts related to the developed property improvements, trip generation rates, category of use and other factors material to the calculation of the usage fee. An appeal must be based on actual use, and not categorized directly from a land use zoning category of use.
- (4) The City Engineer shall review the petition and make a determination if there is an error in any order, decision or determination made pertaining to the category of use of the property or calculation of the usage fee. If the trip generation rate is within 10% of the rate used to generate the usage fee, no adjustments in the usage fee shall be made because this is within the expected margin for day-to-day variations. Once a determination has been made on a category of use, change of category of use and/or fee, no additional request may be filed for the same parcel unless there has been a significant material change from the prior determination. The decision of the City Engineer shall be provided in writing to the applicant.
- (5) A utility account customer may appeal the decision of the City Engineer to the Public Works Committee. The appeal must be filed in writing to the City Engineer within 30 calendar days from the date that the decision of the City Engineer was mailed to the utility account customer.
- (6) The Public Works Committee shall hear and decide appeals made on the basis of an alleged error in the determination of the category of use of the property or calculation of the Transportation User Fee. The Public Works Committee shall determine whether the category of use of the property is fair and reasonable in accordance with the terms of this ordinance and, in the event the appeal is granted, whether or not a refund is due the appellant and the amount of the refund. The Public Works Committee shall conduct a hearing and provide notice to the appellant at least five business days prior to the hearing. The Public Works Committee shall obtain sufficient facts upon which to make a determination, and the decision shall be based upon the evidence presented. The Public Works Committee shall inform the customer of its decision by certified mail and shall notify the Common Council. The decision of the Public Works Committee shall be final.

#### 51.12 BILLING AND COLLECTION OF FEES

- (1) The Transportation User Fee shall be billed and collected monthly with and as part of the combined City utility billing which includes electric, water, wastewater, and stormwater fees through the city's Water Works and Lighting utility. The property owner shall ultimately be responsible for payment of the Transportation Utility fee.
- (2) In the event payments received from the City's billings, described in subsection (1) of this section, are inadequate to satisfy in full all of the electric, water, sanitary sewer,

stormwater, and Transportation User Fees, credit shall be given first to penalty fees and interest, and then divided evenly between the funds.

- (3) Failure to pay the charges within 20 days of the billing date will be subject to a late payment charge of three (3) percent of the most recent past due charge.
- (4) If the Transportation User Fee is not paid when due, the City shall proceed to collect such charges in any manner provided by law, or seek imposition of the charges in the property tax bill for the benefitted property.

SECTION II All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION III The several sections of this ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the ordinance.

SECTION IV This ordinance shall take effect on June 1, 2022.

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Shane E. Blaser, Mayor

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Jennifer M. Gossick, City Clerk

ADOPTED:  
APPROVED:  
PUBLISHED:

**Table A:**

Year: 2022

Utility Budget:

Public Works Construction: \$**350,000**

Pavement Replacement Program: \$**150,000**

Total Utility Budget: \$**500,000**

Costs Allocated to Base Fee (10%)=\$**50,000**

Number of **accounts: 9,775**

**Base Fee (10% of total): \$5.12/year = \$0.43/month**

Costs Allocated to Trip Fee (90%)=\$**450,000**

Number of trips: **304,000/day**

**Trip Rate (90% of total):\$1.48/trip annually = \$0.0041/trip**

**Appeal Administrative Fee: \$150**

# Transportation Utility Implementation

## Transportation Utility Ordinance

Table A – update with a target revenue of \$500,000

### 51.10 (3) Assessed Party Fee Credit

1. Assessed Parties paying on special assessments would be credited the transportation utility fee until such time that their assessments are paid. (This also applies to parties that paid off their bill, but would still be paying if they were on an installment plan.)
2. The credit would be limited to no more than the amount of the Assessed Party's total special assessment for the street portion.
3. Example 1 – Residential Property has 2 years of installment payments left. They would be credited the amount of the utility fee for 2 years.
4. Example 2 – Commercial property paid their \$15,000 special assessment invoice in full at the time it was invoiced. Assessments over \$5,000 can go on a 15-year installment plan. This property has a proposed \$2000 transportation utility fee. This property would be credited the \$2000 utility fee for 7.5 years.

Other options for special assessment fees paid, currently being paid, or proposed to be paid in the future.

#### 1. Future special assessment invoices

2021 projects and pending assessment hearing and final resolution. The assessment hearings will need to be done per statutes and final resolutions will need be decided upon at some point. The final resolutions can be approved without levying special assessment charges.

#### 2. Forgiveness of special assessments remaining to be paid

This includes assessed parties currently paying special assessments. This accounts for parties that are currently on an installment plan. This does not benefit those that paid in full, but would otherwise still be on an installment plan.

Forgiveness of debt may be a taxable event for homeowners.

There are questions on the legality of debt forgiveness / refund.

***Finance Dpt will be providing some basic information on number of properties paying special assessments and those that would still be paying installments had they not paid it in full.***

### **Special Assessments**

1. Special assessments for *road reconstruction projects* would no longer be applicable. The transportation utility would collect funds in lieu of special assessments for the pavement, curb & gutter and sidewalk related costs.
2. Sanitary Lateral replacement costs as part of road reconstruction projects would be assumed by the Wastewater Utility. Associated costs are already figured into the current rates. Same goes for WWLC.
3. Special Assessments would (or could) still apply for new developments and annexations. New developments would be new subdivisions with newly platted right-of-way with new utility extensions.

### **Sidewalk**

#### **Ch. 6.04 (2) Sidewalk Repair**

Sidewalk maintenance work is conducted every year. Currently, property owners adjacent to the sidewalk are responsible for keeping the sidewalk clear and in the good condition. Property owners are also responsible for 100% of the sidewalk cost. Ch. 6.04 (2) Sidewalk Repair authorizes that sidewalk shall be repaired for the benefit and use of the public and that upon notice a property has 20 days to remedy the issues; otherwise, this ordinance authorizes the city to cause the work to be done at the owner's expense.

These are technically not special assessments, but this work is inspected, noticed and invoiced in a very similar manner, and any sums not paid can be placed on the tax roll.

The transportation utility would pay for sidewalk on a reconstruction project, but if this ordinance is not modified sidewalk maintenance would still be charged to adjacent property owners.

Curb maintenance in 6.03. This was modified a few years ago to remove the special assessment requirement for curb maintenance.

Recommendation: modify sidewalk repair ordinance to be included in the transportation utility and be the responsibility of the utility.

#### Ch. 6.04 (1) Sidewalk shall be installed

If sidewalk is not being assessed and being encompassed in the transportation utility, this a proposed consideration for determining when and where sidewalk should be installed.

Current ordinance prescribes language on when and where new sidewalk shall be installed. The intent of the written provisions of the ordinance is to build out the sidewalk network with a broad brush. From experience we have noticed that there are many scenarios and circumstances that fall within the gray area or that perhaps don't make much sense as written.

The proposed change would be to include a mapping component on the City's Official Map that shows where sidewalk is and where sidewalk should be based upon, not only the provisions of the ordinance, but also attempting to be very intentional on the need and benefit of sidewalk between say, point A and point B as well as a planned sidewalk system.

This Official Map could be modified from time-to-time through a public hearing and action of the Council.

With this proposal, sidewalk would be installed or removed in conjunction with street reconstruction projects based upon the Official Map.



## Public Works Committee

**Date of Request:** 2/24/2022

**Requestor:** Joe Eichsteadt, PE City Engineer

**Request/Referral:** Review the bid results from the 2022 Asphalt Contract bid letting and consider bid award.

**Background information:**

Bid opening is scheduled for Tuesday, March 1<sup>st</sup> at 12:00pm. Bid results will be available thereafter and presented at the Public Works Committee meeting.

Item Description	UofM	Quantity
Mobilization	LS	1
Asphaltic Concrete Pavement, WMA FREMONT ST. 13TH - 14TH	TON	368
Asphaltic Concrete Pavement, WMA FREMONT ST. 7TH - 10TH	TON	1086.13
Asphaltic Concrete Pavement, WMA 9TH AVE. WEST GRAND AVE - FREMONT ST	TON	976.39
Asphaltic Concrete Pavement, WMA SMITH ST. RAILROAD ST - RIVERVIEW DR	TON	1199.08
Asphaltic Concrete Pavement, WMA CHERRY ST. RIVERVIEW DR - 1ST ST N	TON	300.96
Asphaltic Concrete Pavement, WMA ROSECRANS ST.	TON	139.94
Asphaltic Concrete Pavement, WMA KUHN AVE. - MILL & OVERLAY	TON	265.14
Asphaltic Concrete Pavement, WMA 14TH AVE. - MILL & OVERLAY	TON	535
Asphaltic Concrete Pavement, WMA LYONS PARK	TON	50
Miscellaneous Patches City Wide 2022-02	TON	200
Asphalt Removal, all thicknesses	SY	100
Misc. Saw Cut, Asphalt	LF	700

Engineer's Estimate = \$435,000

**Options available:** bid results can be either awarded to a contractor or denied. If awarded, they need to be awarded to the qualified, low bidder.

**Action you are requesting the committee take:** consider the recommendations as presented at the meeting based upon the qualified, apparent low bidder.

**How will the item be financed?** Public Works Construction Fund





## Public Works Committee

**Date of Request:** 2/24/2022

**Requestor:** Joe Eichsteadt, PE City Engineer

**Request/Referral:** Review the bid results from the 2022 Crushing Contract bid letting and consider bid award.

**Background information:** Bids were opened at noon on February 24<sup>th</sup>, 2022.

Line Item	Item Description	UofM	Quantity
1	Mobilization	LS	1
2	1 1/4" Dense Graded Base	CY	18,000

### Results

- PGA, Inc. = \$85,570.00
- Earth, Inc. = \$100,320.00
- AW Oakes & Son, Inc = \$128,050.00
- A-1 Excavating = \$174,400.00
- Engineer's Estimate = \$112,000

**Options available:** Bid results can be either awarded to a contractor or denied. If awarded, they need to be awarded to the qualified, low bidder.

**Action you are requesting the committee take:** Accept the bid results and award the 2022 Crushing Contract to PGA, Inc in the amount of \$85,570.00.

**How will the item be financed?** Budgeted through the City Pit account.



## Public Works Committee

**Date of Request:** 2/24/2022

**Requestor:** Alderperson Ryan Austin (submitted by Joe Eichsteadt, PE City Engineer)

**Request/Referral:** Review and consider a feasibility study to address noise and vehicle delays associated with the railroad on the west side of the City.

**Background information:**

Consider soliciting a consultant to perform a feasibility study to address noise and vehicle delays associated with the railroad on the west side of the City specifically targeting the crossings at Gaynor Ave through High St.

Feasibility would consider quiet zones, rail relocation, grade separation and associated costs of all options along with funding opportunities. This information would provide the City with some foundational answers to project planning and scoping.

\$20,000 was previously budgeted a few years ago to study the rail situation and provide some alternatives and anticipated costs.

**Options available:**

1. Motion to approve as presented.
2. Modify purpose, goal and outcomes of the feasibility study prior to approval.
3. Do nothing

**Action you are requesting the committee take:** Approve the feasibility study.

**How will the item be financed?** This is an eligible project for the Downtown TIF.

## PUBLIC WORKS COMMITTEE REFERRAL LIST:

2022

1. Request from Alderperson Tom Rayome to discuss the future of 8<sup>th</sup> St S. (2016)
2. Request by Alderperson Cattnach to reconsider the City's overnight parking ordinance (2021)
3. ~~Request by Alderperson Austin to consider developing a Responsible Bidder Ordinance~~
4. ~~Request by Alderperson Kellogg to study traffic speed along Chestnut from 8<sup>th</sup> Street to Hill Street and make recommendations (2020)—study was done when there were no school-related activities. Will continue study when school is in session and will report back to committee.~~
5. ~~Request by Alderperson Evanson to review parking ordinance for any inconsistencies between ordinance language and signage throughout the City (2021)~~
6. ~~Request by Alderperson Bemke to perform an intersection analysis and determine sign warrants, if any, for 12<sup>th</sup> St S and Chestnut St.~~
7. Request by Alderperson Austin to consider a feasibility study for reducing noise and vehicle delays due to railroad tracks along the west side of the City at and between crossing from Gaynor Ave to High St.