



OFFICIAL NOTICE AND AGENDA

Notice is hereby given that the Public Works Committee of the City of Stoughton, Wisconsin will hold a regular Public Works Meeting as indicated on the date, time and location given below.

Meeting of the:	Public Works Committee of the City of Stoughton
Date /Time:	Tuesday, December 17, 2013 @ 6:00 PM
Location:	Hall of Fame Room, City Hall (lower level) – 381 E. Main St, Stoughton, WI 53589
Members:	Michael Engelberger - Chair, Tom Majewski, Tom Selsor - Vice Chair, Sonny Swangstu, May Donna Olson
Item #	CALL TO ORDER
1	Communications
2	Reports: Activity, Street Openings, Yardwaste
Item #	OLD BUSINESS
3	Reconsider Request to Allow Fence in City Right of Way at 924 W. Main Street
4	Update on Reducing Single Use Plastic Bags in City
Item #	NEW BUSINESS
5	Approve November 19, 2013 Meeting Minutes
6	Future Agenda Items
ADJOURNMENT	

cc: Council Members, City Leadership Team, City Attorney Matthew P. Dregne, Library Administrative Assistant Debbie Myren, Acting Clerk Pili Hougan, Tim Onsager Stoughton School District, Deb Blaney, Bill Livick Oregon Observer, Stoughton Newspaper/WI State Journal/Capital Times, Gerald Olsen - 317 Prospect Lane, Larry Eifert - 924 W. Main Street, Keith Comstock – clarkhtg@sbcglobal.net

NOTE: AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE CITY COUNCIL

NOTE: For security reasons, the front doors of the City Hall Building (including the elevator door) will be locked after 4:30 p.m. If you need to enter City Hall after that time, please use the Fifth Street entrance or if you are physically challenged and are in need of assistance, please call 873-6677 prior to 4:30 p.m.



**CITY OF STOUGHTON
STREET DEPARTMENT**

515 South Fourth Street, Stoughton, WI 53589
(608) 873-6303 Ext. 622
(608) 877-8387 Fax
www.cityofstoughton.com

KARL D. MANTHE
Street Superintendent
kmanthe@ci.stoughton.wi.us

**Activity Report
Streets & Parks
Department**

November 15 – December 15, 2013



Starting off to be a long cold winter, crews have already been busy dealing with snow plowing events. The first one wasn't too bad as about 3 inches of snow fell. The second snow event was larger with 5.0 inches of light fluffy snow. Street crew applied anti-icing blend 80/20 before second snow event. Parks employees cleaned city sidewalks after both snow events.

Leaf collection was extended one additional week because of the first snow event. The 2 leaf vacuums collected 189 loads for 4,725 yards during the seven weeks of collection. Street sweepers collected another 129 loads of leaves for 640 yards.

Yardwaste Site closed for the year. There were 852 permits sold to city residents this season (sold 750 in 2012) and issued 171 permits to Dunkirk Township residents. Brush pile is scheduled to be mulched the week of December 9th.

Tree stump removal didn't get completed this fall and will continue in spring.

Crews have started trimming trees during the winter tree pruning maintenance program. Crew will be out daily except for snow events until the end of March. Crews also removed a couple trees while out pruning.

McKay Nursery came in to plant 23 Crabapple Trees at Racetrack Park as part of the Nelson Global project that required moving Heggstad Arboretum. Remaining trees will be planted in spring of 2014.

Crews installed curb markers in parking lots and cemeteries to prevent damage to curbs from snow removal equipment.

Fall cleanup in Riverside and Wheeler Prairie Cemeteries. Plastic flowers, flower pots and fall decorations removed. Wreaths and blankets are allowed during winter season and must be removed by April 1.



The Fleet Maintenance Manager continues to perform preventive maintenance, perform repairs, and fabricate improvements to city wide fleet. Winter equipment has been installed and is monitored for repairs after each snow events.

Parks Department is down to sidewalk snow removal and ice rink activities for the remainder of the year.

Other tasks completed during the last month include; hauling yard waste, dumping trash barrels downtown and cemeteries, put out and check sand barrels, cleaning fleet and garage, monitor water levels at dam, garage safety inspections (fire extinguishers, eye wash stations, exit lights, fall protection) repair downtown street lights and traffic signals.

Throughout the year there were many great accomplishments at the Streets & Parks Department, and it is nearly impossible to create a top 5 list, so I took the liberty to do a **Top 10** un-prioritized list;

- Change in **Brush Collection Schedule** that allowed Street Department crews to work and complete more street and stormwater maintenance items (spray patching, street sweeping, street painting, greenway maintenance, silt removal, etc).
- Creation of **E-Waste Drop off** container at Street Department for city residents for no charge.
- **Vehicle & Employee Safety**, no at fault motor vehicle accidents by Street & Parks Department full time employees. Through the end of November, there was 69,737 miles and 3,569 hours this year put on Street & Parks Department fleet. Out of 12 full time employees who worked a combined total of 24,960 hours, tentatively will have only 1 workers comp claim that will result in only 168 hours lost time.
- **Turf Management Policy**. Parks Department is now able to treat parks and other city owned green space to control broadleaf weeds to improve the appearance and safety of parks system.
- **Compliance with Department of Safety and Professional Services**. Spent many hours to update/modify required written safety programs and train staff that included; Personal Protective Equipment (PPE), Respiratory Protection, Blood Borne Pathogens, Hazard Communications, Energy Control Program (lockout/tagout), Hearing Conservation, Confined Space, and Fall Protection
- **Wood Recycling Program**, City has partnerships with Stoughton School and Cummins to increase wood recycling program to recycle trees removed by city staff. In the process of making a solar powered kiln to dry boards that can be used for city projects and by local artists. City also planted 217 trees this year to replace trees removed.
- Completed **Tree Inventory** of city parkrow trees and public lands. Inventory also assisted with providing information to develop Emerald Ash Borer Plan (EAB)
- **Awarded Grants** for Recycling Program, Streambank Restoration, Local Road Improvement Plan, and Tree Inventory that totaled \$165,000 dollars.

- Assisted city staff and attorney with mediations to resolve **East Main Street Pavement** issue. City negotiated with contractors resulting in a \$107,000 dollars savings due to unsatisfactory pavement.
- **Public Works Facility Space Needs Study** was completed and identifies the needs to properly address space needs for Street & Parks Department fleet, fleet maintenance for all city fleet, and employee space needs. Potential site is Listol property located off County Highway A and Racetrack Road

Have a Great and Safe Holiday Season!!!!!!!!!!!!!!

Respectfully Submitted,

Karl D. Manthe

Karl D. Manthe
Street Superintendent

2013 Street Opening Permits

31	Veterans Rd (VOIDED)	809	7/30/13	Alliant					Rob Nachreiner		install natural gas service	8/20/13	
32	Harding St	124	7/31/13	Fuller Exc	\$ 100.00	7/30/13	Brad Fuller	873-7098	sewer replacement			7/31/13	3
33	US Hwy 51	1925	9/13/13	A T T	\$ 50.00	11/13/13	Brian Scholz	282-6899	boring - new fiber cables			10/4/13	1
34	Ridge St	726	8/26/13	Alliant	\$ 50.00	10/5/13	Steve Schuett	877-1650	retire gas service			10/1/13	1
35	Harrison St, N	225	8/20/13	Util	\$ 50.00	11/18/13	Martin Seffens	877-7430	replace leaking curb stop			8/20/13	1
36	Academy St	601	8/27/13	Fuller Exc	\$ 150.00	8/28/13	Brad Fuller	873-7098	sewer repair			8/27/13	1
37	Hamilton St	800	8/28/13	Sto Util	\$ 100.00	11/18/13	Chip Vike	877-7430	repair leaking water lateral			8/28/13	2
38	Lincoln Ave	216	9/9/13	Alliant	\$ 50.00	9/19/13	Steve Schuett	877-1650	installing gas service			10/9/13	1
39	Hill St,	533	9/6/13	Peckham	\$ 100.00	9/5/13	Donovan Peckham	206-6888	install sewer lateral			9/10/13	1
40	Nygaard St	1201	9/9/13	Fox & Son	\$ 150.00	9/13/13	Bill Fox	884-3266	sewer & water installation			9/12/13	1
41	Hilldale Lane	709	10/2/13	Alliant	\$ 50.00	9/26/13	Rob Nachreiner	877-1642	install gas service			11/2/13	3
42	US Hwy 51	1525	11/13/13	Blackhawk	\$ 50.00	10/18/13	Fanning Excav	314-1432	taking out median in entryway			11/20/13	
43	Hilldale Lane	732	10/28/13	Alliant	\$ 50.00	10/23/13	Steve Schuett	877-1650	install gas service			12/2/13	
44	Hilldale Lane	801	10/28/13	Alliant	\$ 50.00	10/25/13	Steve Schuett	877-1650	install gas service			12/2/13	
45	Dunkirk Ave	830	5/20/13	All Serv Spec	\$ 50.00	10/23/13	Matt Wingrove	443-6889	replaced steps			5/20/13	1
46	Industrial Circle	400	11/4/13	Pertzborn	\$ 150.00	10/28/13	Jesse Pertzborn	256-3900	install new watermain			11/8/13	
47	Lake Woods Way	2316	10/30/13	Alliant					install gas service			11/30/13	
48	Eisenhower	932	10/29/13	Fuller Exc	\$ 50.00	10/28/13	Brad Fuller	873-7098	sewer repair			10/29/13	
49	Garden ave	1217	10/30/13	Monona Plumb	\$ 50.00	10/30/13	Jen Post	273-4556	sewer repair			10/30/13	
50	Lowell St	508	10/23/13	Fox Const		10/23/13	Bill Fox	774-0883	replace manhole			10/23/13	
51	Lowell St	524	10/22/13	Fox Const		10/22/13	Bill Fox	774-0883	replace manhole			10/22/13	
52	Main St W	124	11/8/13	Alliant			Steve Schuett	877-1650	retire gas service			12/31/13	
53	Madison St, N	103	11/4/13	Sto Util			Chip Vike	877-7430	replace curbstop			11/4/13	
54	Forrest St	207	11/18/13	A T T			Brian Scholz	282-6899	place fiber cable			??	
55	Van Buren, N & Roby Rd	inter	11/15/13	Sto Util				877-7430	repair water main			11/15/13	
56	US Hwy 51-Mayville Eng		11/25/13	Charter	\$ 50.00	11/20/13	Nick Fischer	209-8655	fiber optic install			12/25/13	
57	Hoel/McComb - Summit		11/25/13	Charter	\$ 50.00	11/20/13	Nick Fischer	209-8655	fiber optic install			12/25/13	
58	Eighth St	616	11/21/13	Alliant	\$ 50.00	11/21/13	Steve Schuett	877-1650	install gas service			12/31/13	
59	Mandt Plwy (WWPlant)		11/26/13	Util -WW			Midwest Tree	752-4330	expose gas/water put in electric			11/26/13	
60	East Street	1127	12/2/13	A T T			Brian Scholz	282-6899	bury drop wire to new pole			12/16/13	
61	Mandt Plwy	400	11/29/13	Util			Chip Vike	877-7430	replace valve			11/29/13	

1=Ok, 2=Sawcut, 3=Terrace, 4=Other, 5=Not Completed

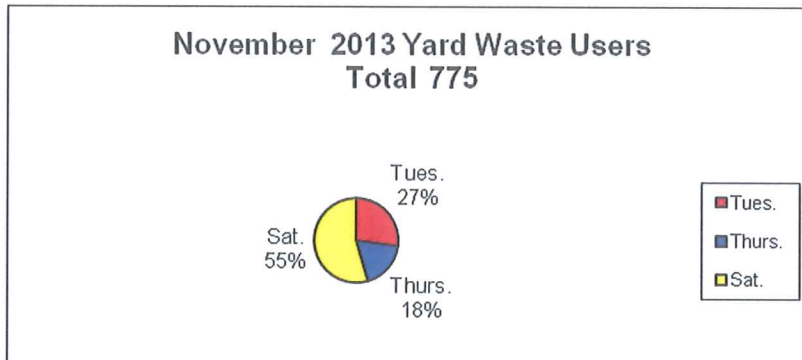
2013 Street Opening Permits

#	Street Name	Block	Date		By	Amt Paid	Date Paid	Contact	Phone	Reason For Opening	Date Closed	Status #
			Opened									
1	Water St	211	1/1/13	Util		\$ 100.00	4/16/13	Roger Thorson	877-7422	repair water main	1/1/13	1
2	Main St W	277	1/11/13	Alliant		\$ 100.00	1/9/13	Steve Schuett	877-1650	disconnect gas service	4/15/13	1
3	Wilson St W	404	1/29/13	Util		\$ 150.00	4/16/13	Roger Thorson	877-7422	repair water main	1/29/13	1
4	Coolidge St	908	1/29/13	Util		\$ 100.00	4/16/13	Roger Thorson	877-7422	repair water main	1/29/13	1
5	McKinley & Grant	inter	1/30/13	Util		\$ 150.00	4/16/13	Roger Thorson	877-7422	repair water main	1/30/13	1
6	East Street	100	Mar '13	Alliant		\$ 50.00	2/12/13	Tim Klemme	877-1641	replacing poles	Mar '13	1
7	Clyde St	820	2/11/13	Util		\$ 100.00	4/16/13	Roger Thorson	877-7422	repair water main	2/11/13	1
8	Jackson St	1717	2/25/13	H J Pertzborn		\$ 50.00	2/28/13	Craig Glinski	256-3900	repair sanitary sewer lateral	2/25/13	1
9	Hilldale Lane	724		Alliant		\$ 50.00	4/2/13	Rob Nachreiner	877-1642	install natural gas service		1
10	Division St (alley)		3/21/13	Util -WW		\$ 100.00	8/28/13	Roger Thorson	877-7422	sewer main repair	3/21/13	1
11	Taft St, E	201	4/8/13	Alliant		\$ 100.00	3/29/13	Steve Schuett	877-1650	install gas service	5/15/13	1
12	Milwaukee St E & Summit Ave	multi		Alliant		\$ 150.00	8/29/13	Steve Schuett	877-1650	repalcing gas main & services		1
13	Milwaukee St	2300	4/8/13	Alliant		\$ 50.00	4/2/13	Rob Nachreiner	877-1642	install natural gas service	5/6/13	1
14	Veterans Rd	1111	4/10/13	Charter		\$ 50.00	4/5/13	Nick Fischer	209-8655	install fiber optic cable	4/30/13	1
15	Hillside St	All	4/15/13	Alliant		N/C		Steve Schuett	877-1650	relocate / replace gas mains	5/17/13	1
16	Milwaukee St, 100 & 200 & Fourth St, 700 & 800	Blocks	4/22/13	S & L		N/C			493-4149	street reconstruction	6/28/13	1
17	Hillside St, 100 & 200 & Ridge St, 500 & 600	Blocks	4/22/13	S & L		N/C			493-4149	street reconstruction	6/28/13	1
18	Milwaukee St, W	2301	4/30/13	Alliant		\$ 50.00	4/24/13	Rob Nachreiner	877-1642	install gas service	5/30/13	1
19	Prairie St, S	217	5/7/13	Alliant		N/C		Steve Schuett	877-1650	retiring gas service	6/21/13	1
20	Hwy 51-138	1523	5/20/13	Daniel Const		\$ 50.00	5/14/13	Joe Daniels	271-4800	new water service	5/24/13	1
21	Meadow Dr	1809		Badger								
22	Dunkirk Ave	508	5/29/13	Basements		\$ 50.00	5/16/13	Dale W	800-262-1880	install 4" sump pump drain		1
23	Harrison St, N	622	6/13/13	Util		\$ 100.00	8/28/13	Martin Seffens	873-3379	repair service - new c/s	5/29/13	2
24	Lincoln & Kriedeman	multi	6/20/13	Fuller Exc		\$ 150.00	6/13/13	Craig Fuller	873-7098	sewer lateral	6/13/13	1
25	Roosevelt Rd	924	6/20/13	Alliant		\$ 100.00	8/29/13	Steve Schuett	877-1650	replace gas main & services	7/26/13	1
26	Park St	708	7/8/13	Alliant		\$ 50.00	12/2/13	Steve Schuett	877-1650	replace gas service	8/16/13	1
27	Hilldale Lane	773	6/11/13	Util		\$ 100.00	8/28/13	Bob Kardasz	873-7730	repair service leak	6/11/13	1
28	Division St N,	103	6/25/13	Alliant		\$ 50.00	6/21/13	Rob Nachreiner	877-1642	install gas service	7/25/13	1
29	Fieldview Ln	2225	6/28/13	Util		\$ 150.00	8/28/13	Sean Grady	877-7430	water main break	6/28/13	1
30	Pleasant View Dr	1808	7/11/13	Alliant		\$ 50.00	7/9/13	Rob Nachreiner	877-1642	install natural gas service	8/7/13	3
			7/31/13	Alliant		\$ 50.00	8/9/13	Steve Schuett	877-1650	install gas service	8/30/13	1

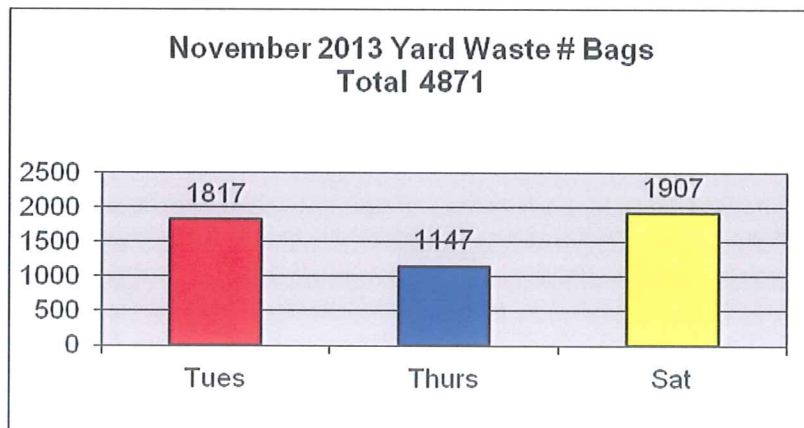
1=Ok, 2=Sawcut, 3=Terrace, 4=Other, 5=Not Completed

2013 November Yard Waste Report

Nov	
Day of Week	Users
Tues.	210
Thurs.	142
Sat.	423
Total:	775



November	
Day of Week	#Bags
Tues	1817
Thurs	1147
Sat	1907
Total:	4871



	2013		2014		2015		2016	
	Users	# Bags	Users	# Bags	Users	# Bags	Users	# Bags
April	April		April		April		April	
Tues	166	947						
Thurs	68	344						
Sat	291	898						
May	May		May		May		May	
Tues	450	2540						
Thurs	341	1909						
Sat	458	1672						
June	June		June		June		June	
Tues	454	2035						
Thurs	330	1286						
Sat	668	1780						
July	July		July		July		July	
Tues	520	1934						
Thurs	229	818						
Sat	559	1284						
Aug	Aug		Aug		Aug		Aug	
Tues	292	1100						
Thurs	334	1027						
Sat	606	1562						
Sept	Sept		Sept		Sept		Sept	
Tues	312	1118						
Thurs	209	575						
Sat	449	1095						
Oct	Oct		Oct		Oct		Oct	
Tues	510	2709						
Thurs	266	1268						
Sat	534	2186						
Nov	Nov		Nov		Nov		Nov	
Tues	210	1817						
Thurs	142	1147						
Sat	423	1907						
TOTAL:	8,821	34,958						



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STREET DEPARTMENT

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KARL D. MANTHE
Street Superintendent
kmanthe@ci.stoughton.wi.us

Date: December 11, 2013
To: Public Works Committee
From: Karl D. Manthe – Street Superintendent
Subject: Reconsider Request to Allow Fence in City Right of Way

The Planning Department has requested to reconsider the request from Mr. Larry Eifert who resides at 924 W. Main Street. The motion from November 19, 2013 was to “allow the fence that was installed on his property in the city right-of-way to remain”. The Planning Department is recommending the fence to be moved to comply with code.

Memo from Planning Department is included in packet along with information that was previously provided at the November 19, 2013 Public Works Committee Meeting.

Please let me know if you have any questions





CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
381 East Main Street, Stoughton, WI. 53589
(608) 873-6619 www.ci.stoughton.wi.us

RODNEY J. SCHEEL
DIRECTOR

Date: November 22, 2013

To: Michael Engelberger
Public Works Committee Chairperson

From: Rodney Scheel
Director of Planning & Development

Subject: EIFERT FENCE REQUEST – 924 W. MAIN STREET

I understand the Public Works Committee reached an agreement with Mr. Larry Eifert to allow a fence to remain in the right-of-way at 924 W. Main Street. We offer the following comments which we believe should have been taken into consideration and recommend reconsideration of the issue. I apologize for not being at the meeting, but had another commitment and based on a prior conversation with Street Superintendent thought this issue was not going to be supported for approval. Mr. Eifert had not provided any written application or materials for staff evaluation prior to the meeting. Had such material been provided ahead of time, we likely would have supplied the committee with the following points to consider.

- Prior to the installation of the fence this summer, staff met on several occasions with Mr. Eifert to make sure he knew exactly where and how the fence could be legally installed. A permit was issued and Mr. Eifert installed the fence in non-compliance. When staff inspected the property with Mr. Eifert, it was clear he did not install the fence consistent with ordinance regulations and our meetings.
- We sympathize with Mr. Eifert, however, he made an error that is most easily corrected now. The fence posts are not cemented in.
- The installation of this fence is not a small encroachment into the public right-of-way, but encumbers many square feet and in essence extends his exclusive use of this public property. There is a value to land that is now restricted from public use since it is fenced in.
- We understand that there are currently no sidewalks along this side of Gjertson Street, but this fence limits the ability for people to walk on the grass in the public right-of-way if they prefer not to walk in the street. Snow storage and piled leaves between the curb and the fence further restrict pedestrian use of this area as shown in the picture Mr. Eifert presented to the Committee.
- Mr. Eifert has compared the adjacent property parking arrangement to his situation. Our records indicate that building was built in 1975 and parking has historically been that way. Under today's standards that parking arrangement would not be allowed.

Standards will continue to change over time. Allowing deviations from the standard only expands the issue for which the regulations have been changed.

- The property owner to the north has come into our office to discuss concerns about the location of the fence because of snow plowing and lack of pedestrian access issues.
- The fence as installed does not meet vision triangle requirements on the private property and will need to be fixed to comply with the ordinances. The vision triangle noncompliance is worsened in the public right-of-way as currently installed. The vision triangle at Main and Gjertson is 20 feet which means no structure can be placed that has a height of more than 30 inches while the fence is 36 inches. Mr. Eifert was fully aware of the height limit requirements in the vision triangle prior to installation.
- Staff has been working with numerous property owners related to vision triangle issues. Corrective action becomes more challenging when properties compare their issue with other situations that are allowed to remain in compliance by the Public Works Committee.
- The City's adopted sidewalk installation policy indicates that sidewalks will be installed on both sides of each street over time. This is further reinforced by the requirement that all new driveway installations must install the sidewalk through the new driveway to accommodate future sidewalk installation. Understanding that sidewalks will be installed at this location in the future, the City taxpayers should not be responsible for the removal or replacement of this noncompliant fence in the right-of-way.
- If the fence is allowed to remain, how is damage to the fence handled? How are personal injuries related to the fence in the right-of-way handled? However remote, the City should consider damage and injury situations.
- If the fence is allowed to remain, a recorded document should be created addressing the above issues and filed with the Register of Deeds to confirm the responsibilities of the property owner; current and future.

Staff strongly recommends denial of the request to leave the fence in the right-of-way and recommends removal and code compliant installation is completed by May 14, 2014.

cc. Mayor Donna Olson
Street Superintendent Karl Manthe
Zoning Administrator Michael Stacey



CITY OF STOUGHTON
STREET DEPARTMENT

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KARL D. MANTHE
Street Superintendent
kmanthe@ci.stoughton.wi.us

Date: November 11, 2013
To: Public Works Committee
From: Karl D. Manthe – Street Superintendent
Subject: Request to Allow Fence in City Right of Way

There has been a request from Mr. Larry Eifert who resides at 924 W. Main Street to allow the fence that was installed on his property to remain. The fence in question is along the Gjertson Street side of the property.

City Ordinance 64-9 (g) (1)(2) relates to this request. The fence location actually forces pedestrians out around the power pole which is very close to the curb/street. The city has received a complaint about the fence location.

I have also included some information from the Planning Department who are working with Mr. Eifert to correct the triangle vision violation.

Please let me know if you have any questions



These signs are permitted only on Main Street, between Hillside and Page Street because this area is a unique business district in the city, and because of the historic nature of the area.

- h. Any business that fails to comply with the provisions of this section, after receiving one warning, will lose its privilege to display a sandwich board sign for a six-month period.
- (g) Private property in street rights-of-way.
- (1) Private property adjacent to streets, in street rights-of-way, is permitted as follows:
- (2) Permit required. A permit from the street superintendent shall be required for the following:
- Any structure, installation or construction adjacent to the street, in the public right-of-way or park row, of private property for longer than 90 consecutive days, such as lamp posts, hitching posts, benches, sculpture or other art, decoration or improvement. Except that no permit is required for one "open" flag per business along Main Street from Page Street to Hillside Street which are placed only on Sundays. In the absence of an existing flag pole hole in the concrete, the business shall utilize an above-grade holder, positioned in-line with existing in-ground flag pole holes.
- (3) Exceptions. Subsection (2) shall not apply to mail or post boxes.
- (h) *Street trees.* (See regulations under section 64-14).
- (i) *Application.* Application for a permit under subsections (b) and (g) shall be made to the Street Superintendent on a form prescribed by the street superintendent and under subsections (e) and (f) shall be made to the department of planning and development on a form prescribed by the department of planning and development. The city staff shall process the application and issue a permit if the application and circumstances satisfy the standards of the subsection, other applicable building code provisions, and safety and other standards developed or to be developed by such Department. Persons denied a permit shall be given notice of and the reasons for such denial, and may appeal the denial to the city's public works committee, pursuant to the administrative review procedures of chapter 24.
- (j) *Liability agreement.*
- (1) The application for the permit provided for in the preceding subsection shall state the purpose for which the permit is desired and the proposed location, and shall contain an agreement that the applicant shall pay all damages to persons or property, public or private, caused by the applicant, his agents, employees or servants in the doing or erection of the work for which the permit is granted. Any applicant may be required, as a condition to the granting of a permit, at the discretion of the street superintendent, to file an undertaking, in such amount as the street superintendent shall determine, to leave the street, sidewalk or alley in as good condition as the same was in when the permitted activity was commenced, keep the place where the excavation is made properly guarded by day and lighted by night and to save the city harmless from any damages, costs and charges that may accrue from the applicant's use of such street, sidewalk [or alley] by reason of such permitted activity.
- (2) No permit for permitted activity granted under the provisions of this section shall be deemed to convey or grant any privilege to occupy the space within or below any street or sidewalk or any utility, vault, pipe, drain or any other thing.
- (3) When excavations are made under the provisions of this section, the excavations shall not be left open longer than the necessities of the work demand. In refilling the excavation, all earth, stone and screenings shall be thoroughly and properly tamped and the surface of the street, sidewalk or alley left in as good condition as the same



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SCHEEL
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RODNEY J.
DIRECTOR

October 9, 2013

Larry Eifert
924 W. Main Street
Stoughton, WI. 53589

RE: NON-CONFORMING FENCING

Dear Mr. Eifert,

As recently discussed, this notice is regarding the non-conforming fence installed at the property you own at 924 W. Main Street, Stoughton, Wisconsin.

The ordinance sections related to the non-conformities are as follows:

78-718 (3) (a) 1 Height of fencing regulated.

“On corner lots in all zoning districts, no fence, wall, hedge, planting or structure shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two and one-half feet and ten feet above grade, in the area bounded by the street lines of such corner lots and a line joining the points along such street lines, ten feet from the point of intersection. Additionally, no fence, wall, planting, or structure shall be erected, placed, planted or allowed to grow in such a manner to obstruct vision between a height of two and one-half feet above grade and ten feet above grade on both sides of a driveway where connected to a public sidewalk, ten feet from the points of intersection.”

78-718 (3) (a) 2 Height of fencing regulated.

“A fence, wall, tree, hedge or shrubbery may be erected, placed, maintained or grown along a lot line on residentially zoned property or adjacent thereto; the height of such fences or walls shall not exceed six feet above the ground level. Where such lot line is adjacent to property zoned NB, PB, CB, PI, GI, or HI; there shall be a ten-foot limit on the height of fencing, along such lot line. For this subsection: On residential corner lots, the street front setback will be determined by the owners' choice. Any fence in the front setback area shall not exceed four feet in height.”

78-703(2) Visibility standards.

Requirement. In order to provide a clear view of intersecting streets to motorists there shall be a triangular area of clear vision formed by the two intersecting streets and a chord connecting said centerlines, as determined by the director of planning and development. Generally, the following standards shall apply:

Table 78-703: Vision Clearance Triangle Standards

Right-of-Way Width	Distance from Right-of-Way Intersection
66 feet or less	10 feet
more than 66 feet	20 feet

Within said triangular area, no signs, parking spaces, structures, or earthwork in excess of 30 inches, and no vegetation, fencing, nor other such obstructions between 30 inches and eight feet in height shall be permitted which exceeds 30 inches in height above either of the centerline elevations of said two streets.”

78-718 (3) (b) 1 Setback for fencing.

“Fences in or adjacent to a residential property shall have minimum three feet side and rear yard setbacks unless the adjacent owner consents in writing to the entrance upon such owner's land for the purpose of maintaining such fence or such fence is maintenance free, in which case the minimum setback shall be six inches. A lot survey may be required if property lines cannot be determined.”

Through our discussions during the planning process:

- I questioned whether you knew where the lot stakes were and you indicated the adjacent neighbor to the east had a recent survey which you would work from.
- The vision triangle was discussed, which you indicated the fence would be 30 inches in height so the vision triangle would not be at issue. I also sent a copy of section 78-703 related to the vision regulations to you via email prior to permit issuance.
- It seemed clear throughout our discussions you fully understood all requirements related to fencing.
- The submitted plan was not detailed which lead to further discussions via phone and email about the requirements, prior to issuance of the permit.

Information was provided to you on October 9, 2013 via email related to your options of which appears to be: Modify the fence to comply with all requirements; Apply for a variance or appeal for the vision non-compliance; Make a request to the Public Works Committee for the fence section placed in the right-of-way along Gjertson Street.

The fence must be removed or modified to meet the above ordinances by November 11, 2013 or you may be subject to a penalty per section 1-3 of the Municipal Code. An application for a variance or appeal prior to this date may allow for an extension. A request to the Public Works Committee may also allow for an extension.

If you would like to discuss this notice, contact me at 608-646-0421.

Sincerely,

City of Stoughton

Michael P. Stacey

Michael P. Stacey
Zoning Administrator/Assistant Planner



11.11.2013 09:30



11.11.2013 09:30

To whom it may concern,

I am requesting you graciously allow my split rail fence in the city right away to prevent further trespassing, littering, vandalism and possible confrontations between my dog and said trespassers. My property was vacant for numerous years and a bit overgrown and dilapidated and thus seen as a route to shortcut through. After purchasing and starting improvements, I repeatedly watched as it was still being used as a "shortcut" route for folks going to and from the Plaza Shopping Center and despite repeated attempts to politely request they use the sidewalks, the trespassing continued. Also, as you can see by the pictures, the tree on the corner is basically on the property line and installing the posts along this border would have inflicted severe damage to the tree's root system and certainly shortened it's life and with that, the enhancement of this particular city intersection to incoming and departing visitors to our "tree city" community.

Since completion of the fencing, the trespassing and littering incidents have almost completely stopped and I have observed numerous times people coming at my property with intent to cut through only to spot the fencing and walk along it if using a "green" sidewalk. My dog also stays inside this fencing, thus lessening the potential for a conflict with him and pedestrians. As a last note, I have purposely did not used concrete to set the posts of the fencing should the city ever decide to install sidewalks along Gjertson and thus would allow me to remove for the city's granted use at that time.

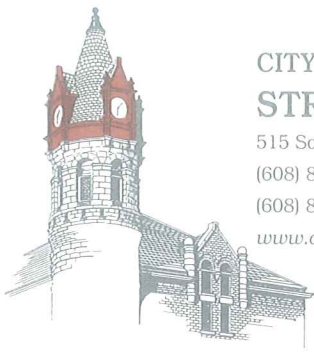
I thank you for your time and considerations and hope you will grant me this request as my intent is to only improve and enhance this particular piece of property that for years has been an eyesore to the start of our lovely inner city corridor.

Larry Eifert

924 West Main Street

608-206-1178





CITY OF STOUGHTON
STREET DEPARTMENT

515 South Fourth Street, Stoughton, WI 53589
(608) 873-6303 Ext. 622
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KARL D. MANTHE
Street Superintendent
kmanthe@ci.stoughton.wi.us

Date: December 11, 2013
To: Public Works Committee
From: Karl D. Manthe – Street Superintendent
Subject: Update on Reducing Single Use Plastic Bags

I have completed the survey questions and have it ready to be sent out, however the City has no current data base of emails addresses of city residents to send the survey out to.

I am working with Opera House/Media Director Bill Brehm to create a data base of city resident email's that will be used for this survey and other city notifications in the future. A sign up is being created on the city web page and hope to have the survey sent out shortly to have information for January 21, 2013 Public Works Committee Meeting.

I did survey the Southern Wisconsin Association of Public Works Supervisors (SWAPS) and found that no one currently bans single use bags in their community. Although in some communities, their contracted waste hauler has started collecting plastic bags for recycling at curbside in recycling carts. Bags need to be placed in clean, dry bags in a clear transparent bag and tied shut; full bag should be smaller than a basketball.

Please let me know if you have any questions



The City of Stoughton is conducting a survey related to single use plastic bags. We are beginning to look at options for decreasing single use plastic bag consumption in the city and we want your feedback. The rationale for this inquiry is in response to growing knowledge about damage to the environment by single use plastic bags.

1. Do you think that reducing the use of plastic bags would be beneficial to the environment (rivers, lakes, soil, wild animals)

- ☐ Yes, very helpful
- ☐ Somewhat helpful
- ☐ No, not at all helpful
- ☐ Not sure

2. Do you already take your own bags when you go shopping?

- ☐ Yes, almost all the time
- ☐ Occasionally
- ☐ Half the time I do and half the time I don't
- ☐ No, never

3. What do you do with the majority of your plastic bags after you use them once?

- ☐ Reuse them one more time (animal waste, trash can liner, etc.)
- ☐ Take them someplace to be recycled
- ☐ Throw them in the garbage

4. Do you think that a mandatory fee on single use bags would be an effective way to reduce consumption of single use bags in Stoughton?

- ☐ Yes
- ☐ No
- ☐ Not sure

5. If there was a fee (5 cents per bag with maximum of 25 cents for entire order) on single use bags (paper or plastic) would you...

- ☐ Buy the single use bag
- ☐ Bring your own bag
- ☐ Go shopping in another community that didn't have a fee
- ☐ Other

Other (please specify)

6. Would you be in support of a tax or fee on single use bags in Stoughton in an effort to improve the environment?

- ☐ Yes
- ☐ No
- ☐ Maybe

Public Works Committee
Tuesday November 19, 2013 at 6:00 PM
Hall of Fame Room, 381 E Main St

Members Present: Alderpersons; Tom Selsor, Michael Engelberger, Sonny Swangstu, Tom Majewski, and Street Superintendent Karl Manthe

Absent/ Excused:

Guests: City residents – Jill Izydor and Larry Eifert

Call to Order: Engelberger called the Public Works Meeting to order at 6:00 PM

- 1) **Communications:** *Manthe* stated that the street department crew was putting up the Christmas lights and holiday banners and that the Yard Waste site would be closing shortly.

- 2) **Activity Reports:** (Manthe reported)
 - Leaf collection has been going good. Crews started leaf collection on Monday October 14th and will continue until Wednesday November 27th. Leaves must be raked out by Monday November 25th to make sure they get collected this fall.
 - Last brush collection for the year was completed. Crews hauled 54 loads of brush to yardwaste site. Tub grinder will grind /mulch brush at end of November/early December. City will keep some of mulch for projects and residents.
 - Spray patching unit is back out patching potholes throughout the city.
 - Yardwaste Site has been very busy with residents dropping off leaves and garden waste. As of November 11th, there have been 844 permits (sold 750 for entire year in 2012) sold to city residents this season and 171 permits issued to Dunkirk Township residents.
 - Contracted tree removal of 18 large parkrow trees was completed during the week of October 21st.
 - Still have some tree stump removal to get completed before the winter if the weather allows, otherwise crews will complete in spring.
 - Tree planting project was completed; local contractor planted 81 trees in the parkrow where trees have been removed over the last few years and on street construction projects.
 - Crews continue stormwater system maintenance with cleaning inlets, removing silt from greenways and repairing pipes.
 - The Fleet Maintenance Manager continues to keep the fleet in working condition for all city departments. Fleet Manager starting to get equipment ready for winter with installing wings, plows, sanders, and snow blowers for Street Department and snow tires on Police fleet.
 - Parks Department is winding down on park activities. Restrooms are being winterized, leaves being mulched, general park cleanup, and aeration being completed.
 - Other tasks completed during the last month include; hauling yard waste, dumping trash barrels downtown and cemeteries, remove fishing pier, cleaning fleet and garage, repair downtown street lights and traffic signals.

New Business:

- 3) **Approve October 15, 2013 Meeting Minutes:** Motion by Majewski seconded by Swangstu to approve minutes. Motion carried 4-0.

- 4) **Request to Allow Fence in City Right of Way at 924 W Main Street:** *Manthe* stated to the committee the issues with the fence at this property on the Gjertson St side; 1) in the city right of a-way, 2) height requirements, 3) lack of permit and 4) violates the triangle vision ordinance at the intersection of Gjertson & W Main St. *Mr. Eifert* stated that at this time he has reduced the height of the fence to meet the required height and resolved the vision violation (provided pictures of fence after improvements/modifications). *Mr. Eifert* explained the issues he was having on his property with pedestrians and why the fenced was installed. He is also requesting a special permit to allow the fence to remain as is and take the responsibility if, in the future, a sidewalk is installed or other city improvements are made and if there is any damage done to the fence if the city is using the right of way i.e. – snowplowing, etc. *Mr. Eifert* stated that the posts were not cemented in the ground and could be easily moved if necessary.

Several questions were asked about allowing/asking permission after the fact and what about the property/business next door which appears to be in the right of way also. The committee felt that they could work with the resident if they are willing to rectify if needed,

Motion by Majewski, seconded by Swangstu to allow the fence to remain as is at this time and directed staff (Manthe) to put special provisions in the permit to be reviewed by the committee for approval before being signed. Motion carried 4-0.

- 5) **Discussion on Implementing a Ban on Single Use Plastic Bags in City:** *Ms. Izydor* introduced herself with some background information on who she is and her purpose for pursuing this issue such as:
- 1) How much plastic is used, 2) Environmental problems – soil/water, 3) Litter, 4) Landfill space issues/amount of time to degrade and 5) Damage recycling machines if not properly disposed of.

Ms Izydor suggested some solutions such as banning, banning with exemptions, imposing a tax, no plastic bags in certain stores or having a municipal cost for “implementing green” and educating the public with hopes of changing behavior. This might bring about more issues concerning who would be exempt, more costs to implement, who should be taxed – consumer or business or perhaps split.

When asked *Ms Izydor* stated that there are no current bans in Dane County, in fact, there are no bans anywhere in the State of Wisconsin but there are numerous cities in states on the east and west coasts that have bans including all of Hawaii. More documentation will be emailed to *Street Superintendent Manthe*

Committee ideas: 1) develop a survey to see how the community feels about this issue and get a general direction if they support a ban or tax. (*Ms Izydor* offered her time to develop) Both ban and tax have their positive and negatives. 2) Contact Johns to see if there are any incentives to having some type of collection for single use bags or if Johns knows of a private company that is already offering this service. 3) Special place to recycle the bags (Pick n Save currently does have a program), 4) Reach out to other communities to find out what, if anything is being done to handle this situation, 5) talk with the newspaper to publish an article about single plastic bag usage and its affect on the community.

Manthe will contact Johns Disposal for information and will work with *Ms Izydor* on developing a survey and post to the city website.

- 6) **Recommendation to Extend Refuse & Recycling contract with Johns Disposal Service, Inc.:** *Manthe* stated to the committee that the city has been using Johns for the last three (3) years and they have been very responsive to the cities needs or requests and also work directly with homeowners if they have any concerns or issues. Johns has provided all the totes (which if cancelled the city would have to go through that process again) and have never charged any fuel surcharges when fuel prices changed. If the extension is approved, Johns will waive the increase for the year 2014. (A 2.2% savings). This request will be forwarded to the Finance Department then onto the Common Council. **Motion by Swangstu, seconded by Majewski to recommend to the Finance Committee to approve the extension of the**

contract with Johns Disposal Service, Inc until December 31, 2018 and move to Council. Motion carried 4-0.

- 7) **Discuss E Waste Disposal for Residents:** *Manthe* discussed with the committee issues we were having with E-Waste in Stoughton (especially with TV's) and that several meetings were held with Manthe and several employees at City Hall to discuss what options were available. The local St Vincent DePaul accepts smaller items, but not TV's. *Manthe* contacted Johns Disposal and they are willing to do a collection, at no charge, twice a year. Another option was to have a small dumpster at the Street Department starting in 2014 where residents could drop off TV's during normal business hours with no fee being charged at this time. This option would be on a trial basis in case issues arise- such as illegal dumping after hours outside the fenced area or throwing things over the fence. Steps need to be taken in order to inform/educate the public of this option – post to the front City & Street Departments web page, message on the cable TV channel or a press release to the Hub/Great Dane. **Motion by Majewski, seconded by Selsor to direct staff to begin the process and determine/take the steps necessary to have an E-Waste Disposal option.**

- 8) **Future Agenda Items:** Plastic Bags Update

Moved by Swangstu, seconded by Selsor to adjourn meeting at 7:10 pm. Motion carried 4-0.

Respectfully submitted by Vickie Erdahl, Admin. Asst. 11/22/13