



## 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: **Thursday, October 19th, 2023 at 6:00 pm**  
Location: **This meeting will be available as Hybrid meeting**  
**Stoughton Public Works Facility, 2439 County Rd A**  
Please join my meeting from your computer, tablet or smartphone.  
<https://meet.goto.com/243698829>  
You can also dial in using your phone: 224-501-3412  
**Access Code:**  
**243-698-829**

Members: Tom Majewski, Lisa Reeves, Ben Heili, Christina Wozniak Scanlon, Kay Rashka, Jordan Tilleson and Mayor Tim Swadley

### Item # CALL TO ORDER

1. Call to Order
2. Certification and Compliance with Open Meetings Law
3. Communications
4. Approve Minutes of the September 21st, 2023 Meeting

### Item # OLD BUSINESS

### Item # NEW BUSINESS

5. Discussion and Possible Action to Restructure the Tree Commission
6. Future Agenda Items
7. Adjourn

### ADJOURNMENT

cc: Council Members, City Leadership Team, City Attorney Matthew P. Dregne,  
Library Administrative Assistant Sarah Monette, Stoughton HUB  
[stoughtonreporter@wcinet.com](mailto:stoughtonreporter@wcinet.com), [stoughtoneditor@wcinet.com](mailto:stoughtoneditor@wcinet.com)

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

**Public Works Committee**  
**Thursday, September 21<sup>st</sup>, 2023**  
**(Hybrid Meeting)**

**Members Present:** Lisa Reeves, Ben Heili, Jordan Tilleson, Christina Scanlon, & Mayor Tim Swadley

**Absent/Excused:** Tom Majewski and Kay Rashka,

**Staff:** Planning Director Rodney Scheel & Public Works Director Brett Hebert

**Guests:** City Forrester; John Kempainen

**Call to Order:** *Hebert* called the meeting to order at 6:02 PM

1) **Communications:**

*Directors Hebert and Scheel* gave construction updates.

2) **Approve August 17<sup>th</sup>, 2023 Meeting Minutes:** Motion by Scanlon to approve the minutes and seconded by Tilleson. Motion carried 5-0.

**New Business:**

3) **Discuss New Tree Planting Care and Mortality Rates:**

*Director Hebert* and the City Forester; John Kempainen gave an update on new tree mortality rates. The City averages less than 5% mortality rate per planting season which is pretty good.

4) **Discussion and Possible Action to Restructure the Tree Commission:**

*Director Hebert* suggested to rewrite the city ordinance to dissolve the Tree Commission. Before there was a City Forester, the Tree Commission had more of an active role in the Urban Forrester. Now that we have a fall time Forrester on staff the role of the Tree Commission has been diminished.

**Motion by Tilleson to dissolve the Tree Commission duties to the Public Works Committee. Staff shall work on rewriting the ordinance and bring back to Public Works in October, seconded by Reeves. Motion carried 5-0**

5) **Discussion and Possible Action to Recommend a Five-Year Extension to the Johns Disposal Solid Waste Collection Contract:**

*Director Hebert* advised that Johns is asking for a \$.48 increase for 2024. This is allowed with the contract.

**Motion by Reeves to recommend to approve rate increase for 2024, seconded by Helli. Motion carried 5-0**

**6) Discussion and Possible Action to Amend the Snow and Ice Removal Policy for Multi-Use Path Maintenance:**

Discussion was had about snow removal on new multi-use paths, Commercial and multi-use properties most likely having a contractor to clean snow and would have larger equipment to clean snow from wider multi-use paths.

**Motion by Tilleson to amend policy to require the City to clear snow from multi-use paths greater than 6 feet on properties zoned for single or two family residential, seconded by Reeves. Motion carried 5-0**

**7) Review and Possible Action to Renew the Contract for Mowing at Riverside and Wheeler Prairie Cemeteries:**

*Director Hebert* advised the Hamacher Lawn Care proposed extending the lawn care contract at Riverside and Wheeler Prairie for an additional three years at no additional cost to the City.

**Motion by Reeves to approve the contract renewal with Hamacher, seconded by Tilleson. Motion carried 5-0**

**8) Approve R- -2023 – Acceptance of Public Improvements – 51 West Development:**

*Director Scheel* highlighted the public improvement made in the 51 West Subdivision.

**Motion by Tilleson to approve as presented in the packet and recommend approval to Council, seconded by Reeves. Motion carried 5-0**

**9) Future Agenda Items:**

- a) Discuss the Rental of City Property for Lease for Agricultural Planting and Harvesting
- b) Pedestrian Hill Surface Remediation

**10) Adjourn: Motion by Reeves to adjourn, seconded by Tilleson to adjourn the meeting at 7:07pm. Motion carried 5-0**

Respectfully submitted by Jen Wagner 10/9/2023



## Memorandum

To: Public Works Committee  
From: Brett Hebert, Director of Public Works  
Date: September 14, 2023  
Subject: Tree Commission

Before the City hired an Arborist and subsequently a City Forester, a Tree Commission was formed to help oversee the care of the urban forest in Stoughton. Authority is granted to the Tree Commission through ordinance 64-14. In the past, before full time staff was hired to care for the urban forest, the Tree Commission members would have an active roll in hiring contractors, assessing tree care needs and planning for tree plantings throughout the community.

Since hiring full time professional tree care staff, the Arborist and subsequently City Forester have assumed all of the active duties in caring for the urban forest independent of the Tree Commission. The City Forester currently reports all activities to the Tree Commission during their monthly meeting. However, the Tree Commission has struggled to fill and maintain the five (5) citizen members required by ordinance. Furthermore, the participation level is very low from current members and often time there is no quorum during monthly scheduled meetings.

Given that we have a City Forester on staff, our recommendation would be to do one of two things. Either dissolve the Tree Commission and have the Forester report activities within the urban forest to the Public Works Committee at a minimum of once per year during one of their monthly meetings. Public Works committee members could request at any time to receive information or reports from the City Forester at their discretion.

The other option would be to shrink the number of Tree Commission members to a more reasonable number. Possibly three (3) citizens members, one (1) Public Works Committee Member and the City Forester.

To dissolve the Tree Commission, we would need to amend City Ordinance 64-14 to reflect the new reporting structure and revise the ordinance to give direct authority to the City Forester to care for the urban forest (See the current ordinance below). If the Public Works Committee would like to support either of our recommendations, we will offer an updated draft ordinance amendment at the October or November meeting. Please let me know how you would like us to proceed.

Regards,

Brett Hebert  
Director of Public Works

## **Sec. 64-14. Street trees.**

- (a) *Purpose.* It is the purpose of this section:
- (1) To protect against dangerous conditions which may result in injury to persons or damage to property in public areas of the city.
  - (2) To maintain plant health and guard against the spread of diseases and insect pests.
  - (3) To regulate and control the planting, removal, maintenance and protection of trees, shrubs and other plants on the public streets, parkways and other municipally owned property within the city. This may include the identification and protection of trees with historic value or having unusual qualities.
  - (4) To prescribe penalties for violations of the provisions set forth by this section.
- (b) *Authority and power.* There is created and established a tree commission for the city, which shall consist of eight members, six of whom shall be residents of the city. The remaining two members may reside in a neighboring township within the Stoughton School District. One of the members shall be from the city council and appointed by the mayor. Five citizen members shall also be appointed by the mayor. The seventh member shall be appointed by the utilities director and shall be a non-voting member. The eighth member shall be appointed by the street superintendent and shall be a non-voting member. All members shall serve without pay. The members of the commission will elect one member as chair and one member as vice-chair annually.
- (c) *Duties.* The duties of the tree commission shall be:
- (1) To study the problems and determine the needs of the city as they relate to tree planting, protection and maintenance.
  - (2) To recommend to the street superintendent, the type and kind of trees to be planted in public places such as municipal streets or parks as designated.
  - (3) To assist the city with the dissemination of news and information with regard to the selection, planting and maintenance of trees.
  - (4) To help educate the public on the value of trees.
  - (5) To pursue grant monies to promote a healthy urban forest.
- (d) *Term of office.* The six members appointed by the mayor shall be appointed as follows: One council member for one year and five citizen members for three years. Successors to those citizen members appointed by the mayor shall be appointed for terms of three years. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments are made. A member of the tree commission may be removed by the mayor with approval of a majority of the city council.
- (e) *Applicability.* This section provides full power and authority over all trees, shrubs and other plants located within street right-of-way, city and municipal utility easements, parks and public places of the city and to trees, plants and shrubs located on private property that constitute a hazard or threat as described herein. The commission shall make recommendations to the public works committee on such rules and regulations as it may deem appropriate for carrying out the purpose of this section.
- (f) *Licensing.* It shall be unlawful for any person to engage in the business of planting, pruning, removing, spraying or otherwise treating trees, or woody plants within the city without first producing evidence of certification/license before the city, pursuant to § 14-311.
- (g) *Permits.*
- (1) *Required.* No person shall plant or remove a tree from a public area, without first obtaining a written permit from the street superintendent for which no fee shall be charged. If an activity entails the felling of any tree or part thereof,

located on private property, which as a result of such felling reasonably may be expected to fall upon city-owned property, a permit must be obtained.

The application must:

- a. State the applicant's name and address and must be signed by the applicant.
  - b. Indicate in detail, the location, number, size and species of trees, shrubs or other plants that will be affected by such action.
  - c. Include additional information that the commission may find reasonably necessary.
- (2) *Performance of work.* The applicant agrees to perform the work for which the permit is sought in accordance with the provisions of this section.
  - (3) *Standards and specifications list.* If the requested plant material is on the tree commission standard and specifications list, which is not set out herein but is on file in the street superintendent's office, the permit may be signed by the street superintendent. Requests for plant material not appearing on said list must be submitted to the city forester for approval prior to signing by the street superintendent.
  - (4) *Denial.* The commission has the authority to deny a permit if the request is not in accordance with the provisions of this section.

(Code 1986, § 8.11; Ord. No. 0-6-2011, 3-22-2011; Ord. No. 0-6-2012, § 1, 3-27-2012; Ord. No. 0-13-2013, 7-23-2013; Ord. No. 0-5-2014, 2-11-2014)

