

136 North Monroe Street, Waterloo, Wisconsin 53594-1198
Phone (920) 478-3025
Fax (920) 478-2021

**PUBLIC NOTICE OF A COMMITTEE MEETING
OF THE COMMON COUNCIL OF THE CITY OF WATERLOO**

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and to the news media, that the following meeting will be held.

COMMITTEE: Public Works & Property Committee

DATE: Thursday, January 16, 2014

TIME: 5:30 p.m.

LOCATION: Council Chambers of the Municipal Building, 136 N. Monroe Street

1. Roll Call And Call To Order
2. Approval Of Previously Unapproved Meeting Minutes: October 3, 2013, and Canceled Meetings: November 7, 2013, December 5, 2013 and January 2, 2014
3. Citizen Input
4. Project Status Report
 - a. 2013/2014 Defective Sidewalks/Update
 - b. Emerald Ash Borer
 - c. Reconstruction Of Railroad Avenue And Associated Sanitary Sewer Improvements
5. Unfinished Business
 - a. Further Follow-up On Repaving Edison Street (From 9/5/2013 Meeting)
6. New Business
 - a. Larry Debbert Monument Inquiry – City Cemetery On Washington Street
 - b. Ordinance Review
 - i. Public Right-Of-Way And Planting Of Trees
 - ii. Care Of Sidewalks
7. Future Agenda Items And Announcements
8. Adjourn

Mo Hansen
Clerk/Treasurer

*** See Council Packet

Committee Members: Springer, Ziaja and Stinnett

Printed, Posted, E-mailed and Distributed: January 14, 2014

Please note: it is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

PUBLIC WORKS AND PROPERTY COMMITTEE MEETING MINUTES
NOVEMBER 7, 2013

No meeting held due to lack of agenda items.

Attest:

A handwritten signature in black ink, appearing to read "Morton J. Hansen". The signature is written in a cursive, flowing style.

Morton J. Hansen
Clerk/Treasurer

**PUBLIC WORKS AND PROPERTY COMMITTEE MEETING MINUTES
DECEMBER 5, 2013**

No meeting held due to lack of agenda items.

Attest:

A handwritten signature in cursive script, appearing to read "Morton J. Hansen".

**Morton J. Hansen
Clerk/Treasurer**

PUBLIC WORKS AND PROPERTY COMMITTEE MEETING MINUTES
JANUARY 2, 2014

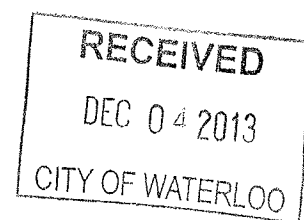
No meeting held due to lack of a quorum.

Attest:



Morton J. Hansen
Clerk/Treasurer

Larry Debbert
275 Fourth Street
Fond du Lac, WI 54935



November 29, 2013

Mr. Hansen or Mr. Gary Yerges
Waterloo Municipal Building
136 North Monroe Street
Waterloo, WI 53594

Dear Mssrs. Hansen and Yerges:

This letter is written to make inquiry about responsibility for grave monuments in the City Cemetery on Washington Street. I am concerned about the leaning condition of a gravestone monument of ancestors of mine which is right alongside the roadway. The monument quite clearly has "DEBBERT" on one side and "WEBER" on another side. It is the burial site of Carl Ludwig and Dorothea Marie Debbert and of their daughter, Charlotte Emilie Augusta Debbert Weber. The last burial on the site was in 1899.

The monument is an obelisk-shaped monument with a ball at the top. It is leaning more and more each year and will likely soon topple its ball into the street. As I was concerned about the condition, I made inquiry of Archie Monuments and representative Dale Wetzell, who lives in Waterloo. He may have been in contact with you about the permissions to work in the cemetery. His estimate to move the monument, level and create a firm cement platform, and return the monument to its place has been received. He has quoted an estimate of \$750.00 for the task using the Archie crew independently.

My initial reaction was that the cost of \$750 seemed a high cost to reset and assure the stone will stand another 100 years or better. I also had questions about responsibility for the stones and care of the cemetery, as the city website clearly states that "The City of Waterloo owns and maintains the cemetery." It is my hope that "maintains" also means that stones are kept upright and in a safe condition.

Kindly let me know if there are plans to address the leaning issue of this particular grave stone monument. Please note that while I believe that \$750 is a might too high for me to have the work completed, I certainly may be interested to share in the cost of re-setting the stone. I certainly would be interested to discuss this matter and the possibility of sharing costs. My telephone number is 920-921-4617 in Fond du Lac.

Please give this matter some consideration and kindly let me know any determinations which may be made.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Larry W. Debbert".

Larry W. Debbert

Review of Municipal Ordinances Relating To Trees

Chapter 332. TREES

[HISTORY: Adopted by the Common Council of the City of Waterloo 10-19-1987 by Ord. No. 87-6 as §§ 8.14 and 8.20 of the 1987 Code. Amendments noted where applicable.]

§ 332-1. Committee responsible for trees.

[Amended 2-15-2007 by Ord. No. 2007-03]

The Public Works and Property Committee shall, subject to the supervision and control of the Council, and except as herein provided, have jurisdiction and direction over all trees planted and growing in and upon City-owned property; that part of every street, the grade of which has been established, lying between the lot line and the curb; and trees on any property which may in any way have effect upon public property and upon the public welfare of the City, and for the planting, care, maintenance, protection and removal thereof. The Committee may make such rules and regulations as it may deem advisable for carrying out the purpose of this chapter.

§ 332-2. Tree trimming.

[Amended 2-15-2007 by Ord. No. 2007-03]

Trees standing in and upon any public street or place, or upon any lot or land adjacent thereto, and having branches projecting into the public street or place shall, under the supervision of the Committee, be kept trimmed by the owner or owners or occupants of the property on or in front of which such trees are growing so that the lowest branches projecting over the public street or alley will provide a clearance of not less than 14 feet and over all other places not less than nine feet from the ground. This provision shall not apply to newly planted trees, provided that they do not interfere with persons upon the public street or place or obstruct the light of any streetlight. Any tree or trees not trimmed, as herein provided, shall be deemed hazardous.

§ 332-3. Tree planting.

A. Permit required. No trees, except the types recommended by the Committee, shall be planted in or upon any public street or place. Trees shall be planted only after a written permit has been received from the Committee, which permit shall state the name of the applicant, his address, the property on which the trees are to be planted, and the type to be planted. The trees shall be planted in such manner that they shall be equidistant between the curblines and the sidewalk. The distance between the trees shall not be less than 35 feet.

B. Trees on newly opened streets. On newly opened streets, the Tree Committee shall have the authority to designate the types of trees and the manner in which they shall be planted and such other shrubs and bushes as the Committee shall approve.

§ 332-4. Removal of trees and stumps.

All dead, hazardous and infected trees in the public right-of-way will be removed by the City at the expense of the City. All other trees in the public right-of-way shall be removed at the expense of the owner of the abutting property. If trees are removed by the owner of the abutting property, he shall cause all stumps to be removed and the area cleaned of all branches, leaves and other debris. If such is not done in a manner satisfactory to the Tree Committee, the Committee may order the Director of Public Works to do so and may charge the expense to the abutting property, pursuant to § 66.0627, Wis. Stats.

§ 332-5. Trespass on private land.

This chapter shall not give the Tree Committee authority to trespass on private land without the consent of the owner.

§ 332-6. Violations and penalties.

The penalty for violation of any provision of this chapter shall be a penalty as provided in Chapter 1, § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

Chapter 380. SUBDIVISION OF LAND

Article V. Improvements

§ 380-42. Street terrace trees.

Prior to recording of the final plat, the subdivider or developer shall submit a tree planting plan for street terraces to the City Forester in conformance with Chapter 332, Trees, of this Code. A minimum of two trees shall be required in the street terrace for each single- or two-family lot or one tree for each 35 feet of frontage, whichever is greater, 10 feet from driveways and utility poles, 10 feet from water and sewer laterals, and one tree in any cul-de-sac. Trees shall be planted at the time and in the manner determined by the City Forester, with the cost of the street terrace plantings to be borne by the subdivider or developer. The fees for such planting shall be deposited with the City in an escrow account prior to approval of the final plat or made part of the developer's agreement provided for herein.

Review of Municipal Ordinances Relating To Sidewalks

Chapter 380. SUBDIVISION OF LAND

Article V. Improvements

§ 380-36. Sidewalks.

In all subdivisions or developments, the Council may require the subdivider or developer to construct a concrete sidewalk on either or both sides of arterial and collector streets within or adjacent to the subdivision or development. The Council may also require the subdivider or developer to construct concrete sidewalks on either or both sides of minor streets which are in excess of 500 feet in length. The construction of all sidewalks shall be in accordance with plans and standard specifications approved by the City Engineer. In addition, wider than standard sidewalks may be required by the Council in the vicinity of schools, commercial areas and other places of public assemblage.

Chapter 324. STREETS AND SIDEWALKS

§ 324-6. Snow and ice removal.

A. Required. The owner, occupant or person in charge of every building, lot or part of a lot within the City abutting upon a public sidewalk shall remove all snow and ice from said sidewalk within 24 hours from the time the snow ceases to fall. When ice is formed on the sidewalk so that it cannot be removed, it shall be kept sprinkled with ashes, salt, sand or like material.

[Amended 9-18-2008 by Ord. No. 2008-13]

B. Removal of snow from roofs. The owner, occupant or person having charge of any building within the City abutting upon or near any public street or place that snow or ice may fall from the roof thereof into or upon such street or place, or upon the sidewalk thereof, shall cause all snow and ice to be removed from such roof within 24 hours after the snow or ice has ceased falling or forming, or provide suitable guards so that the ice or snow shall not be discharged upon the sidewalk.

C. Deposit on streets prohibited. No person shall deposit or cause to be deposited any snow or ice upon any sidewalk, alley, parkway, public place or street in the City; provided, however, that snow or ice removed from the sidewalk in front of or abutting any premises or the premises which abut such sidewalk may be deposited on the parkway and, in the event there is no parkway on the street fronting such premises prior to snow or ice being plowed, windrowed and removed from the street by the City.

D. Removal by City. If snow or ice is not removed from sidewalks or sprinkled, as required by Subsection A above, or snow is not removed from roofs, as required by Subsection B above, or if snow or ice is deposited on any sidewalk, alley, parkway, public place or street in the City in violation of Subsection C above, the City may remove or cause to be removed all such snow or ice, and the person in charge of the premises from which the snow or ice was removed and so deposited shall be charged for the City cost of such removal. If not paid within 30 days, such charge shall be placed on the tax roll, pursuant to § 66.0627, Wis. Stats.

§ 324-8. Violations and penalties.

The penalty for violation of any provision of this chapter shall be a penalty as provided in Chapter 1, § 1-4, of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

Chapter 12. ASSESSMENTS

§ 12-1. Public improvements.

A. General application.

(1) The installation of any public improvement shall be an exercise of the police power of the City, as may from time to time be determined by the Council, and the property served shall be assessed pursuant to the provisions of §§ 66.0703 and 66.0701, Wis. Stats.

(2) The total cost of any public improvement to be paid in whole or in part by special assessment shall include the direct and indirect costs reasonably attributable thereto, including but not limited to materials, supplies, labor, equipment, site preparation and restoration, damages occasioned by the public improvement, interest on bonds or notes issued in anticipation of the collection of assessments, and a reasonable charge for engineering, legal and administrative costs.

(3) The total assessment for any public improvement shall be based upon the total cost, as defined in Subsection A(2) above, and shall be apportioned among the individual parcels benefited. Such apportionment shall generally be computed on a linear frontage basis unless the Council otherwise determines that extenuating circumstances require a different method of apportionment.

B. Sewer and water mains. (not included in this document...)

C. Streets. (not included in this document...)

D. Curb and gutter. (not included in this document...)

E. Sidewalks.

(1) The sidewalk shall be located in such places and at such grades and width as designated by the Council and shall be constructed in accordance with standards and specifications established by the Board of Public Works.

(2) Special assessments for all new sidewalks shall be levied at 100% of the cost.

(3) Pursuant to § 66.0907, Wis. Stats., the Board of Public Works may order property owners to repair or remove and replace any sidewalk which is unsafe, defective or insufficient. If the property owner shall fail to so repair or remove and replace such sidewalk for a period of 20 days after service of the notice provided in § 66.0907(3)(c), Wis. Stats., the Board of Public Works shall repair or construct such sidewalk and the Clerk-Treasurer shall enter the total cost thereof upon the tax roll as a special tax against said lot or parcel of land.

(4) If the cost of repair of any sidewalk in front of any lot or parcel of land does not exceed the sum of \$100, the Board of Public Works or the Director of Public Works may immediately repair such sidewalk, without notice or letting the work by contract, and shall charge the cost thereof to the owner of the lot or parcel of land, as provided in § 66.0907, Wis. Stats.

F. Storm sewer. (not included in this document...)

§ 12-2. Special assessment procedure.

A. Alternate method selected. As provided in § 66.0701, Wis. Stats., in addition to other methods provided by law, special assessments for any public work or improvement may be levied by alternate methods. The Council hereby elects to levy such special assessments as provided in this section.

B. Preliminary resolution. Whenever the Council shall determine that any public work or improvement shall be financed in whole or in part by special assessments levied under this section, it shall adopt a preliminary resolution setting forth the following:

(1) Its intent to exercise its police powers for the purpose of levying special assessments for the stated municipal purpose.

(2) The limits of the proposed assessment district.

(3) The time, either before or after completion of the work or improvement, when the amount of such assessments shall be determined and levied.

(4) The number of installments in which the special assessments may be paid or that the number of installments shall be determined after the public hearing required by Subsection D below and shall be included in the final resolution.

(5) The rate of interest to be charged on the unpaid installments or that the rate of interest will be determined after the public hearing required by Subsection D below and shall be included in the final resolution.

(6) The terms on which any of such assessments may be deferred while no use of the improvement is made in connection with the property or that such terms will be determined after the public hearing required by Subsection D below and will be included in the final resolution.

(7) The Director of Public Works shall prepare a report as required by Subsection C below.

C. Report of Director of Public Works.

(1) Whenever the Council, by preliminary resolution, directs the Director of Public Works to prepare a report, the Director of Public Works shall prepare a report consisting of the following:

(a) Preliminary or final plans and specifications for the public work.

(b) An estimate of the entire cost of the proposed work or improvement, except that when the Council determines by preliminary resolution that the hearing on such assessments shall be held subsequent to the completion of the work or improvement, the report shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of such costs.

(c) A schedule of the proposed assessments.

(d) A statement that each property against which the assessments are proposed has been inspected and is benefited, setting forth the basis for such benefit.

(2) Upon completion of the report, the Director of Public Works shall file a copy of the report with the Clerk-Treasurer.

D. Incorporation of statutory provisions. The provisions of § 66.0703, Wis. Stats., including those related to notice, hearing and the adoption of a final resolution, shall, to the extent not inconsistent with this section, apply to special assessments levied under this section.

E. Lien. Every special assessment levied under this section shall be a lien against the property assessed from the date of the final resolution of the Council determining the amount of such levy.