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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 & news media, that the following meeting will be held:

COMMITTEE: PUBLIC WORKS & PROPERTY COMMITTEE
DATE: January 5, 2023
TIME: 6:30 p.m.
LOCATION: Municipal Building Council Chambers, 136 N. Monroe Street (in-person or remote)

Join Zoom Meeting <https://us02web.zoom.us/j/89392197580?pwd=RXR6RWRQeDJxNGNRNjlkY1pINUZZQT09>
Meeting ID: 893 9219 7580 Passcode: 157238
Dial by phone: 1-312-626-6799 (Chicago)

COMMITTEE REGULARLY SCHEDULED MEETING

1. PLEDGE OF ALLEGIANCE, CALL TO ORDER AND ROLL CALL
2. APPROVAL OF MEETING MINUTES – December 1, 2022
3. CITIZEN INPUT / PUBLIC COMMENT (3 minutes per individual)
4. PROJECT OVERSIGHT & UPDATES
5. UNFINISHED BUSINESS
 - a. Dead or Hazardous Trees on Private Property
6. NEW BUSINESS
 - a. Hendricks Street Project – Update project to be completed in 2025
7. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS -- Committee Calendar
8. ADJOURNMENT

Jeanne Ritter
Clerk/Deputy Treasurer

Committee Members: Weihert, Petts and A. Kuhl

posted, e-mailed & distributed: 12/29/2022

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.

CITY OF WATERLOO
PUBLIC WORKS & PROPERTY COMMITTEE MEETING MINUTES: December 1, 2022
Digital audio files are archived with these written minutes additionally serving as the official record.

COMMITTEE REGULARLY SCHEDULED MEETING

1. PLEDGE OF ALLEGIANCE, CALL TO ORDER AND ROLL CALL. Weihert called the meeting to order at 6:30 pm. Committee members present: Petts, A. Kuhl & Weihert. Absent: none. Others in attendance: Maureen Giese, Mark Herbst, Alderperson Ron Griffin; Alderperson S. Cummings, Police Chief D. Sorenson; Utility Supervisor B. Sorenson DPW Yerges; Clerk Ritter.
2. APPROVAL OF MEETING MINUTES – November 3, 2022 [Petts/A. Kuhl] VOICE VOTE: Motion carried.
3. CITIZEN INPUT / PUBLIC COMMENT none
4. PROJECT OVERSIGHT & UPDATES – none
5. UNFINISHED BUSINESS
 - a. Request for a Sign at the City Cemetery. M. Giese spoke regarding proper signs. Motion [Petts/A.Kuhl] to approve Yerges to purchase appropriate designated cemetery sign for the Waterloo City Cemetery. VOICE VOTE: Motion Carried
 - b. Homeowner would like Street Light added back on Jefferson St. no action taken
 - c. Dead or Hazardous Trees on Private Property. Tabled [Weihert/Petts] VOICE VOTE: Motion carried.
6. NEW BUSINESS none
7. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS. Add Hendricks St to next agenda to discuss switching road from 2024 to 2025
8. ADJOURNMENT [A.Kuhl and Petts] VOICE VOTE: Motion carried. 6:57 pm

Jeanne Ritter
Clerk/Deputy Treasurer

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 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; wood disposal.

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

- A. 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.
- B. Wood disposal. Any wood from trees growing on City property, including tree lawns, which are designated by the City Forester to be cut and removed, shall be the property of the City and shall be disposed of appropriately or stacked and stored for the purpose of resale to the highest bidder. [Added 12-17-2020 by Ord. No. 2020-06]

§ 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 curb line 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.
- C. Trees planted in the public right-of-way shall be planted no closer than 40 feet to the nearest intersection or 10 feet to any driveway opening, buried cable or other utility. No permit will be issued if the tree lawn, defined as the public right-of-way between a public street and a public sidewalk, is less than six feet wide. Similarly, no permit will be issued for the planting of a tree beneath utility lines. [Added 220-2014 by Ord. No. 2014-02]

§ 332-4 Removal of trees and stumps; replacement of trees.

- A. 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.

B. If a tree is removed from a tree lawn less than six feet wide, a tree will be provided by the City at 50%

of the municipal cost to property owners and will be planted on the property owner's front lawn, providing that the Public Works Director determines that the property has sufficient front yard space to accommodate a tree. All municipally provided trees shall become the full responsibility of the property owner. [Added 2-20-2014 by Ord. No. 2014-02]

~~§ 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.

§332-7 Dead, diseased or hazardous trees on private property.

The City Forester or his/her designee has the authority to enter onto private property whereon there is located a tree, shrub, plant or plant part that is suspected to be public nuisance. Upon the discovery of any destructive or communicable disease, pestilence or hazardous condition which endangers the growth or health of trees, or threatens to spread disease or infestation, the City Forester shall at once cause written notice to be served upon the owner of the property upon which such diseased or infested tree is situated, and the notice shall require such property owner to: 1) submit to the City of Waterloo an agreement with a tree removal company to eradicate, remove or otherwise control such condition within 30 days of specified notice 2) have dead, diseased or hazardous tree removed within 90 days of submitted bid to the City 3) if steps 1 and 2 are not followed above within the set timeline see §332-6 Violations and penalties.

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§ 1-4 Violations and penalties.

- A. General penalty. Except as provided in Subsection **B** below, whenever so provided in this Code, any person who shall violate any of the provisions of this Code shall, upon conviction of such violation, be subject to a penalty, which shall be as follows: **[Amended 9-20-2007 by Ord. No. 2007-18]**
- (1) First offense. Any person who shall violate any provision of this Code subject to a penalty, except for parking violations, shall, upon conviction thereof, forfeit not less than \$10 nor more than \$500, plus costs, fees, and surcharges, and in default of payment of such forfeiture and costs of prosecution may be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days.
 - (2) Second offense. Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance shall, upon conviction thereof, forfeit not less than \$20 nor more than \$1,000 for each such offense, plus costs, fees, and surcharges, and in default of payment of such forfeiture and costs may be imprisoned in the county jail until said forfeiture and costs of prosecution are paid, but not to exceed six months.
- B. Penalty for minors. In the event proceedings are commenced against children aged 16 or older for violations of Chapters **133, 309, 346** and **350** of this Code, or children 14 years of age or older for other violations of this Code, except Chapters **133, 309, 346** and **350**, the provisions of §§ 48.37, 938.17(2), 938.237, 938.343 and 938.344, Wis. Stats., shall be applicable.
- C. Continued violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Code shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Code.
- D. Execution against defendant's property. Whenever any person fails to pay any forfeiture and costs of prosecution upon the order of the court for violation of any ordinance of the City, the court may, in lieu of ordering imprisonment of the defendant, or after the defendant has been released from custody, issue an execution against the property of the defendant for said forfeiture and costs.