



7. Review and consideration of amending Section 9-1-50 Private Well Abandonment and Permits Ordinance
8. Review and consideration of change order #2 for Omni Center boiler project.
9. Review and consideration of 2015 Pavement Surface Evaluation and Rating (PASER) for City streets
10. Review and consideration of releasing utility easement around Kurt Place
11. Review and consideration of 2016 - 2020 Capital Improvements Budget
12. Invitation to 2015 Comprehensive Plan Update open house
13. Pay Estimates: Strand Associates, Short Elliot Hendrickson Inc., Mathy Construction, Haas Sons, Olympic Builders, Steiger Construction, St. Joseph Construction, State of Wisconsin Department of Transportation and any other contractor/developer.
14. Adjournment

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

**Agenda Item:** #4

**Project/Item Name:** Venture Tool oxygen tank

**Location:** 1109 Venture Place

**Requested Action:** Discussion on use of right of way

**Staff Report/Description:** Venture Tool is requesting the use of public right of way to access proposed oxygen tank. Oxygen tank and equipment would be on private property. Fencing, concrete pad and bollards would be on public right of way. City attorney has drafted a possible lease for review at the meeting.

**Attachments:** E-mail, rendering, map and proposed lease

# LEASE AGREEMENT

**THIS LEASE**, made this \_\_\_\_ day of September, 2015, by and between the City of Onalaska (hereinafter called "Landlord") and Venture Machine & Tool, Inc. (hereinafter called "Tenant").

## WITNESSETH:

It is agreed by and between the parties, each in consideration of the covenants and agreements of the other:

1. The Leased Premises. Landlord hereby leases to Tenant and Tenant leases from Landlord the following: that portion of the Right of Way as shown on Exhibit A hereto adjacent to Venture Place in the City of Onalaska (the "Leased Premises"), together with non-exclusive rights of ingress and egress.

2. Use. Tenant may use the Leased Premises for housing, storage and maintenance of an oxygen tank, including fencing for security purposes around the oxygen tank which shall be required as a condition of this Lease.

3. Term of Lease. The term of this Lease shall commence on September 1, 2015 and continue until December 31, 2016 at which time the Lease shall automatically renew for one year terms unless either party cancels the lease upon forty-five (45) days written notice prior to renewal of the Lease (the "Term").

4. Rent. Tenant shall pay Landlord in advance on the first day of each calendar month during the term hereof a monthly rental of Five Hundred Dollars (\$500.00) per month. Said payments shall be made at the address of Landlord or at such other place as Landlord may from time to time designate by notice to Tenant.

5. Tenant to Comply with Laws. Tenant will not use or occupy the Leased Premises for any purpose other than for housing, storage, maintenance and security of an oxygen tank and in any event shall not use the Leased Premises for any unlawful purpose and will obey all present and future laws, ordinances, regulations and order of the United States, the City of Onalaska, County of La Crosse, and the State of Wisconsin, or any agency or subdivision thereof, relating to the Leased Premises, or which will increase the fire insurance rate on the building.

6. Subletting and Assignment. Tenant will not sublet the Leased Premises, or any part thereof, or transfer or assign this Lease without prior consent of Landlord, which consent shall not be unreasonably withheld; provided, however, that such consent shall not be necessary for assignment of sublease to an affiliate or wholly owned subsidiary of Tenant so long as the use of the Leased Premised will not change.

7. Landlord's Right of Entry. Landlord may, at reasonable times, enter the Leased Premised for inspection thereof, and within thirty (30) days of the end of the Term, or any extension thereof; provided that such entry shall not unreasonable interfere with Tenant's business operations.

8. Insurance. Landlord shall fully insure the Leased Premised for fire, other casualty and extended coverage. Tenant shall be responsible for providing any insurance coverage for Tenant's personal property, equipment or fixtures. Tenant shall carry Comprehensive Public Liability Insurance on the Leased Premises with limits of not less than One Million Dollars (\$1,000,000.00) for bodily injury and death and One Million Dollars (\$1,000,000.00) for property damage together with One Million Dollars (\$1,000,000.00) in umbrella coverage all on an occurrence basis. Tenant shall list the City of Onalaska and its officers, council members, agents, employees and authorized volunteers as additional insureds on their liability insurance policies covering the Lease Premises and shall provide the City of Onalaska with a Certificate of Insurance prior to the execution of this Agreement, and yearly thereafter during the term of the Lease. These certificates shall contain a provision that coverage afforded under the policies will not be canceled or non-renewed until at least 30 days prior written notice has been given to the City of Onalaska.

9. Personal Liability. Tenant agrees that Tenant shall be liable for any injury or damage to persons or property of Tenant, its invitees or licensees, and that Tenant will indemnify and hold Landlord harmless of and from any such liability related to the conditions or activities on the Leased Premises, except if caused by or resulting from the grossly negligent or intentional act of Landlord.

10. Damage or Destruction. If the Leased Premises be damaged or destroyed in whole or in part by fire or other casualty during the term hereof, Landlord will, at its expense, repair and restore the same to tenantable condition with reasonable dispatch or shall abate pro rata for the portion rendered un-tenantable, in case part only is un-tenantable, until the Leased Premises shall be restored to a tenantable condition; provided, however, that in case the property shall be destroyed to the extent of more than one-half of the then value thereof, Tenant may, at its option, terminate this Lease forthwith by notice to Landlord, if said notice is given within thirty (30) days of the casualty; provided further, that Landlord may, at its option, terminate this Lease forthwith upon notice to Tenant if the Leased Premises are not, in the Landlords discretion, able to be repaired in a reasonable period of time at a reasonable cost.

11. Defaults. If default is made by Tenant in payment of the rent or any other financial obligation under this Lease, or any part thereof, and such default shall continue for five (5) days after notice by Landlord to Tenant to pay the same, or either party shall be in default under any other provision of this Lease and such default shall continue to exist after receipt by the defaulting party of thirty (30) days notice thereof, Landlord may terminate this Lease and take possession of the Leased Premises (if Tenant be the defaulting party) or Tenant may terminate this Lease and surrender possession of the Leased Premises to Landlord (if Landlord be the defaulting party). Such termination of Lease shall be without prejudice to the right of recovering damages against the defaulting parry for breach of this Lease.

12. Quiet Possession. Landlord covenants that it has the right and title to make this Lease for the term thereof; it will put Tenant into complete and exclusive possession of the Leased Premises; and if Tenant shall pay the rental and perform all of the covenants, terms, and conditions of this Lease to be performed by Tenant, Tenant shall, during the term hereby created, freely, peaceably, and quietly occupy and enjoy the full possession of the Leased Premises, without molestation or hindrance from any source, other than condemnation.

13. Notices. All notices, consents, demand, presentation, and requests which may be or are required to be given by either party to the other shall be in writing and shall be sent by United States registered or certified mail, with return receipt required, addressed as follows:

TO LANDLORD: City of Onalaska  
Attn: Jarrod Holter, City Engineer  
415 Main Street  
Onalaska, WI 54650

TO TENANT: Venture Machine & Tool, Inc.  
Attn:  
1109 Venture Place  
Onalaska, WI 54650

The date shown on the return receipt as the date on which said registered or certified mail is received by the addressee shall be conclusively deemed to be the date on which a notice, consent, demand, presentation, or request is given or made. A party's address may be changed at any time or from time to time by notice given to the other party as herein provided.

14. Improvements or Remodeling. The Tenant accepts the Leased Premises AS IS. Future costs for improvements or paving will be paid by Tenant. All alterations must be approved by Landlord, which approval shall not be unreasonable withheld, conditioned or delayed. In the event Tenant desires to make any additions or changes to the Leased Premises or improvements on the Leased Premises, it may do so after securing the written consent of Landlord. Prior to termination of the Lease, Tenant shall remove all improvements and return the property to its original condition, in the event that Tenant fails to remove all improvements and return the property to its original condition prior to termination of the Lease, Landlord shall remove all the improvements and return the property to its original condition and shall charge the actual cost of such a removal plus a 15% administrative fee to the Tenant.

15. Waiver. One (1) or more waivers of any provision of this Lease by either party shall not be construed as a waiver of a further breach of the same provision.

16. Remedies Not Exclusive. Each of the rights, remedies, and benefits provided by this Lease shall be cumulative and shall not be exclusive of any other of said rights, remedies, and benefits, or of any other rights, remedies, and benefits allowed by law.

17. Binding Effect. The obligation and rights under this Lease shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

18. Headings. Any headings preceding the text of the paragraphs hereof are inserted solely for convenience of reference and shall not constitute a part of this Lease or affect its meaning, construction or effect.

19. Entire Agreement. This Lease Agreement constitutes the entire agreement of the parties hereto, and no representations, inducements, promises, or agreements, oral or otherwise, between the parties, not embodied herein, shall be of any force or effect.

20. Applicable Law. This Lease shall be construed in accordance with the laws of the State of Wisconsin as a Wisconsin contract.

**IN WITNESS WHEREOF**, this Lease is hereby executed the day and year first above written.

Landlord

Tenant

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Cari Burmaster, City Clerk

The form of this Agreement has been reviewed and approved by the Onalaska City Attorney provided the Agreement is fully executed on or before September 30, 2015.

\_\_\_\_\_  
Sean O'Flaherty, City Attorney

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

**Agenda Item:** #5

**Project/Item Name:** Urban Forestry Grant

**Location:** Citywide

**Requested Action:** Approval of grant submission & Resolution

**Staff Report/Description:** City staff has been preparing the 2016 Urban Forestry Grant submittal. The City will be applying for \$25,000 grant for Urban Forestry activities.

**Attachments:** Grant overview & Resolution

**Notice:** Pursuant to US Public Law 95-313, s. 6(b), s. 23.097, Wis. Stats., and ch. NR 47, Wis. Adm. Code, this form is required to be completed to apply for an Urban Forestry Grant. The Department will be unable to process your application unless complete information is provided as requested. Information will be used to determine grant award lists, provide statistical information and potentially to use as an example for other grant applicants. Personally identifiable information collected will be used for administrative purposes and may be provided to requesters to the extent required by Wisconsin's Open Records Law [ss. 19.31-19.39, Wis. Stats.].

Grant is for calendar year **2016**

Resolution required with application submittal - see sample

**Section I: Applicant Information**

(Note to co-applicants: Submit one Section I page for each applicant. Omit any duplicate information.)

Applicant Organization Name

City of Onalaska

Applicant organization is a (check one)

- City  Village  Town  County  Tribal Government  501(c)(3) nonprofit organization

Located in the county of: La Crosse

~~DNR USE ONLY~~  
 Region: WI

**A. Applicant Authorized Representative**

Last Name		First Name		MI	Position Title
Chilsen		Joe			Mayor
Organization Address (same as Treasurer or W9)			Phone Number		FAX Number
415 Main Street			(608) 781-9530		(608) 781-9534
City		State	ZIP Code	E-mail	
Onalaska		WI	54650	jchilsen@cityofonalaska.com	

**B. Project Manager (if different from Authorized Representative)**

Last Name		First Name		MI	Position Title
Meyer		Katie		L	Planner   Zoning Inspector
Address			Phone Number		FAX Number
415 Main Street			(608) 781-9590		(608) 781-9506
City		State	ZIP Code	E-mail	
Onalaska		WI	54650	kmeyer@cityofonalaska.com	

**C. Grant Request Summary: will automatically be populated from Section IV: Calculations**

Grant Request (box E):	Match (box F):	Total Project Cost (box A):
25,000.00	25,500.00	50,500.00

**Section II: Project Description**

**A. Project Overview**

Descriptive Project Title: Onalaska, WI – Treatment and Replacement of Ash Trees and Phased Inventory Update

Describe the project using no more than 2000 characters (including spaces). Provide a thorough but succinct overview that includes basics of who is doing what, where, how and why. Emphasize the expected outcomes (results) of your project.

The City of Onalaska’s Common Council adopted an EAB Action Plan in spring 2014 which identifies a plan for tree replanting, removal, and treatment for Onalaska boulevards, parks, and cemetery on a 3-year project schedule. In 2014-2015, the City removed nearly 650 ash trees in the northern portions of the City and replanted a total of 400 trees. Due to these activities, the City is scheduled to update the 2009 Urban Forest Inventory in the northern portion of Onalaska in 2015. The City of Onalaska is seeking grant funds to assist with Phase 2 of completing the 3-year EAB Action Plan. In 2016 the City of Onalaska is scheduled to begin the second year of ash removal in the City center. After removals, to rehabilitate the City’s urban forest, the City is planning an aggressive replanting program in the City Center and in turn, a second update to the Urban Forest Inventory is necessary. As tree diversity and preservation is a priority for the City of Onalaska, 30 trees located in City Parks, City Cemetery, and at City Hall are proposed for EAB-Insecticide Treatment in 2016. The total estimated cost for Phase 2 is \$75,000 and includes updating the 2009 Urban Forest Inventory in the City Center, treatment of 30 ash trees, and the planting of 95 trees in City boulevards. The City of Onalaska is requesting \$25,000 grant award from the WDNR to update the inventory, complete EAB-Insecticide Treatment, and replant approximately 34 trees in City boulevards, in efforts to improve and diversify our urban tree canopy. The City’s match of \$25,000 will include labor and equipment to treat 30 ash trees and contract the installation of 61 trees on City boulevards. This project in the City Center aligns with La Crosse County’s efforts to improve biodiversity in Onalaska’s City Center, which has the lowest assessed value homes in Onalaska. The proposed grant project’s efforts will bring about a more diverse and healthy environment for lower income residents in this project area.

<b>B. Project Components</b> <small>Choose from the dropdown boxes below. Use the "OTHER" choice to type in alternatives. (See a list of eligible project activities in the application guide)</small>	Describe each project component: • What are you doing? Why? • What are the expected outcomes (results)? • How will expected outcomes be measured, evaluated or shared? (Click the Add Row button as necessary for additional project components)  <b>Note:</b> Complete a separate Cost Estimate Worksheet (CEW) in Section IV for each project component listed below. Use the CEW to itemize the cost of the component and transfer the total from the CEW to the right-hand column below.			Component Cost Estimate (\$) (provide detail on CEW)
Inventory	Measure (unit):  tree	Target Measure (# of units):  1,300	Expected Outcome (brief description) 1. Update portion of inventory for City Use. 2. Complete Ecosystems Services Report.	
Description: Inventory approximately 1,300 trees in City Center and complete Ecosystems Services Report for public education purposes.				\$8,500.00
Emerald Ash Borer Insecticide Treatment	Measure (unit):  tree	Target Measure (# of units):  30	Expected Outcome (brief description) 1. Preservation of public ash trees.	
Description: Complete EAB-Insecticide Treatment for 30 trees located in City Parks, City Cemetery, and City Hall property.				\$3,000.00

**RESOLUTION 38-2015**

**RESOLUTION TO AUTHORIZE THE CITY OF ONALASKA TO FILE FOR THE  
WISCONSIN DNR 2016 URBAN FORESTRY GRANT**

**WHEREAS**, the applicant, City of Onalaska, is interested in obtaining a cost-share grant from Wisconsin Department of Natural Resources for the purpose of funding urban and community forestry project specified in s. s. 20.370 (5) (bw), Wis. Stats., Chapter NR 47, Wis. Admin. Code,

**WHEREAS**, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

**WHEREAS**, the applicant requests a grant agreement to carry out the project;

**NOW, THEREFORE, BE IT RESOLVED**, the applicant, City of Onalaska, will comply with all local, state and federal rules, regulations and ordinances relating to this project and the cost-share agreement;

**BE IT FURTHER RESOLVED**, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and the Common Council of the City of Onalaska **HEREBY AUTHORIZES** Mayor Joe Chilsen, its official, to act on its behalf to:

1. Sign and submit the grant application;
2. Sign a grant agreement between applicant and the DNR;
3. Submit interim and/or final reports to the DNR to satisfy the grant agreement;
4. Submit grant reimbursement request to the DNR; and
5. Sign and submit other required documentation.

Adopted this 8<sup>th</sup> day of September, 2015.

I hereby certify that the foregoing resolution was duly adopted by the Onalaska Common Council at a legal meeting on the 8<sup>th</sup> day of September, 2015.

CITY OF ONALASKA

By: \_\_\_\_\_  
Name: Joe Chilsen  
Title: Mayor

By: \_\_\_\_\_  
Name: Caroline Burmaster  
Title: City Clerk

PASSED:  
APPROVED:  
PUBLISHED:

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

Agenda Item:

#6

Project/Item Name:

Tree & Shrub ordinance

Location:

Citywide

Requested Action:

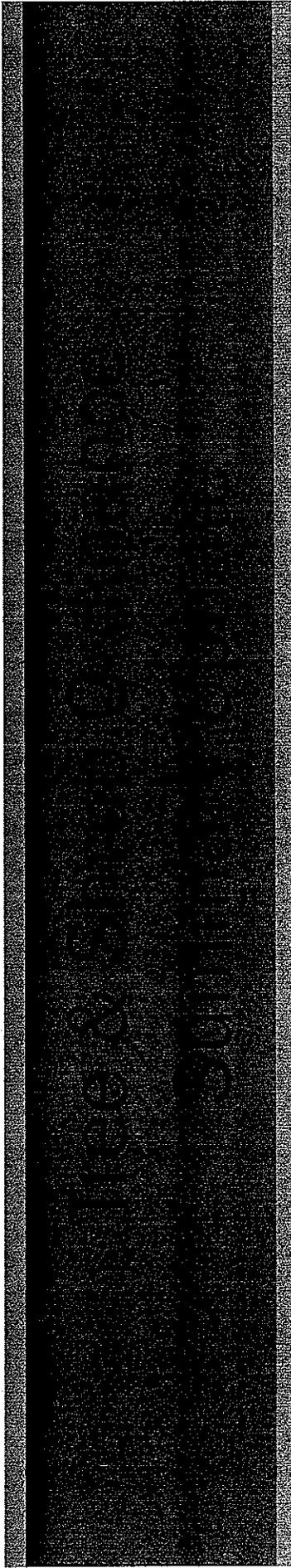
Approval of updated ordinance

Staff Report/Description:

City staff has been working on updates to the City tree & shrub ordinance. Katie Meyer will be giving a presentation on the ordinance updates and forestry accomplishments.

Attachments:

Presentation & proposed ordinance



**September 1, 2015**

**Board of Public Works**

# Ordinance Amendments

- Ordinance Removals:
  - Tree Permit for planting, removal, or maintenance activities.
  - References to specific tree diseases.
- Provide Updated Standards:
  - Tree Planting;
  - Tree Maintenance (trimming); and
  - Stump Grinding.
- Excavation Notification / Permit Requirement:
  - City notification if projects may impact public trees (as part of Street Opening / Work in Right-of-Permit) and if damaged, City may assess fees.

# Ordinance Amendments Cont'd

- Process to abate public nuisances & assess associated costs:
  - On public properties/ areas or public ways
  - On private property
- Violations
- Emergencies
- Severability
- Arboricultural Standards

# 2014-2015 Successes

- Spring 2014:
  - City designated as Tree City for 14<sup>th</sup> year.
  - City Adopted EAB Action Plan.
  - 100 trees planted in City cemetery, boulevards, and along County OS/East Main Street.
- Fall 2014/Winter 2015:
  - Removal of over 650 ash tree (Streets Dept.).
  - Grant awards from WDNR & La Crosse Community Foundation for tree planting (\$44,000.00 dollars).

# 2014-2015 Successes

- Spring 2015:
  - City designated at Tree City USA for 15<sup>th</sup> year.
  - Arbor Day Celebration with Irving Pertzsch elementary students (planting of 8 trees at City Hall).
  - 400 trees planted along boulevards and County OS/East Main Street.
- Fall 2015/Winter 2016:
  - Planned removal of 550 ash tree (Streets Dept.).
  - Planned Grant-writing to WDNR & La Crosse Community Foundation for tree planting, inventory update, and treatment of ash trees.
  - Partial Tree Inventory Update.

## Chapter 4

### Trees and Shrubs

- 6-4-1 Statement of Policy and Applicability of Chapter
- 6-4-2 Definitions
- 6-4-3 Staff Forester
- 6-4-4 Interference with Staff Forester Prohibited
- 6-4-5 Abatement of Public Nuisances, Dangerous, Obstructive, and Infective Trees
- 6-4-6 Assessment of Costs of Abatement
- 6-4-7 Maintenance and Removal of Trees and Shrubs in Public Ways or Public Properties/Areas
- 6-4-8 Planting of Trees and Shrubs
- 6-4-9 Trimming
- 6-4-10 Trees and Shrubbery Obstructing View at Intersections or View of Traffic Signs
- 6-4-11 Prohibited Acts
- 6-4-12 Appeal from Determinations and Orders
- 6-4-13 Adoption of State Statutes
- 6-5-14 Violations
- 6-5-15 Emergencies
- 6-5-16 Severability
- 6-5-17 Arboricultural Standards

#### **Sec. 6-4-1 Statement of Policy and Applicability of Chapter.**

- (a) **Intent and Purpose.** It is the policy of the City to regulate and establish policy for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all public areas and terrace areas of the City to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the City; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs both public and private within the City against the spread of disease, insects or pests.
- (b) **Application.** The provisions of this Chapter shall apply to trees and shrubs growing or hereafter planted in or upon public areas and terrace areas and also to all trees and shrubs growing or to be planted in or upon any private premises which shall threaten the life, health, safety or welfare of the public or of any public areas.

#### **Sec. 6-4-2 Definitions.**

Whenever the following words or terms are used in this Chapter, they shall be construed to have the following meanings:

- (a) **Boulevard or Terrace Areas.** The land between the typical location of the street edge or curbing and the street right-of-way. Where there is no curb and gutter, the edge of the road

way (pavement or gravel) to the right-of-way line shall be deemed to be a boulevard for the purpose of this Chapter. "Boulevard" shall have the same meaning as "terrace". Where there are no sidewalks, the area from the curbing or edge of street to the right-of-way line shall be deemed boulevard areas under this Chapter.

- (b) **Critical Root Radius (CRR).** 1.5 feet for every diameter inch at diameter at breast height (DBH), as relating to excavations near trees.
- (c) **Evergreen Tree.** Any woody plant normally having one stem or trunk and bearing foliage in the form of needles and crowns which extend from ground level throughout its entire height.
- (d) **Frames.** A device used to stabilize or provide protection to a tree. May include staking materials, blocks, or other landscaping materials around the base of a tree.
- (e) **Major Alteration.** Trimming a tree beyond one-third (1/3) of the crown.
- (f) **Person.** Person, firm, association or corporation.
- (g) **Public Nuisance.** Any deleterious or fatal tree disease. Any tree or shrub or part thereof which, by reason of its condition and location, is hazardous and/or interferes with the use of any public property/area or public ways; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.
- (h) **Public Properties/Areas.** Land owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, recreation areas, park ways, common open spaces, greenways, forests, conservancies and other lands owned or leased by the City under the authority of the Parks and Recreation Board.
- (i) **Public Trees and Shrubs.** All trees and shrubs located or to be planted in or upon public areas.
- (j) **Public Ways.** All public streets, roads, right-of-ways, boulevards, terraces strips between public lot lines and curbs, alleys, sidewalks, cemeteries, and other lands owned or leased by the City and under the authority of the Board of Public Works.
- (k) **Shrubs.** Any woody vegetation or a woody plant having multiple stems and bearing foliage from the ground up.
- (l) **Staff Forester.** Person designated by the Parks and Recreation Board and the Board of Public Works as authorized to carry out provisions of this Chapter
- (m) **Top, Topping.** The severe cutting back of limbs to stubs within the tree crown to such a degree so as to remove normal canopy and disfigure the tree.
- (n) **Tree.** Any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of sixteen feet or more.
- (o) **Urban Forest.** The collection of trees in and around the City, including park and street trees on public property and on private property.

#### **Sec. 6-4-3 Staff Forester.**

- (a) **Parks and Recreation Board Appointment.** The Parks and Recreation Board may designate a municipal employee(s) or citizen(s) to perform the duties of Staff Forester under Chapter 27.09, Wis. Stats., and may authorize such Staff Forester to perform the duties and exercise the powers imposed by this Chapter. The Staff Forester shall have the following general powers and duties:

- (1) To direct, manage, supervise, and control the planting, removal, maintenance, protection of all trees and shrubs on all public properties/areas; to supervise Park Department personnel in the planting, removal, maintenance, and protection of said trees and shrubs.
  - (2) To guard all trees and shrubs within the City located on public areas so as to prevent the spread of disease or pests and to eliminate dangerous conditions which may affect the life, health or safety of persons or property.
  - (3) Such other powers and duties as are provided by the laws of Wisconsin, particularly Sections 27.08 and 27.09, Wis. Stats., by ordinance of the City and by the Parks and Recreation Board.
- (b) **Board of Public Works Appointment.** The Board of Public Works may designate a municipal employee(s) or citizen(s) to perform the duties of Staff Forester under Chapter 27.09 of Wisconsin State Statutes and may authorize such Staff Forester to perform the duties and exercise -the powers imposed by this Chapter. The Staff Forester shall have the following general powers and duties:
- (1) To direct, manage, supervise, and control the planting, removal, maintenance, and protection of all trees and shrubs on all public ways; to supervise Street Department personnel in the planting removal, maintenance, and protection of said trees and shrubs.
  - (2) To guard all trees and shrubs within the City located on public ways so as to prevent the spread of disease or pests and to eliminate dangerous conditions which may affect the life, health or safety of persons or property.
  - (3) To enforce this ordinance as it pertains to trees and shrubs on private premises.
  - (4) Such other powers and duties as are provided by the laws of Wisconsin, particularly Sections 27.08 and 27.09 and the ordinances of the City and policies of the Board of Public Works.
- (c) **Right-of-Entry.** The Staff Forester or other authorized City representatives may enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this Chapter. If a request to inspect such trees or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to Sec. 66.0119, Wis. Stats.
- (d) **Inspection.** The Staff Forester may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The Staff Forester may also inspect or cause the inspection of any tree reported to be public nuisance or suspected to be infested with a deleterious or fatal tree disease or any part of a tree bearing materials reported or suspected to be infested.
- (e) **Maintenance/Removal.** Staff Forester or other authorized agent may trim, prune, or remove a tree or shrub located on or hanging into public properties/areas and public ways as necessary as determined by the Staff Forester, due to disease, damage, hazardous condition and/or location, public nuisance, or if it's location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Staff Forester shall cause maintenance and/or removal of a tree or shrub on private premise (as Per Section 6-4-5).

#### **Sec. 6-4-4 Interference with the Staff Forester Prohibited.**

No person shall interfere with the Staff Forester or authorized representative while Staff Forester is engaged in carrying out any work or activities authorized by this Chapter. (Refer to Section 6-4-3 (c).)

#### **Sec. 6-4-5 Abatement of Public Nuisances, Dangerous, Obstructive and Infective Trees.**

- (a) **Tree Diseases as a Public Nuisance.** Whereas the Common Council has determined that there are many trees growing on public and private premises within the City, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases, the Common Council hereby declares its intention to control and prevent the spread of disease and the insect pests and vectors which carry such diseases to be public nuisances.
- (b) **Inspection.** The Staff Forester may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The Staff Forester may also inspect or cause the inspection of any tree reported or suspected to be infested with a nuisance diseases or any part of a tree bearing materials reported or suspected to be infested.
- (c) **Abatement of Nuisances; Duty of Staff Forester.**
- (1) The Board of Public Works or Parks & Recreation Board, upon the recommendation of the Staff Forester, shall order, direct, supervise and control the abatement of public nuisances on public properties/areas or public ways as defined in this Section by removal, burning or by other means which it determines to be necessary to prevent as fully as possible the spread of public nuisances, other deleterious tree diseases or the insect pests or vectors known to carry such diseases.
  - (2) Any tree or part thereof, whether alive or dead, which the Staff Forester finds to be infested, hazardous or a nuisance so as to be a public nuisance, endanger the public or other structures, trees, plants or shrubs, shall be removed, trimmed or treated by the owner of the property. The Staff Forester shall give written notice to said owner to remedy the situation. Such notice shall describe the public nuisance and recommend procedures for its removal or abatement and shall specifically state the period of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the Staff Forester on the basis of the seriousness of the condition of the tree and/or danger to the public. The notice shall state that unless the owner abates the public nuisance in the manner specified in the notice, or appeals to the Board of Public Works to show that such nuisance does not exist or does not endanger the health of trees in the City, the Board of Public Works shall cause the abatement thereof and the property shall be special assessed for the work completed plus an administrative fee.
  - (3) If the owner shall fail to remove, treat or trim said tree within the specified timeframe, the Staff Forester may cause the tree to be removed, treated or trimmed by order of the Board of Public Works and the property shall be special assessed for the work completed in addition to an administrative fee.

- (4) Prior to the Staff Forester causing the work to be completed, the Board of Public Works shall determine if a public nuisance exists on private property in the City and determine the method to abate or cause the abatement of such nuisance in a manner as to remove the tree or bush or to destroy or prevent as fully as possible the spread of public nuisances, other deleterious tree diseases, or the insect pests or vectors known to carry such disease.
- (5) If the property owner appeals to the Board of Public Works and the appeal to halt the abatement fails, the Board of Public Works shall order the immediate abatement thereof. Unless the property owner abates the nuisance as directed within five (5) days after such appeal, the Board of Public Works shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property, including an administrative fee, in accordance with the procedures provided in this Section. The Board of Public Works may extend the time allowed the property owner for abatement work, but not to exceed ten (10) additional days.

#### **Sec. 6-4-6 Assessment of Costs of Abatement.**

- (a) The entire cost of abating any public nuisance as defined herein may be charged to and assessed against the parcel or lot abutting on the street, alley, terrace, boulevard or parkway upon or in which such tree is located or the parcel or lot upon which such tree stands, at the direction of the Board of Public Works and Common Council in accordance with Section 66.0627 or Section 27.09, Wis. Stats.
- (b) The cost of abating a public nuisance located on private premises shall be special assessed to the property on which such public nuisance is located, as follows: (1) The Staff Forester shall keep a strict account of the cost of such work and the amount chargeable to each lot or parcel and shall report such work, charges, description of lands to which charged and names and addresses of the owners of such lands to the Board of Public Works and subsequently the Common Council on or before October 15 of each year.
- (2) Upon receiving the Board of Public Works' report, the Council shall hold a public hearing on such proposed charges, giving at least fourteen (14) days' advance notice of the time, place and purpose of such hearing to interested persons by publication in a newspaper of general circulation in the municipality and by mail to the owner of each property proposed to be charged. Each property owner shall be notified of the amount proposed to be assessed against his premises and the work for which such charge is being made.
- (3) After such hearing, the Common Council shall affirm, modify and affirm or disapprove such assessments by resolution and shall cause a copy thereof to be published. Upon adoption and publication of such resolution, assessments made thereby shall be deemed final.
- (4) The City Clerk shall mail notice of the amount of such final assessment to each owner of property assessed at his last-known address, stating that, unless paid within thirty (30) days of the date of the notice, such assessment will be entered on the tax roll as a tax against the property, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such assessment.
- (5) The City hereby declares that, in making assessments under this Section, it is acting under its police power, and no damages shall be awarded to any owner for the

destruction of any diseased or infested tree or wood or part thereof.

**Sec. 6-4-7 Maintenance and Removal of Trees and Shrubs in Public Ways or Public Properties/Areas.**

- (a) No person, firm, organization or corporation shall remove, damage, perform major alterations on or destroy a tree or shrub in public ways or public properties/areas or cause such act to be done by others unless authorized in writing by the Staff Forester.
- (b) In cutting down trees located in public and terrace areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least eight (8) inches below grade measured in a straight line with the normal grade of sidewalk to top of eight (8) inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil and seeded as soon as practicable.
- (c) Public Utilities shall notify the Staff Forester prior to removal, trimming, pruning, etc., of any public tree or shrub in public ways or on public properties/areas in the City.
- (d) Any landscaping installed at the base of a public tree or shrub may be removed at the discretion of the City.

**Sec. 6-4-8 Planting of Trees and Shrubs.**

- (a) **Purpose.** The Common Council hereby states its determination that the planting, care and protection of the trees within the City is desirable for the purposes of beauty, shade, comfort, stormwater runoff, noise abatement and economic betterment, and hereby encourages all persons to assist in a program of tree planting, care and protection.
- (b) **Tree Planting Program.** The Staff Forester shall establish a program for tree planting, care and protection for public properties/area and public ways. The Common Council shall also encourage the planting, care and protection of trees and shrubs on private premises within the City. Planting of trees in the terrace areas shall be according to the City approved tree planting list, as kept on file with the Staff Forester.
- (c) **Planting.**
  - (1) The size and genus, species and variety of trees and shrubs to be planted in public ways shall be consistent with the City's recommended tree species list on file with the City Forester, and following planting requirements listed herein. The City at its discretion may remove any trees planted in public ways.
  - (2) Prior to any tree or shrub planting in public properties/areas, the City Forester designated by the Parks & Recreation Board shall first be consulted regarding the size and genus, species and variety of trees and shrubs to be planted as well as the manner of planting. The City at its discretion may remove any trees planted in public properties/areas.
  - (3) There shall be a minimum distance of fifteen (15) feet and a recommended distance of twenty-five (25) to thirty (30) feet between terrace area trees depending upon the size of tree and other factors. Terrace trees shall be planted equal distance between the sidewalk or proposed sidewalk and back of the curb or proposed back of curb. In terrace areas less than five (5) feet wide, planting will not be permitted. Terrace area trees shall be a minimum of twenty (20) feet from an intersection.

- (4) Evergreen trees shall not be planted in a terrace area.
  - (5) It shall be unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree within terrace areas whose growth is in excess of thirty (30) inches in height above the top of the nearest curb.
  - (6) Tree grates, where required, shall be provided for terrace trees surrounded by concrete by the adjacent property owner and shall be level with adjacent concrete.
  - (7) Trees or shrubs shall not be planted closer than two and a half (2.5) feet to any sidewalk or curb. Where sidewalks are not installed, trees or shrubs shall be planted in a manner to allow for future sidewalk improvements.
  - (8) All new required shade trees must be a minimum of one and one-half inch (1-1/2") diameter caliper at the time of planting. All new required evergreen trees must be a minimum of six feet (6) high when planted, except for low creeping shrubs.
  - (9) For all new subdivisions and commercial developments, developers shall install one (1) tree per twenty-five feet (25') of street frontage on boulevard or street frontage prior to issuance of occupancy permits.
  - (10) Placement of Trees. Trees may not be planted in the boulevard closer than:
    - (a) Twenty (20) feet to a utility or street light pole;
    - (b) Fifteen (15) feet to a driveway or alley;
    - (c) Six (6) feet to a water stop box, or gas shut off;
    - (d) Ten (10) feet to a fire hydrant.
    - (e) Fifteen to thirty (15-30) feet to another tree; or
    - (f) Twenty (20) feet to the intersection of two (2) streets from either corner on the property line.
- (d) **Unlawfully Planted Trees.** Trees or shrubs planted within any terrace or planting easement without the authorization and approval of the Staff Forester may be removed. The Staff Forester shall notify the abutting owner in writing, listing the unlawfully planted trees or shrubs, ordering their removal, and establishing a reasonable time within which such removal shall be accomplished. In the event that removal is not to be accomplished within the time specified, the City may remove such trees, plants or shrubs and assess the costs thereof to the owner.
- (e) **Frames.** Any person, adjacent to whose land any public tree or shrub is growing in public ways or public property/areas, may, for the propose of protecting such tree or shrub, surround the same with a suitable box or frame or staking for protection, but all such work should be performed under the supervision and direction of the Staff Forester. The City may at its discretion remove frames or landscaping located in public ways or on public properties/areas.

#### **Sec. 6-4-9 Trimming.**

- (a) Trees and shrubs standing in or upon any boulevard, public way, public property/area or upon any private premises adjacent to any public way or public property/areas shall be kept trimmed so that the lowest branches projecting over the public way provide a clearance of not less than fourteen (14) feet. The Staff Forester may waive the provisions of this Section for newly planted trees if the Staff Forester determines that the trees(s) do not interfere with public travel, obstruct the light of any street light or endanger public safety.

- (b) The necessity of pruning shall be determined by and may be ordered by the Staff Forester to be completed.
- (c) Clearance from sidewalk to lower branches shall not be less than ten (10) feet. All trees standing upon private property in the City, the branches of which extend over the line of the street, shall be trimmed so that no branch shall grow or hang over the line of the sidewalk lower than ten (10) feet above the level of the sidewalk. No tree shall be permitted to grow in such a manner as to obstruct the proper diffusion of light from any public lamp.
- (d) No person may trim public trees on public ways or public properties/area unless work is completed by a licensed arborist or designated agent of the City. Trimming or pruning of more than one-third (1/3) of the crown of trees in public ways or on public properties/areas shall be considered to be a major alteration and shall receive approval from the Staff Forester prior to completion of the work. No person may remove trees in public ways or public properties/areas unless issued written authorization by the City Forester.

**Sec. 6-4-10 Trees and Shrubbery Obstructing View at Intersection or View of Traffic Signs.**

- (a) Notwithstanding any other provision of this Chapter, no person shall maintain, plant or permit to remain on any private or public premises situated at the intersection of two (2) or more streets or alleys in the City any tree, shrub or other growth which may obstruct the view or life safety of the operator of any motor vehicle or pedestrian approaching such intersection.
- (b) It is unlawful for any person to plant, cause to grow, allow to grow or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign or driveway approach to a street in the City. It shall be the duty of every owner of such tree, bush, shrubbery or vegetation to remove such obstruction.
- (c) Any shrub, tree or other plant which obstructs the view at an intersection or the view of a traffic sign shall be deemed to be dangerous to public travel or life safety. The Staff Forester shall notify the abutting owner in writing, listing the planted trees, plants or shrubs, ordering their trimming/removal, and establishing a reasonable time within which such trimming/removal shall be accomplished. In the event that trimming/removal is not accomplished within the time specified, the Board of Public Works may order the trimming/removal such trees, plants or shrubs and property shall be special assessed for the work completed in addition to an administrative fee.

*Cross Reference: Traffic Visibility- Section 13-7-13.*

**Sec. 6-4-11 Prohibited Acts.**

- (a) **Damage to Public Trees.** No person shall perform or cause to be performed by others any of the following acts:
  - (1) Secure, fasten or run any rope, wire sign, unprotected electrical installation or other device or material to, around or through a tree or shrub.
  - (2) Break, injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.

- (3) Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place concrete/asphalt or other solid substance around the base of the same.
- (4) Remove any guard, stake, tree gator bag or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
- (5) Attach any sign, poster, notice or other object on any tree, or fasten any guy wire, cable, rope, nails, screws or other device to any tree; except that the City may tie official regulatory temporary signs to trees when necessary in conjunction with street improvement work, tree maintenance work or parades.
- (6) Cause or encourage any fire or burning near or around any tree.
- (7) It is prohibited to plant trees that reach a maximum, mature height of greater than twenty-five (25) feet underneath any overhead utility line.

(b) **Excavations.**

- (1) All trees on any parkway or other publicly owned property near any excavation or construction of any building structure or street work shall be sufficiently guarded and protected by those responsible for such work as to prevent any injury to said trees. No person shall excavate any ditches, tunnels or trenches, or install pavement within a radius of ten (10) feet from any public tree without a Street Opening / Work in Right-of-Way Permit from the Engineering Department. Any person seeking a permit to excavate near a tree in a public street, alley, highway, or boulevard shall submit a written proposed plan to the Engineering Department as part of the permit application with clear and specific identification of the trees in a public street, alley, highway or boulevard which the person is targeting for excavation. The identification shall include the name and block number(s), address(s) of the street(s) on which the trees are located.
- (2) The Staff Forester has the authority to approve or deny the permit and assess violations as outlined in this Chapter if the work is not performed in accordance with accepted arboricultural standards. Any public tree that is damaged to the extent of not gaining full recovery in the opinion of the Staff Forester will be replaced through payment from the person causing the damage. Cost will be the value as determined in the City Tree Inventory, if the tree is not part of an inventory the cost will equal \$200/inch measured at diameter breast height or 4.5 feet from ground level.

**Sec. 6-4-12 Appeal from Determinations or Orders.**

Any person who receives a determination or order under this Chapter from the Staff Forester or Board of Public Works or the Parks and Recreation Board and objects to all or any part thereof shall have the right to appeal such determination or order, subject to the provisions of Chapter 68, Wis. Stats., to the Board of Public Works and/or Parks & Recreation Board within seven (7) days of receipt of the order. The Board of Public Works and/or Parks & Recreation Board shall hear such appeal within forty-five (45) days of receipt of written notice of the appeal. After such hearing, the Common Council may reverse, affirm or modify the order or determination appealed from and the grounds for its decision shall be stated in writing. The Common Council shall, by letter, notify the party appealing the order or determination of its decision within ten (10) days.

after the hearing has been concluded. The Council shall file its written decision with the City Clerk.

**Sec. 6-4-13 Adoption of State Statutes.**

Sections 27.09 and 86.03, Wis. Stats., are hereby adopted and incorporated herein by reference.

*State Law Reference:* Sections 27.09 and 86.03, Wis. Stats.

**Sec. 6-4-14 Violations.**

Any person, firm or corporation violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a forfeiture between fifty (\$50.00) and five hundred (\$500.00) dollars. Each day that such violation is not remedied, shall be considered a separate offense.

**Sec. 6-4-15 Emergencies.**

The Staff Forester, in the case of emergencies, such as windstorms, ice storms, insect/disease outbreaks or other disasters, may waive the requirements of this Ordinance so that private or public work to restore order in the City is in no way hindered.

**Sec. 6-4-16 Severability.**

Should any section, subsection, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance in whole or in any part thereof other than the part so declared to be invalid.

**Sec. 6-4-17 Arboricultural Standards.**

All work performed must be performed in compliance of accepted arboricultural standards.

ORDINANCE NO. -2015

AN ORDINANCE TO AMEND CHAPTER 4 OF TITLE 6,  
SECTION 50 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA  
RELATING TO TREES AND SHRUBS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS

FOLLOWS:

SECTION L Title 6, Chapter 4 of the City of Onalaska Code of Ordinances related to the  
Trees and Shrubs is hereby deleted in its entirety and replaced as follows:

## **Chapter 4**

### **Trees and Shrubs**

- 6-4-1 Statement of Policy and Applicability of Chapter
- 6-4-2 Definitions
- 6-4-3 Staff Forester
- 6-4-4 Interference with Staff Forester Prohibited
- 6-4-5 Abatement of ~~Tree Disease~~ Public Nuisances, Dangerous, Obstructive, and Infective  
Trees
- 6-4-6 Assessment of Costs of Abatement
- 6-4-7 ~~Planting, Maintenance and Removal of Trees and Shrubs in Public Ways or Public  
Properties/Areas~~
- 6-4-8 Planting of Trees and Shrubs
- 6-4-9 Trimming
- 6-4-10 Trees and Shrubbery Obstructing View at Intersections or View of Traffic Signs  
~~View of Traffic Signs~~
- 6-4-11 Removal of Trees and Stumps
- 6-4-12 Prohibited Acts
- 6-4-13 ~~12~~ Appeal from Determinations and Orders
- 6-4-14 ~~13~~ Adoption of State Statutes
- 6-5-14 Violations
- 6-5-15 Emergencies
- 6-5-16 Severability
- 6-5-17 Arboricultural Standards

#### **Sec. 6-4-1 Statement of Policy and Applicability of Chapter.**

- (a) **Intent and Purpose.** It is the policy of the City to regulate and establish policy for the control of planting, removal, maintenance and protection of trees and shrubs in or upon all

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public areas and terrace areas of the City to eliminate and guard against dangerous conditions which may result in injury to persons using the streets, alleys, sidewalks or other public areas; to promote and enhance the beauty and general welfare of the City; to prohibit the undesirable and unsafe planting, removal, treatment and maintenance of trees and shrubs located in public areas; and to guard all trees and shrubs both public and private within the City against the spread of disease, insects or pests.

- (b) **Application.** The provisions of this Chapter shall apply to trees and shrubs growing or hereafter planted in or upon public areas and terrace areas and also to all trees and shrubs growing or to be planted in or upon any private premises which shall threaten the life, health, safety or welfare of the public or of any public areas.

**Sec. 6-4-2 Definitions.**

Whenever the following words or terms are used in this Chapter, they shall be construed to have the following meanings:

- (a) **Person.**
- ~~(b) **Public Areas.** Includes all public parks, playgrounds, recreation areas, park ways, common open spaces, greenways, forests, conservancies and other lands owned or leased by the City under the authority of the Parks and Recreation Board.~~
- ~~(c) **Public Ways.** Shall include all public streets, roads, right-of-ways, boulevards, terraces, alleys, sidewalks, cemeteries, and other lands owned or leased by the City and under the authority of the Board of Public Works.~~
- ~~(d) **Public Nuisance.** Any tree or shrub or part thereof which, by reason of its condition, interferes with the use of any public area; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.~~
- ~~(f) **Boulevard or Terrace Areas.** The land between the normal typical location of the street edge or curbing and the street right-of-way. Where there is no curb and gutter, the edge of the road way (pavement or gravel) to the right-of-way line shall be deemed to be a boulevard for the purpose of this Chapter. "Boulevard" shall have the same meaning as "terrace". Where there are no sidewalks, the area from the curbing or edge of street to the right-of-way line shall be deemed boulevard areas under this Chapter.~~
- ~~(b) **Critical Root Radius (CRR).** 1.5 feet for every diameter inch at diameter at breast height (DBH), as relating to excavations near trees.~~
- ~~(c) **Evergreen Tree.** Any woody plant normally having one stem or trunk and bearing foliage in the form of needles and crowns which extend from ground level throughout its entire height.~~
- ~~(g) (d) **Frames.** A dev~~
- ~~(e) **Major Alteration.** Trimming a tree beyond one-third (1/3) of the crown.~~
- ~~(f) **Person.** Person, firm, firm, business, association or association, corporation or other legal entity, necessary trimming to comply~~
- ~~(g) **Public Nuisance.** Any deleterious or fatal tree disease. Any tree or shrub or part thereof which, by reason of its condition and location, is hazardous and/or interferes with this Chapter the use of any public property/area or public ways; infected with a plant disease; infested with injurious insects or pests; injurious to public improvements or endangers the life, health, safety or welfare of persons or property.~~
- ~~(h) **Public Properties/Areas.** Land owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, recreation areas, park ways, common open spaces, greenways, forests, conservancies and other lands owned or leased by the City under the authority of the Parks and Recreation Board.~~
- ~~(i) **Public Trees and Shrubs.** All trees and shrubs located or to be planted in or upon public areas.~~
- ~~((h)j) **Public Ways.** All public streets, roads, right-of-ways, boulevards, terraces strips between public lot lines and curbs, alleys, sidewalks, cemeteries, and other lands owned or leased by the City and under the authority of the Board of Public Works.~~
- ~~(k) **Shrubs.** Any woody vegetation or a woody plant having multiple stems and bearing foliage from the ground up.~~

- ~~(i) Tree. Any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of sixteen feet or more.~~
- ~~((l)(k) Staff Forester. Person designated by the Parks and Recreation Board and the Board of Public Works as authorized to carry out provisions of this Chapter.~~
- ~~(m) Top, Topping. The severe cutting back of limbs to stubs within the tree crown to such a degree so as to remove normal canopy and disfigure the tree.~~
- ~~(n) Tree. Any woody plant, normally having one stem or trunk bearing its foliage or crown well above ground level to heights of sixteen feet or more.~~
- ~~(o) Urban Forest. The collection of trees in and around the City, including park and street trees on public property and on private property.~~

**Sec. 6-4-3 Staff Forester.**

~~(a) Parks and Recreation Board Appointment. The Parks and Recreation Board may designate a municipal employee(s) or citizen(s) to perform the duties of Staff Forester under Chapter 27.09, Wis. Stats., and may authorize such Staff Forester to perform the duties and exercise the powers imposed by this Chapter. The Staff Forester shall have the following general powers and duties:~~

~~Forester to perform the duties and exercise~~

~~the powers imposed by this Chapter. The Staff Forester shall have the following general powers and duties:~~

- ~~(1) To direct, manage, supervise, and control the planting, removal, maintenance, protection of all trees and shrubs on all public properties, areas and ways; to supervise Park Department personnel in the planting, removal, maintenance, and protection of said trees and shrubs.~~
- ~~(2) To guard all trees and shrubs within the City located on public areas so as to prevent the spread of disease or pests and to eliminate dangerous conditions which may affect the life, health or safety of persons or property.~~
- ~~(3) To enforce this ordinance as it pertains to trees and shrubs on private premises.~~
- ~~(4) Such other powers and duties as are provided by the laws of Wisconsin, particularly SectionSections 27.08 and 27.09, Wis. Stats., by ordinance of the City and by the Parks and Recreation Board.~~

~~(b) Board of Public Works Appointment. The Board of Public Works may designate a municipal employee(s) or citizen(s) to perform the duties of Staff Forester under Chapter 27.09 of Wisconsin State Statutes and may authorize such Staff Forester to perform the duties and exercise the powers imposed by this Chapter. The Staff Forester shall have the following general powers and duties:~~

- ~~(1) To direct, manage, supervise, and control the planting, removal, maintenance, and protection of all trees and shrubs on all public ways; to supervise Street Department personnel in the planting removal, maintenance, and protection of said trees and shrubs.~~
- ~~(2) To guard all trees and shrubs within the City located on public ways so as to prevent the spread of disease or pests and to eliminate dangerous conditions which may affect the life, health or safety of persons or property.~~
- ~~(3) (3) To enforce this ordinance as it pertains to trees and shrubs on private premises.~~

**Comment [a1]:** §27.09 specifically authorizes the Park Board, not the Board of Public Works, all of the authority should come from the Board of Park Commissioners.

~~(4) Such other powers and duties as are provided by the laws of Wisconsin, particularly Sections 27.08 and 27.09 and the ordinances of the City and policies of the Board of Public Works.~~

(be) **Right-of-Entry.** The City Staff Forester or other authorized City representatives may make a request to enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and carrying out any of the provisions of this Chapter. If a request to inspect such trees or shrubs is denied by the person responsible for the property, an inspection warrant may be obtained pursuant to Sec. 66.01140119, Wis. Stats.

(cd) **Inspection.** The Staff Forester may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. The Staff Forester may also inspect or cause the inspection of any tree reported to be public nuisance or suspected to be infested with a deleterious or fatal tree disease or any part of a tree bearing materials reported or suspected to be infested.

(de) **Maintenance/Removal.** Staff Forester or other authorized agent may trim, prune, or remove a tree or shrub located on or hanging into public properties/areas and public ways as necessary as determined by the Staff Forester, due to disease, damage, hazardous condition and/or location, public nuisance, or if it's location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Staff Forester shall cause maintenance and/or removal of a tree or shrub on private premise (as Per Section 6-4-5).

#### **Sec. 6-4-4 Interference with the Staff Forester Prohibited.**

No person shall interfere with the Staff Forester or his authorized representative while they are Staff Forester is engaged in carrying out any work or activities authorized by this Chapter. (Refer to Section 6-4-53 (be).)

#### **Sec. 6-4-5 Abatement of Tree Disease Public Nuisances, Dangerous, Obstructive and Infective Trees.**

(a) **~~Dutch Elm and Other Tree Diseases as a Public Nuisance.~~** Whereas the Common Council

~~has determined that there are Due to the many trees growing on public and private premises within the City, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases, the Common Council hereby declares its City intendstion to control and prevent the spread of tree diseases, therefore infectious, epidemic and -fatal tree diseases ("Nuisance Diseases") and the insect pests and vectors which carry such diseases are declared to be ppublic nnuisances.~~

~~property, impair the use and enjoyment of public and private premises and erode the tax base of the City, and that the health and life of such trees is threatened by fatal diseases such as Dutch Elm disease, which is spread by the elm bark beetles Scolytus multistriatus (Eichb.) or Hylurgopinus rufipes (Marsh.), the Common Council hereby declares its~~

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~~intention to control and prevent the spread of such disease and the insect pests and vectors which carry such diseases and specifically declares Dutch Elm disease and the elm bark beetles which carry such disease to be public nuisances.~~

(b) **Definitions.** As used in this Section, unless otherwise clearly indicated by the context:

(1) "Public Nuisance" means:

- a. Dutch Elm disease.
- b. Elm bark beetles *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.).
- c. Any living or standing elm tree or part thereof infected with the Dutch Elm disease fungus or in a weakened condition which harbors any of the elm bark beetles, *Scolytus multistriatus* (Eichb.) or *Hylurgopinus rufipes* (Marsh.).
- d. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle destroying concentrate.
- e. Any other deleterious or fatal tree disease.
- f. Any tree or part thereof which by reason of its condition and location is hazardous or dangerous to persons and property using or upon any public street, sidewalk, alley, park or other public place, including the terrace strip between curb and lot line.
- g. Any tree or part thereof which is infested by the eastern tent caterpillar or other defoliating larvae.

(2) "Public property" means owned or controlled by the City, including without limitation because of enumeration, public sites, parks, playgrounds, streets, alleys, sidewalks, boulevards, and the terrace strip between the lot line and the curb or improved portion of any public way.

(3) "Person" means person, firm or corporation.

(e) **Inspection.**

(1) ~~The Staff Forester shall~~ may inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance exists thereon. ~~He shall~~ The Staff Forester may also inspect or cause the inspection of any elm tree reported or suspected to be infested with the Dutch Elm disease an Nuisance Diseases, or any elm bark part of a tree bearing materials reported or suspected to be infested with elm bark beetles.

(2) Whenever necessary to determine the existence of Dutch Elm disease or elm bark beetles in any tree, the person inspecting such tree shall remove or cut specimens from the tree in such manner as to avoid fatal injury thereto and deliver such specimens to the Forester who shall forward them to the Wisconsin Department of Agriculture at Madison for analysis to determine the presence of such nuisances.

**(d)(c) Abatement of Nuisances; Duty of Staff Forester.**

- (1) ~~The Board of Public Works or Parks & Recreation Board or its designee~~, upon the recommendation of the Staff Forester, shall order, direct, supervise and control the abatement of public nuisances on public properties/areas or public ways as defined in this Section by ~~spraying~~, removal, burning or by other means which it determines to be necessary to prevent as fully as possible the spread of Dutch Elm disease fungus ~~public nuisances~~ Nuisance Diseases, other deleterious tree diseases or the insect pests or vectors known to carry such diseases.
- (2) ~~Whenever the Forester after inspection~~ Any tree or examination shall determine that part thereof, whether alive or dead, which the Staff Forester finds to be infected, hazardous or a nuisance so as to be a public nuisance as herein defined exists on, endanger the public property in the City, he shall ask the Board of Public Works to abate or cause the abatement of such nuisance in such manner as to destroy or prevent as fully as possible the spread of Dutch Elm disease, other deleterious tree diseases, or the insect pests or vectors known to carry such disease fungus.
- (3) ~~a. When the Board of Public Works shall determine with reasonable certainty that a public nuisance exists upon private premises, it shall immediately serve or other structures, trees, plants or shrubs, shall be removed, trimmed or cause to be served personally or treated by registered mail upon the owner of such property, if he can be found, or upon the occupant thereof, at the property. The Staff Forester shall give written notice of the existence of such nuisance and of a time and place for a hearing before the Board of Public Works, not less than fourteen (14) days after service of such notice, on the abatement action to be taken to said owner to remedy the situation. Such notice shall describe the public nuisance and recommend procedures for its removal or abatement, and shall further specifically state that unless the owner shall abate the the period of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the Staff Forester on the basis of the seriousness of the condition of the tree and/or danger to the public. The notice shall state that unless the owner abates the public nuisance in the manner specified in the notice, or shall appear at the hearing appeals to the Parks & Recreation Board or its designee Board of Public Works to show that such nuisance does not exist or does not endanger the health of trees in the City, the Board of Public Works Parks and Recreation Board or its designee shall cause the abatement thereof at the expense of the property served. If the owner cannot be found, such notice shall be given by publication in a newspaper of general circulation in the City and the property shall be special assessed assessed a special charge for the work completed plus an administrative fee.~~  
~~b.(3) If the owner shall fail to remove, treat or trim said tree within the specified timeframe, the Staff Forester may cause the tree to be removed, treated or trimmed by order of the Board of Public Works Parks and Recreation Board or its designee~~

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- and the property shall be ~~special-assessed~~ assessed as a special charge for the work completed in addition to an administrative fee as set forth on the City's fee schedule.
- (4) Prior to the Staff Forester causing the work to be completed, the Parks and Recreation Board or its designee Board of Public Works shall determine if ~~aif~~ a public nuisance exists on private property in the City and determine the method to abate or cause the abatement of such nuisance in a manner as to remove the tree or bush or to destroy or prevent as fully as possible the spread of public nuisances, other deleterious tree diseases, or the insect pests or vectors known to carry such disease.
- (5) If, after hearing held pursuant to this Subsection, it shall be determined by the ~~the~~ property owner appeals to the Parks and Recreation Board or its designee Board of Public Works that a public nuisance exists, it and the appeal to halt the abatement fails, the Parks and Recreation Board or its designee Board of Public Works shall ~~forthwith~~ order the immediate abatement thereof. Unless the property owner abates the nuisance as directed within five (5) days after such hearing appeal, the Parks and Recreation Board or its designee ~~the~~ Board of Public Works shall proceed to abate the nuisance and cause the cost thereof to be assessed against the property, including an administrative fee, in accordance with the procedures provided in this Section. The Parks and Recreation Board or its designee Board of Public Works may extend the time allowed the property owner for abatement work, but not to exceed ten (10) additional days.

(e) ~~Spraying.~~

- ~~(1) Whenever the Forester shall determine that any tree or part thereof is infected with a deleterious or fatal tree disease or is in a weakened condition or harbors elm bark beetles, he may request the Board of Public Works to authorize the spraying of all trees within a one thousand (1,000) foot radius thereto with an effective disease destroying concentrate or other insecticide.~~
- ~~(2) In order to facilitate the work and minimize the inconvenience to the public of any spraying operations conducted under this Section, the Staff Forester shall cause to be given advance public notice of such operations by newspaper, radio, television, public service announcements or other effective means and shall also cause the posting of appropriate warning notices in the areas and along the streets where trees are to be sprayed at least twenty-four (24) hours in advance of spraying. When any residue or concentrate from municipal spraying operations can be expected to be deposited on any public street, the Staff Forester shall also notify the Chief of Police, who shall take all necessary steps to make and enforce temporary parking and traffic regulations on such streets as conditions require. Temporary "no parking" notices shall be posted in each block of any affected street at least twenty-four (24) hours in advance of spraying operations.~~
- ~~(3) When appropriate warning notices and temporary "no parking" notices have been given and posted in accordance with Subsection (b) of this Section, the City shall not allow any claim for damages to any vehicle caused by such spraying operations.~~
- ~~(4) When trees on private property are to be sprayed, the Staff Forester shall notify the owner of such property and proceed in accordance with the requirements of Subsection (d)(3).~~

**Sec. 6-4-6 Assessment of Costs of Abatement.**

(a) The entire cost of abating any public nuisance ~~or spraying trees as defined herein shall~~ may be charged to and assessed against the parcel or lot abutting on the street, alley, terrace, boulevard or parkway upon or in which such tree is located or the parcel or lot upon which ~~such tree stands, at the direction of the Parks and Recreation Board or its designee Board of Public Works and Common Council in accordance with Section 66.60(16)0627 or Section 27.09, Wis. Stats. The~~ cost of abating any such nuisance or part thereof which is located in or upon any park shall be borne by the City.

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(b) The cost of abating a public nuisance ~~or spraying elm trees, elm wood or trees infected with other tree diseases located on private premises when done at the direction and under~~ shall be special assessed as a special charge to the property on which such public nuisance is located, as follows:

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(1) The Staff Forester shall be assessed to the property on which such nuisance, tree or wood is located as follows:

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(1) The Board of Public Works shall keep a strict account of the cost of such work or spraying and the amount chargeable to each lot or parcel and shall report such work, charges, description of lands to which charged and names and addresses of the owners of such lands to the Board of Public Works and subsequently the Common Council on or before October 15 of each year.

(2) Upon receiving the Parks and Recreation Board or its designee's Board of Public Works report, the Council shall hold a public

hearing on such proposed charges, giving at least fourteen (14) days' advance of the time, place and purpose of such hearing to interested persons by publication in a news for which such charge is being made.

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(3) After such hearing, the Common Council shall affirm, modify and affirm or disapprove such assessments by resolution and shall cause a copy thereof to be published. Upon adoption and publication of such resolution, assessments made thereby shall be deemed final.

(4) The City Clerk shall mail notice of the amount of such final assessment to each owner of property assessed at his last-known address, stating that, unless paid within thirty (30) days of the date of the notice, such assessment will be entered on the tax roll as a tax against the property, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such assessment.

(5) The City hereby declares that, in making assessments under this Section, it is acting under its police power, and no damages shall be awarded to any owner for the destruction of any diseased or infested tree or wood or part thereof.

**Sec. 6-4-7 Planting, Maintenance and Removal of Trees and Shrubs in Public Ways or Public Properties/Areas.**

(a) **Permit Required.** No person, except upon order of the Staff Forester, firm, organization or Street Commissioner, corporation shall plant or remove, or damage, perform major alterations as determined by the Forester or Street Commissioner on or destroy a tree or shrub in the public right-of-way terrace areaways or public properties/areas or cause such act to be done by others without first obtaining permission for such work from the Staff

Forester or Street Commissioner as herein provided. The applicant shall comply with the planting standards of Section 6-4-8 unless authorized in writing by the Staff Forester.

- (b) ~~Permit Exemptions. No permit shall be required to cultivate, fertilize or water trees or shrubs or for work by City personnel on park properties. No permit is necessary to plant trees inside the property line.~~
- (c) ~~Permit Issuance. If the Staff Forester determines that the proposed work or planting described in an application for a permit is necessary and in accord with the purposes of this Chapter, taking into account the safety, health and welfare of the public, location of utilities, public sidewalk, driveways and street lights, general character of the area in which the tree or shrub is located or proposed to be located, type of soil, characteristics and physiological need of the genus, species and variety of tree or shrub, he shall issue a permit to the applicant.~~
- (d) ~~Permit Form, Expiration, Inspection. Every permit shall be issued by the Staff Forester on a standard form and shall include a description of the work to be done and shall specify the genus, species and variety, size, nursery grade and location of trees or shrubs to be planted, if any. Any work under such permit must be performed in strict accordance with the terms thereof and the provisions of this Chapter. Permits issued under this Section shall expire six (6) months after date of issuance. There will be no charge for this permit.~~
- (e) ~~Permits to Public Utilities.~~
  - (1) ~~Whenever a permit is issued under this Section to a public utility to remove, trim, prune, cut, disturb, alter or perform surgery on any public tree or shrub, the Staff Forester shall limit the work to be done to the actual necessities of the utility and may assign an inspector to supervise the work done under the provisions of the permit. The expense of such inspection or supervision shall be charged to the utility at the usual City rate.~~
  - (2) ~~A public utility may secure an annual working agreement with the Staff Forester's office which gives the Staff Forester the authorization to supervise and direct work associated with trees and shrubs.~~
- (b) In cutting down trees located in public and terrace areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least eight (8) inches below grade measured in a straight line with the normal grade of sidewalk to top of eight (8) inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil and seeded as soon as practicable.
- (c) Public Utilities shall notify the Staff Forester prior to removal, trimming, pruning, etc., of any public tree or shrub in public ways or on public properties/areas in the City.
- (d) Any landscaping installed at the base of a public tree or shrub may be removed at the discretion of the City.

#### Sec. 6-4-8 Planting of Trees and Shrubs.

- (a) **Purpose.** The Common Council hereby states its determination that the planting, care and protection of the trees within the City is desirable for the purposes of beauty, shade, comfort, stormwater runoff, noise abatement and economic betterment, and hereby encourages all persons to assist in a program of tree planting, care and protection.

- (b) **Tree Planting Program.** The Staff Forester shall ~~recommend to the Common Council~~ establish a program for tree planting, care and protection for public ~~parks/properties/area and public ways~~. The Common Council shall also encourage the planting, care and protection of trees and shrubs on private premises within the City. Planting of trees in the terrace areas shall be according to the City approved tree planting list, as kept on file with the Staff Forester.
- (c) **Planting.**
- (1) The size and genus, species and variety of trees and shrubs to be planted in terraces, public ways shall be consistent with the City's recommended tree bank/species list on file with the City Staff Forester, and boulevards following planting requirements listed herein. The City at its discretion may remove any trees planted in public ways.
  - (2) Prior to any tree or shrub planting in public properties/areas, the City Staff Forester designated by the Parks & Recreation Board shall first be consulted regarding the size and genus, species and variety of trees and shrubs to be planted as well as the manner of planting shall be submitted to the Staff Forester for approval before commencement of such work. The permit application process is required in Section 6-4-7. The City at its discretion may remove any trees planted in public properties/areas.
  - (23) There shall be a minimum distance of ~~sixteen (16)~~ fifteen (15) feet and a recommended distance of twenty-five (25) to ~~fifty (50)~~ thirty (30) feet between terrace area trees depending upon the size of tree and other factors. Terrace trees shall be planted equal distance between the sidewalk or proposed sidewalk and back of the curb or proposed back of curb. In terrace areas less than ~~three (3)~~ five (5) feet wide, planting will not be permitted. Terrace area trees shall be a minimum of twenty-five ~~(25)~~ (20) feet from an intersection.
  - (34) Evergreen trees shall not be planted in a terrace area.
  - (5) It shall be unlawful to plant or maintain shrubbery, ground cover or other plants not considered to be a deciduous leaf tree within terrace areas whose growth is in excess of ~~eight (8)~~ thirty (30) inches in height above the top of the nearest curb.
  - (56) Tree grates, where required, shall be provided for terrace trees surrounded by concrete by the adjacent property owner and shall be level with adjacent concrete.
  - (6) ~~Per City policy, trees~~ 7) Trees or shrubs shall not be planted closer than three (3) two and a half (2.5) feet to any sidewalk or curb. Where sidewalks are not installed, trees or shrubs shall be planted in a manner to allow for future sidewalk improvements.
  - (78) All new required shade trees must be a minimum of ~~two~~ one and one-half inch ~~(2 1/2")~~ diameter caliper at the time of planting. All new required evergreen trees must be a minimum of six feet (6) high when planted, except for low creeping shrubs.
  - (8) ~~All new required trees must be balled and burlapped. All new required shrubs may be potted or balled and burlapped.~~
  - (9) For all new subdivisions and commercial developments, developers shall ~~provide~~ install one (1) tree per twenty-five feet ~~(25')~~ of street frontage on boulevard of street frontage prior to issuance of occupancy ~~permits.~~

(10) Placement of Trees. Trees may not be planted in the boulevard closer than:

(a) Twenty (20) feet to a utility or street light pole;

(b) Fifteen (15) feet to a driveway or alley;

(c) Six (6) feet to a water stop box, or gas shut off;

(d) Ten (10) feet to a fire hydrant;

(e) Fifteen to thirty (15-30) feet to another tree; or

(f) Twenty (20) feet to the intersection of two (2) streets from either corner on the property line.

- (d) **Unlawfully Planted Trees.** Trees, plants or shrubs planted within any terrace or planting easement without the authorization and approval of the Staff Forester may be removed. The Staff Forester shall notify the abutting owner in writing, listing the unlawfully planted trees, plants or shrubs, ordering their removal, and establishing a reasonable time within which such removal shall be accomplished. In the event that removal is not to be accomplished within the time specified, the City may remove such trees, plants or shrubs and assess the costs thereof to the owner.
- (e) **Frames.** Any person, adjacent to whose land any shade or ornamental public tree or shrub is growing in any street public ways or public property/areas, may, for the propose of protecting such tree or shrub, surround the same with a suitable box or frame or staking for protection, but all such work ~~shall~~ should be performed under the supervision and direction of the Staff Forester. The City may at its discretion remove frames or landscaping located in public ways or on public properties/areas.

#### **Sec. 6-4-9 Trimming.**

- (a) Trees and shrubs standing in or upon any boulevard, public way, public property/area or upon any private premises adjacent to any public right-of-way or public property/areas shall be kept trimmed so that the lowest branches projecting over the public street or alleyway provide a clearance of not less than fourteen (14) feet. The Staff Forester may waive the provisions of this Section for newly planted trees if ~~he~~ the Staff Forester determines that ~~they~~ the trees(s) do not interfere with public travel, obstruct the light of any street light or endanger public safety.
- (b) The necessity of the pruning may ~~shall~~ be determined by and may be ordered by the Staff Forester ~~to be completed.~~
- (c) Clearance from sidewalk to lower branches shall not be less than ten (10) feet. All trees standing upon private property in the City, the branches of which extend over the line of the street, shall be trimmed so that no branch shall grow or hang over the line of the sidewalk lower than ten (10) feet above the level of the sidewalk. No tree shall be permitted to grow in such a manner as to obstruct the proper diffusion of light from any public lamp.
- (d) No person may trim public trees on public ways or public properties/area unless work is completed by a licensed arborist or designated agent of the City. Trimming or pruning of more than two-thirds (2one-third (1/3) of the crown of trees in public ways or on public properties/areas shall be considered to be a major alteration and shall require a permit ~~receive approval~~ from the Staff Forester prior to completion of the work. No person may remove trees in public ways or public properties/areas unless issued written authorization by the City Forester.

**Sec. 6-4-10 Trees and Shrubbery Obstructing View at Intersection or View of Traffic Signs.**

- (a) Notwithstanding any other provision of this Chapter, no person shall maintain, plant or permit to remain on any private or public premises situated at the intersection of two (2) or more streets or alleys in the City any hedge, tree, shrub or other growth which may obstruct the view or life safety of the operator of any motor vehicle or pedestrian approaching such intersection.
- (b) It is unlawful for any person to plant, cause to grow, allow to grow or maintain any trees, bushes, shrubbery or vegetation of any kind which is an obstruction to the clear and complete vision of any traffic sign or driveway approach to a street in the City. It shall be the duty of every owner of such tree, bush, shrubbery or vegetation to remove such obstruction.
- (c) Any shrub, tree or other plant which obstructs the view at an intersection or the view of a traffic sign shall be deemed to be dangerous to public travel and the Board of Public Works, upon the recommendation of the Staff Forester, may order, by written notice, the owner or occupant of any private place or premises on which there stands a tree or shrub which unreasonably interferes with or encroaches upon the street or sidewalk, to take such steps as are necessary to remove such interference. If such owner or occupant fails, within ten (10) days of receipt of notice, to take such necessary steps, the Board of Public Works and/or Common Council shall order City employees to remove the interference. The cost of removing the interference shall be levied and collected as a special tax upon the property upon which or in front of which such tree or shrub stands or life safety. The Staff Forester shall notify the abutting owner in writing, listing the planted trees, plants or shrubs, ordering their trimming/removal, and establishing a reasonable time within which such trimming/removal shall be accomplished. In the event that trimming/removal is not accomplished within the time specified, the Board of Public Works may order the trimming/removal such trees, plants or shrubs and property shall be special assessed for the work completed in addition to an administrative fee.
- (d) Any person who is an owner or occupant or firm or corporation failing to obey the written notice as specified in Subsection (c) above shall, upon conviction thereof, be subject to a forfeiture as established in 1-1-7 of this Code of Ordinances.

*Cross Reference: Traffic Visibility- Section 13-4-907-13.*

**Sec. 6-4-11 Removal of Trees and Stumps.**

- (a) ~~Dangerous, Obstructive and Infected Trees.~~ Any tree or part thereof, whether alive or dead, which the Staff Forester shall find to be infected, hazardous or a nuisance so as to endanger the public or other trees, plants or shrubs growing within the City, or to be injurious to sewers, sidewalks or other public improvements whether growing upon public or private premises, shall be removed, trimmed or treated by the owner of the property upon or adjacent to which such tree or part thereof is located. The Staff Forester shall give written notice to said owner to remedy the situation which shall be served personally or posted upon the affected tree. Such notice shall specifically state the period

of time within which the action must be taken, which shall be within not less than twenty-four (24) hours nor more than fourteen (14) days as determined by the Staff Forester on the basis of the seriousness of the condition of the tree or danger to the public. If the owner shall fail to remove, treat or trim said tree within the time limited, the Staff Forester shall cause the tree to be removed, treated or trimmed and shall report the full cost thereof to the City Clerk, who shall thereupon enter such cost as a special charge against the property.

(b) ~~Removal Standards.~~ In cutting down trees located in public and terrace areas, the tree must be removed with the root stump grubbed out, or ground out to a depth of at least nine (9) inches below grade measured in a straight line with the normal grade of sidewalk to top of nine (9) inches below grade measured as a straight line, normal grade of sidewalk to top of curb. All wood and debris must be removed from the street prior to the end of each working day and all holes shall be filled to normal grade level with topsoil as soon as practicable. The abutting property owner shall have a right of first refusal to keep the wood, provided such wood is not diseased.

(c) ~~Private Removal.~~ No person, firm, organization or corporation shall plant, injure, trim, remove or destroy any tree or shrub located in or upon any public place, until a permit shall have been issued by the Staff Forester. Such permit shall be issued only when the removal, trimming or cutting of the tree or shrub is necessary, as determined by the Staff Forester, because of disease, damage, hazardous condition, and/or location, or its location is such that substantial detriment is done to the property upon which the tree or shrub stands, or property abutting the same. Such permit shall expressly state the premises upon which the tree stands and the location of the tree thereon.

#### ~~6-4-12 Prohibited Acts.~~

(a) ~~Damage to Public Trees.~~ No person shall, without the consent of the owner in the case of a private tree or shrub, or without written permits from the Staff Forester in the case of a terrace area tree, public tree or shrub, No person shall perform or cause to be performed by others any of the following acts:

- ~~(1)~~ Secure, fasten or run any rope, wire sign, unprotected electrical installation or other device or material to, around or through a tree or shrub.
- ~~(2)~~ Break, injure, mutilate, deface, kill or destroy any tree or shrub or permit any fire to burn where it will injure any tree or shrub.
- ~~(3)~~ Permit any toxic chemical, gas, smoke, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub or place ~~cement~~ concrete/asphalt or other solid substance around the base of the same.
- ~~(4)~~ Remove any guard, stake, tree gator bag or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
- ~~(5)~~ Attach any sign, poster, notice or other object on any tree, or fasten any guy wire, cable, rope, nails, screws or other device to any tree; except that the City may tie official regulatory temporary ~~"no parking"~~ signs to trees when necessary in conjunction with street improvement work, tree maintenance work or parades.
- ~~(6)~~ Cause or encourage any fire or burning near or around any tree.
- ~~(7)~~ It is prohibited to plant trees that reach a maximum, mature height of greater than twenty-five (25) feet underneath any overhead utility line.

(b) ~~Excavations.~~

- ~~(1)~~ All trees on any parkway or other publicly owned property near any

excavation or construction of any building structure or street work shall be sufficiently guarded and protected by those responsible for such work as to prevent any injury to said trees. No person shall excavate any ditches, tunnels or trenches, or install pavement within a radius of ten (10) feet from any public tree without a permit from the Staff Forester ~~Street Opening / Work in Right-of-Way Permit from the Engineering Department.~~ Any person seeking a permit to excavate near a tree in a public street, alley, highway, or boulevard shall submit a written proposed plan to the Engineering Department as part of the permit application with clear and specific identification of the trees in a public street, alley, highway or boulevard which the person is targeting for excavation. The identification shall include the name and block number(s), address(s) of the street(s) on which the trees are located.

~~(c) Interference With Forester.~~ No person shall:

- ~~(1) Interfere with or prevent any acts of the Forester or his agents or employees while they are engaged in the performance of duties imposed by this Section.~~
- ~~(2) Refuse to permit the Forester or his duly authorized representative to enter upon his premises at reasonable times to exercise the duties imposed by this Section.~~

~~(d) Refusal to Abate Nuisance.~~ Permits any public nuisance to remain on any premises owned or controlled by him when ordered by the Forester to abate such nuisance.

- ~~(2) The Staff Forester has the authority to approve or deny the permit and assess violations as outlined in this Chapter if the work is not performed in accordance with accepted arboricultural standards. Any public tree that is damaged to the extent of not gaining full recovery in the opinion of the Staff Forester will be replaced through payment from the person causing the damage. Cost will be the value as determined in the City Tree Inventory, if the tree is not part of an inventory the cost will equal \$200/inch measured at diameter breast height or 4.5 feet from ground level.~~

#### **Sec. 6-4-1312 Appeal from Determinations or Orders.**

Any person who receives a determination or order under this Chapter from the Staff Forester or ~~Board of Public Works or the Parks and Recreation Board or its designee~~ and objects to all or any part thereof shall have the right to appeal such determination or order, subject to the provisions of Chapter 68, Wis. Stats., to the ~~Common Council~~ Board of Public Works and/or Parks & Recreation Board or its designee within seven (7) days of receipt of the order ~~and the Common Council.~~ The Board of Public Works and/or Parks & Recreation Board or its designee shall hear such appeal within ~~thirty (30)~~ forty-five (45) days of receipt of written notice of the appeal. After such hearing, the Common Council may reverse, affirm or modify the order or determination appealed from and the grounds for its decision shall be stated in writing. The Common Council shall, by letter, notify the party appealing the order or determination of its decision within ten (10) days after the hearing has been concluded. The Council shall file its written decision with the City Clerk.

#### **Sec. 6-4-1413 Adoption of State Statutes.**

Sections 27.09 and 86.03, Wis. Stats., are hereby adopted and incorporated herein by reference.  
*State Law Reference:* Sections 27.09 and 86.03, Wis. Stats.

**Sec. 6-4-14 Violations.**

Any person, firm or corporation violating any of the provisions of this Ordinance shall upon conviction thereof be subject to a forfeiture between fifty (\$50.00) and five hundred (\$500.00) dollars. Each day that such violation is not remedied, shall be considered a separate offense.

**Sec. 6-4-15 Emergencies.**

The Staff Forester, in the case of emergencies, such as windstorms, ice storms, insect/disease outbreaks or other disasters, may waive the requirements of this Ordinance so that private or public work to restore order in the City is in no way hindered.

**Sec. 6-4-16 Severability.**

Should any section, subsection, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance in whole or in any part thereof other than the part so declared to be invalid.

**Sec. 6-4-17 Arboricultural Standards.**

All work performed must be performed in compliance of accepted arboricultural standards.

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SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

\_\_\_\_\_ Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_ CITY OF ONALASKA

\_\_\_\_\_ By: \_\_\_\_\_  
Joe Chilsen, Mayor

\_\_\_\_\_ By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

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# **STAFF REVIEW SUMMARY**

## **CITY OF ONALASKA BOARD OF PUBLIC WORKS**

September 1, 2015

**Agenda Item:**

**#7**

**Project/Item Name:**

**Private Wells**

**Location:**

**Citywide**

**Requested Action:**

**Discussion on private well ordinance**

**Staff Report/Description:**

**Private Well ordinance was referred at the July & August meetings. Ordinance changes have been reviewed by staff and the City attorney.**

**Attachments:**

**Proposed ordinance**

## Holter, Jarrod

**From:** Amanda Jackson <ajackson@lacrosselaw.com>  
**Sent:** Monday, August 10, 2015 1:41 PM  
**To:** Holter, Jarrod  
**Cc:** City Attorney  
**Subject:** Revised Ordinance to Amend 9-1-50 Private Wells  
**Attachments:** Revised Ordinance to Amend 9-1-50 Marked (01744203x7F7F7).pdf; Ordinance to Amend 9-1-50 (Revised) (01744197x7F7F7).pdf

Jarrod,

Attached please find a Revised Ordinance to Amend 9-1-50 based on our discussion last week, all of the changes are to Section 4 Application for Permit. We have changed it to require your approval prior to being sent to Public Works and then to Common Council for approval, which would require 3 levels of approval for the operation permit. We have also included a separate application requirement and significant fee for the drilling of a new well separate from the operation permit, which would deter anyone not extremely serious about having a new well on their premises. If you have any questions, please do not hesitate to contact me.

Thank You,

**O'Flaherty Heim Egan & Birnbaum Ltd.**  
Attorneys, Real Estate, Insurance and Arbitration, Wisconsin

Amanda Halderson Jackson | Attorney

[ajackson@lacrosselaw.com](mailto:ajackson@lacrosselaw.com)

201 MAIN STREET ■ STE. 1000 ■ LA CROSSE, WI 54601

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AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 9,  
SECTION 50 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO  
PRIVATE WELLS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Title 9, Chapter 1, Section 50 of the City of Onalaska Code of Ordinances related to the Private Well Abandonment and Permits is hereby deleted in its entirety and replaced as follows:

**Sec. 9-1-50 Private Well Abandonment and Permits.**

- (a) **Purpose.** Residents of the City of Onalaska depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this article is to institute regulations and restrictions to protect the city's municipal water supply and well fields and to promote the health, safety and general welfare of the residents of the City of Onalaska.
- (b) **Applicability and Authority.** These regulations are established pursuant to the authority granted by the state legislature in 1983, Wisconsin Act 410 (effective May 11, 1984) which specifically added groundwater protection to the statutory authorization for municipal planning and zoning in order to protect the public health, safety and welfare. This ordinance applies to all wells located within the City's corporate limits.. Water Utility customers outside the jurisdiction of the municipal water system may be required under contract agreement or utility rules to adopt and enforce equivalent ordinances within their jurisdiction for purpose stated in Section 1 above.
- (c) **Definitions.**
  - (1) "Municipal Water System" means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
  - (2) "Non-complying" means a well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.
  - (3) "Pump Installation" means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
  - (4) "Unsafe" well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceeds the drinking water standards of chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
  - (5) "Unused" well or pump installation means one which is not used or does not have a functional pumping system.

- (6) "Well" means a drill hole or other excavation or opening deeper than it is wide that extends more than ten (10) feet below the ground surface constructed for the purpose of obtaining groundwater.
- (7) "Well Abandonment" means the proper filling and sealing of a well according to the provision of s. NR 812.26, Wisconsin Administrative Code.

(d) **Use of Private Wells; Use of Water Supply.**

(1) **Private Well Abandonment Generally.**

- a. All structure and buildings used, or intended to be used, for human habitation shall connect to the municipal water supply within one (1) year of the availability of said water. All private wells shall, within ninety (90) days after connection to the City water supply, be permanently abandoned pursuant to Section (6) below unless the owner or owners obtain a well operation permit from the City of Onalaska Water Utility.
- b. In the event permission is granted to use a private well, it is expressly provided that the water therefrom shall be used on outside hose bibs only.

(2) **Well Operation Permit.** A permit may be granted to a operate a well if the following requirements are met, except as otherwise provided herein:

- a. The well and pump installation meet the requirements of Wis. Admin. Code ch. NR 812 and subsequent amendments, a well constructor's report is on file with the DNR, or certification of the acceptability of the well has been granted by the private water supply section of the DNR.
- b. The well construction and pump installation have a history of producing safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells unless the state department of natural resources approves in writing the continued use of the well.
- c. The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
- d. No physical connection shall exist between the piping of the public water system and the private well. The City may elect to do a cross connection inspection to verify compliance.
- e. A permit fee shall have been paid once every five years in an amount determined annually by the City Council and set forth on the City Fee Schedule.

(3) **Additional Conditions of Permit.** The right to construct, install and maintain a well as authorized by permit under this section shall be expressly conditioned upon the owners and successors in interest complying with the following:

- a. The owner shall permit the water utility or its designee access to the well for inspection and testing at anytime during working hours.
- b. No repair or modification of any well may be performed unless prior notification is given to the water utility and the plan and resulting construction is reviewed and inspected by the City Engineer or its designee.
- c. The City shall have the right to sample the water after completion of any such repairs or modification. Such sampling shall be at the owner's cost and may either be done by the City or by the owner at the City's direction.
- d. The City shall have the right to randomly test or direct the owner to test the well not more than two times in any six month period. The City may

require additional testing if there is reason to believe some contamination may be present or that the results of previous tests may be invalid.

- e. The cost of any testing and sampling as provided in this section shall be paid by the owner upon invoice by the City.
- f. A permit issued in accordance with the provisions of this section shall be revoked by the City Engineer or its designee upon notice to the permittee that any of the following have occurred:
  - a. The owner of the well has refused access to a well for testing or has failed to follow a direction of order of municipal water utility in regard to testing or sampling.
  - b. The owner of any well has neglected to pay for any tests authorized with 30 days of billing invoice.
  - c. Any test results demonstrate well contamination and do not meet reasonable health standards or are in violation of any state or municipal ordinance dealing with well operation.
  - d. The parties aggrieved by permit revocation may appeal the initial decision of the water superintendant to the board of public works by filing a written for review with the City Clerk.

**(4) Application for Permit.** Applications for a well operation permit shall be made in writing by the owner or owners of the well to the City of Onalaska Water Utility. Application shall be upon a form provided by the Water Utility and shall be made concurrently with the application for a plumbing permit to connect the premises with municipal water. A fee as determined by the City of Onalaska Common Council and reflected on the City's Fee Schedule shall accompany the well operation permit application. Applications for a well operation permit must be approved by the City Engineer, upon approval by the City Engineer the application will be forwarded to the Board of Public Works and the Common Council for approval. Applications to drill a new well shall require a separate application for new well in addition to the well operation permit, the application to drill a new well shall be on a form provided by the City Engineer's office and shall require a needs assessment and any other information deemed necessary by the City Engineer and shall be reviewed in conjunction with the well operation permit. The application to drill a new well shall be accompanied with a \$5,000.00 permit fee.

**(5) Terms of Permit.** The well operation permit shall be valid for five (5) years from the date of issuance.

**(6) Renewal Permit..** Renewal permits shall be issued for the term and upon payment of the permit fee hereinabove mentioned. Renewal Well Operation Permits are subject to the same conditions as initial Well Operation Permits, as outlined in Section 3 above. The owner or owners shall certify when applying for a renewal permit that the well is in good operable condition and is in conformity with all applicable state and local laws and shall provide proof of safe water by providing at least one sample, having been taken within 2 weeks of the date of application. In the event the first sample fails, the owner can provide an additional two samples taken a minimum of two weeks apart to verify that the first sample was related to domestic hygiene issues and not well safety problems. No exception to this condition may be made for unsafe wells unless the state department of natural resources approves in writing the continued use of the well. In the event it is found, upon any inspection, that any cross connection has been made between the municipal water supply system and the piping of a private well water system, or that the well equipment is inoperable, or does not meet state or local regulations, all permits

shall be immediately suspended. In the case of a cross connection, the permit shall be revoked and the well ordered properly abandoned in accordance with applicable ordinances. In the event any inspection results in a suspension of a permit and a second inspection is made to determine if the reason for suspension has been eliminated, the owner shall bear the cost of any re-inspection fee as set forth on the Inspection Department's Fee Schedule.

- (7) **Well Abandonment.** Upon revocation of a well permit in accordance with this section or upon voluntary determination to abandon the use of any well previously permitted hereunder, all wells under the jurisdiction of this section shall be abandoned in accordance with the procedures of Wis. Admin. Code NR ch. 812. All debris, pump, piping, unsealed liners, and other obstructions which may interfere with the sealing operations shall be removed prior to abandonment. The owner of the well or the owner's agent shall notify the City Engineer or its designee at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the water utility superintendent or its designee and an abandonment report form, supplied by the state department of natural resources, shall be submitted by the well owner to the water utility and the state department of natural resources within ten days of the completion of the well abandonment.
- (8) **Abandonment of Unused or Previously Abandoned Wells.** It shall be the responsibility of the landowner of any real property upon which a well is located to see to it that all wells located on the owner's property have been properly abandoned in accordance with the procedures of Wis. Admin. Code NR ch. 812, regardless of whether such owner has used such well. Upon discovery of any unused or previously abandoned well, the owner shall notify the municipal water utility and comply, insofar as is practicable, with the procedures of subsection (6) of this section. In the case of a previously abandoned well, if the owner can produce proof of compliance with state well abandonment requirements to the satisfaction of the utilities manager/engineer, compliance with this section may be deemed unnecessary. Such determination shall be at the discretion of the utilities manager/engineer upon considering the present and future possibility of ground water contamination at the well site.
- (9) **Failure to Properly Abandon Well Public Nuisance.** Failure to abandon any well after revocation of a permit to follow the provisions of Wis. Admin. Code NR ch.812, in abandoning such well is hereby deemed a public nuisance, and the City may cause such well to be property abandoned and may assess the cost against the owner of the affected property and collect it as a special tax.
- (e) **Penalties.** Any person, firm or other well owner violating any provision of this Section shall, upon conviction, be punished by a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), together with the cost of prosecution. Each twenty-four (24) hour period during which a violation exists shall be deemed and constitute a separate offense.

**SECTION II.** This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

ORDINANCE NO. -2015

AN ORDINANCE TO AMEND CHAPTER 1 OF TITLE 9,  
SECTION 50 OF THE CODE OF ORDINANCES OF THE CITY OF ONALASKA RELATING TO  
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**Sec. 9-1-50 Private Well Abandonment and Permits.**

- (a) **Purpose.** Residents of the City of Onalaska depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this article is to institute regulations and restrictions to protect the city's municipal water supply and well fields and to promote the health, safety and general welfare of the residents of the City of Onalaska. ~~To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or non-complying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.~~
- (b) **Applicability and Authority.** These regulations are established pursuant to the authority granted by the state legislature in 1983, Wisconsin Act 410 (effective May 11, 1984) which specifically added groundwater protection to the statutory authorization for municipal planning and zoning in order to protect the public health, safety and welfare. This ordinance applies to all wells located ~~located~~ within the City's corporate limits ~~on premises served by the municipal water system.~~ Water Utility customers outside the jurisdiction of the municipal ~~water~~ system may be required under contract agreement or utility rules to adopt and enforce equivalent ordinances within their jurisdiction for purpose stated in Section 1 above.
- (c) **Definitions.**
- (1) "Municipal Water System" means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
  - (2) "Non-complying" means a well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.
  - (3) "Pump Installation" means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
  - (4) "Unsafe" well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceeds the

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drinking water standards of chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.

- (5) "Unused" well or pump installation means one which is not used or does not have a functional pumping system.
- (6) "Well" means a drill hole or other excavation or opening deeper than it is wide that extends more than ten (10) feet below the ground surface constructed for the purpose of obtaining groundwater.
- (7) "Well Abandonment" means the proper filling and sealing of a well according to the provision of s. NR 812.26, Wisconsin Administrative Code.

(d) **Use of Private Wells; Use of Water Supply.**

**(1) Private Well Abandonment Generally.**

- a. All structure and buildings used, or intended to be used, for human habitation shall connect to the municipal water supply within one (1) year of the availability of said water. All private wells shall, within ninety (90) days after connection to the City water supply, be permanently abandoned pursuant to Section (6) below unless the owner or owners obtain a well operation permit from the City of Onalaska Water Utility.
- b. In the event permission is granted to use a private well, it is expressly provided that the water therefrom shall be used on outside hose bibs only.

**(2) Well Operation Permit.** A permit may be granted to a operate a well if the following requirements are met, except as otherwise provided herein:

- a. The well and pump installation meet the requirements of Wis. Admin. Code ch. NR 812 and subsequent amendments, a well constructor's report is on file with the DNR, or certification of the acceptability of the well has been granted by the private water supply section of the DNR.
- b. The well construction and pump installation have a history of producing safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells unless the state department of natural resources approves in writing the continued use of the well.
- c. The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
- d. No physical connection shall exist between the piping of the public water system and the private well. The City may elect to do a cross connection inspection to verify compliance.
- e. A permit fee shall have been paid once every five years in an amount determined annually by the City Council and set forth on the City Fee Schedule.

**(3) Additional Conditions of Permit.** The right to construct, install and maintain a well as authorized by permit under this section shall be expressly conditioned upon the owners and successors in interest complying with the following:

- a. The owner shall permit the water utility or its designee access to the well for inspection and testing at anytime during working hours.
- b. No repair or modification of any well may be performed unless prior notification is given to the water utility and the plan and resulting construction is reviewed and inspected by the City Engineer or its designee.

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- c. The City shall have the right to sample the water after completion of any such repairs or modification. Such sampling shall be at the owner's cost and may either be done by the City or by the owner at the City's direction.
- d. The City shall have the right to randomly test or direct the owner to test the well not more than two times in any six month period. The City may require additional testing if there is reason to believe some contamination may be present or that the results of previous tests may be invalid.
- e. The cost of any testing and sampling as provided in this section shall be paid by the owner upon invoice by the City.
- f. A permit issued in accordance with the provisions of this section shall be revoked by the City Engineer or its designee upon notice to the permittee that any of the following have occurred:
  - a. The owner of the well has refused access to a well for testing or has failed to follow a direction of order of municipal water utility in regard to testing or sampling.
  - b. The owner of any well has neglected to pay for any tests authorized with 30 days of billing invoice.
  - c. Any test results demonstrate well contamination and do not meet reasonable health standards or are in violation of any state or municipal ordinance dealing with well operation.
  - d. The parties aggrieved by permit revocation may appeal the initial decision of the water superintendent to the board of public works by filing a written for review with the City Clerk.

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~~(2)~~(4) **Application for Permit.** Applications for a well operation permit shall be made in writing by the owner or owners of the well to the City of Onalaska Water Utility. Application shall be upon a form provided by the Water Utility and shall be made concurrently with the application for a plumbing permit to connect the premises with municipal water. A fee as determined by the City of Onalaska Common Council and reflected on the City's Fee Schedule ~~is~~ Twenty Five Dollars (\$25.00) shall accompany the well operation permit application. Applications for a well operation permit must be approved by the City Engineer, upon approval by the City Engineer the application will be forwarded to the Board of Public Works and the Common Council for approval. Applications to drill a new well shall require a separate application for new well in addition to the well operation permit, the application to drill a new well shall be on a form provided by the City Engineer's office and shall require a needs assessment and any other information deemed necessary by the City Engineer and shall be reviewed in conjunction with the well operation permit. The application to drill a new well shall be accompanied with a \$5,000.00 permit fee.

Comment [a1]: I would recommend stating the fee at \$250.00

~~(3)~~ **Issuance of Permits.** ~~Bacteriological sampling, consisting of obtaining one (1) shall be conducted prior to issuing or reissuing the permit. Private wells with unsafe bacteria samples shall not be issued a well permit and the well shall be abandoned; there shall be no exceptions to this condition.~~

~~(4)~~(5) **Terms of Permit.** The well operation permit shall be valid for five (5) years from the date of issuance. ~~The City shall not permit new wells to be drilled under such permit, unless specifically authorized by the Common Council.~~

~~(5)~~(6) **Renewal Permit, Suspension and Revocation.** Renewal permits shall be issued for the term and upon payment of the permit fee hereinabove mentioned. Renewal Well Operation Permits are subject to the same conditions as initial Well Operation Permits, as outlined in Section 3 above. The owner or owners shall certify

when applying for a renewal permits that the well is in good operable condition and is in conformity with all applicable state and local laws and shall provide proof of safe water by providing at least one sample, having been taken within 2 weeks of the date of application. In the event the first sample fails, the owner can provide an additional two samples -taken a minimum of two weeks apart to verify that the first sample was related to domestic hygiene issues and not well safety problems. No exception to this condition may be made for unsafe wells unless the state department of natural resources approves in writing the continued use of the well. In the event it is found, upon any inspection, that any cross connection has been made between the municipal water supply system and the piping of a private well water system, or that the well equipment is inoperable, or does not meet state or local regulations, and all permits shall be immediately suspended. In the case of a cross connection, the permit shall be revoked and the well ordered properly abandoned in accordance with applicable ordinances. In the event any inspection results in a suspension of a permit and a second inspection is made to determine if the reason for suspension has been eliminated, a Fifteen Dollar (\$15.00) the owner shall bear the cost of any re-inspection fee shall be charged as set forth on the Inspection Department's Fee Schedule.

**(7) Well Abandonment.** Upon revocation of a well permit in accordance with this section or upon voluntary determination to abandon the use of any well previously permitted hereunder, all wells under the jurisdiction of this section shall be abandoned in accordance with the procedures of Wis. Admin. Code NR ch. 812. All debris, pump, piping, unsealed liners, and other obstructions which may interfere with the sealing operations shall be removed prior to abandonment. The owner of the well or the owner's agent shall notify the City Engineer or its designee at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the water utility superintendent or its designee and an abandonment report form, supplied by the state department of natural resources, shall be submitted by the well owner to the water utility and the state department of natural resources within ten days of the completion of the well abandonment.

**(8) Abandonment of Unused or Previously Abandoned Wells.** It shall be the responsibility of the landowner of any real property upon which a well is located to see to it that all wells located on the owner's property have been properly abandoned in accordance with the procedures of Wis. Admin. Code NR ch. 812, regardless of whether such owner has used such well. Upon discovery of any unused or previously abandoned well, the owner shall notify the municipal water utility and comply, insofar as is practicable, with the procedures of subsection (6) of this section. In the case of a previously abandoned well, if the owner can produce proof of compliance with state well abandonment requirements to the satisfaction of the utilities manager/engineer, compliance with this section may be deemed unnecessary. Such determination shall be at the discretion of the utilities manager/engineer upon considering the present and future possibility of ground water contamination at the well site.

**(9) Failure to Properly Abandon Well Public Nuisance.** Failure to abandon any well after revocation of a permit to follow the provisions of Wis. Admin. Code NR ch.812, in abandoning such well is hereby deemed a public nuisance, and the City may cause such well to be property abandoned and may assess the cost against the owner of the affected property and collect it as a special tax.

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- (e) **Penalties.** Any person, firm or other well owner violating any provision of this Section shall, upon conviction, be punished by a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than ~~Two~~ Five Hundred Dollars (\$500.00), together with the cost of prosecution. Each twenty-four (24) hour period during which a violation exists shall be deemed and constitute a separate offense.

**SECTION II.** This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

Agenda Item: #8

Project/Item Name: Omni Center Boiler Project

Location: Omni Center

Requested Action: Discussion on change order #2

Staff Report/Description: Contractor has indicated that they missed two water heaters during the bidding process. Contractor has requested compensation through proposed change order #2 for the water heaters.

Attachments: Change order #2

La Crosse Mechanical, Inc.  
1309 Norplex Drive  
La Crosse, Wisconsin 54601  
Phone (608) 784-4430 Fax (608) 784-2320  
[lacrossemech@centurytel.net](mailto:lacrossemech@centurytel.net)

August 12, 2015

Olympic Builders  
Onalaska, Wisconsin  
Attention: Justin

RE: Omni Center  
Water Heaters  
Onalaska, Wisconsin

Justin,

Attached are copies from two Supply Houses in reference to the two Water Heaters.  
After finding the error, I called the Supply Houses; both were willing to discount there water heaters.

Ferguson Enterprises, Inc., gave us the best price.

Ferguson Enterprises, Inc. did not quote the heaters on bid date, because they were not mentioned as equal.

Please call if you need additional information.

Respectfully,

  
James Romball

**Olympic Builders**  
GENERAL CONTRACTORS, INC.

August 14, 2015

email

Stevens Engineers  
2211 O'Neil Road  
Hudson, WI 54016

Attn: Jason Raverty

Re: Onalaska Omni Center  
255 Riders Club Road  
Onalaska, WI 54650

Please see the attached invoices for the water heaters on the Onalaska Omni Center project.  
There was a mathematical error in the bid

Original Bid	Add	\$ 16,007.61
Less Mathematical Error	Deduct	\$ (1,037.63)
Water Heater Total	Add	<u>\$ 14,969.98</u>

If you have any questions, please let us know.

Sincerely,



William Yahnke  
WY/sh

Attachments

Document: Proposal

Page: 1

Date: 05/18/15

Quote No: 188720

Proposal By: First Supply LLC  
 P.O. Box 1028  
 106 Cameron Ave.  
 LaCrosse, WI 54602-1028

Name: ALL BIDDING CONTRACTORS

Project: ONALASKA OMNI BP2  
 ONALASKA OMNI CENTER BP 2  
 ARENA 1 BUILDING RENOVATIONS

LA CROSSE

WI 54601

Terms:  
 Contact:

Starts:  
 Expires: 07/14/15

Line	Grp	Product Description	Unit	Quantity	Price	Ext Price
	GWH	GWH 22 30 00			8607.63	0.00
		AOSBTH400MN BTH400 119GAL NG 400/95 CYCLONE MXI WTR HTR AOS	EA	22.00	10006.38000	10006.38
		9007960005 9007960005 AOS CONDENSAT NEUTRALIZATION KIT	each	22.00	331.25000	331.25
		9008841005 9008841005 AOS CONCENTRIC VENT KIT	each	22.00	700.00000	700.00
	GWH	SUBTOTAL			EA 9494.73	11037.63
					18,989.46	
	CO-1	CO-1 22 10 00				0.00
		ZURZN1400NHK ZN1400 2 CO NH NB TOP	EA	1.00	83.90000	83.90
		ZURZN1400NHM ZN1400 3 CO NH NB TOP	EA	1.00	88.44000	88.44
		ZURZN1400NHP ZN1400 4 CO NH NB TOP	* EA	1.00	118.36000	118.36
		ZURZN1400NHU ZN1400 6 CO NH NB TOP	EA	1.00	192.60000	192.60
		FRT INCOMING FREIGHT	each	1.00	35.00000	35.00

Continued

608-184-2320



FEI-LACROSSE #279  
2220 WARD AVENUE  
LACROSSE, WI 54601-7360

Deliver To: JIM  
From: Brian Kosmoski  
Comments:

09:35:52 JUN 19 2015

FERGUSON ENTERPRISES INC #1657

Price Quotation

Page # 1

Phone : 608-788-3700

Fax : 608-787-0670

**Bid No.....:** B017873**Bid Date.....:** 06/19/15**Quoted By.:** BK**Cust Phone:** 608-784-4430**Terms.....:** NET 10TH PROX

**Customer:** LA CROSSE MECHANICAL INC  
1309 NORPLEX DRIVE  
SUITE 3  
LA CROSSE, WI 54601-1605

**Ship To:** LA CROSSE MECHANICAL INC  
1309 NORPLEX DRIVE  
SUITE 3  
LA CROSSE, WI 54601-1605

**Cust PO#....:****Job Name:** OMNI

Item	Description	Quantity	Net Price	UM	Total
BEF100T399E3N2	100G 399 BTU HE COMM WHTR	2	7082.000	EA	14164.00
1196021	4 PVC CONC VENT KIT	2	203.410	EA	406.82
S9007960005	CNS-6 CNDST NEUT KIT	2	301.135	EA	602.27
<b>Net Total:</b>					<b>\$15173.09</b>
<b>Tax:</b>					<b>\$834.52</b>
<b>Freight:</b>					<b>\$0.00</b>
<b>Total:</b>					<b>\$16007.61</b>

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This quote is offered contingent upon the buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at [http://walseleyna.com/terms\\_conditionsSale.html](http://walseleyna.com/terms_conditionsSale.html). Govt Buyers: All items are open market unless noted otherwise.

**LEAD LAW WARNING:** It is illegal to install products that are not 'lead free' in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

Agenda Item: #9

Project/Item Name: PASER rating

Location: Citywide

Requested Action: Discussion on PASER ratings

Staff Report/Description: Staff has completed 2015 street ratings. Ratings are completed every other year by City staff. Staff would like to discuss how ratings have changed over a ten year time period.

Attachments: PASER ratings & graph

# Rating pavement surface condition

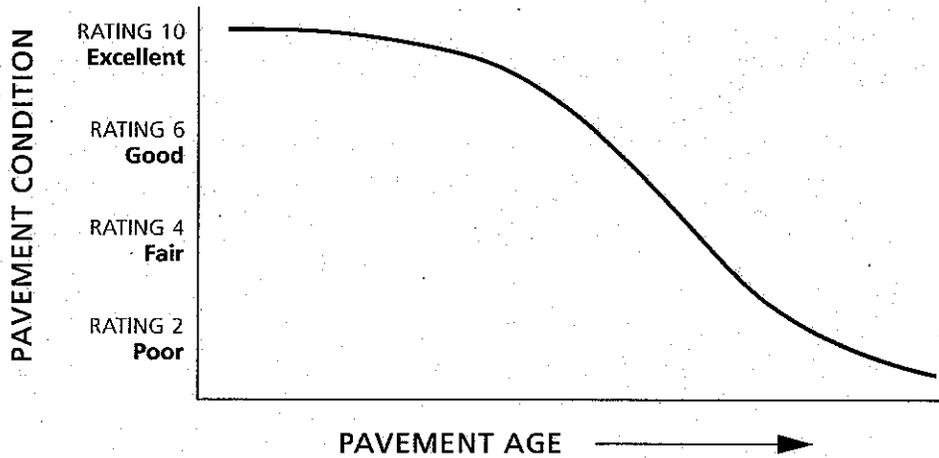
With an understanding of surface distress, you can evaluate and rate asphalt pavement surfaces. The rating scale ranges from 10—excellent condition to 1—failed. Most pavements will deteriorate through the phases listed in the rating scale. The time it takes to go from excellent condition (10) to complete failure (1) depends largely on the quality of the original construction and the amount of heavy traffic loading.

Once significant deterioration begins, it is common to see pavement decline rapidly. This is usually due to a combination of loading and the effects of additional moisture. As a pavement ages and additional cracking develops, more moisture can enter the pavement and accelerate the rate of deterioration.

Look at the photographs in this section to become familiar with the descriptions of the individual rating categories. To evaluate an individual pavement segment, first determine its general condition. Is it relatively new,

toward the top end of the scale? In very poor condition and at the bottom of the scale? Or somewhere in between? Next, think generally about the appropriate maintenance method. Use the rating categories outlined below.

Finally, review the individual pavement distress and select the appropriate surface rating. Individual pavements will **not** have all of the types of distress listed for any particular rating. They may have only one or two types.

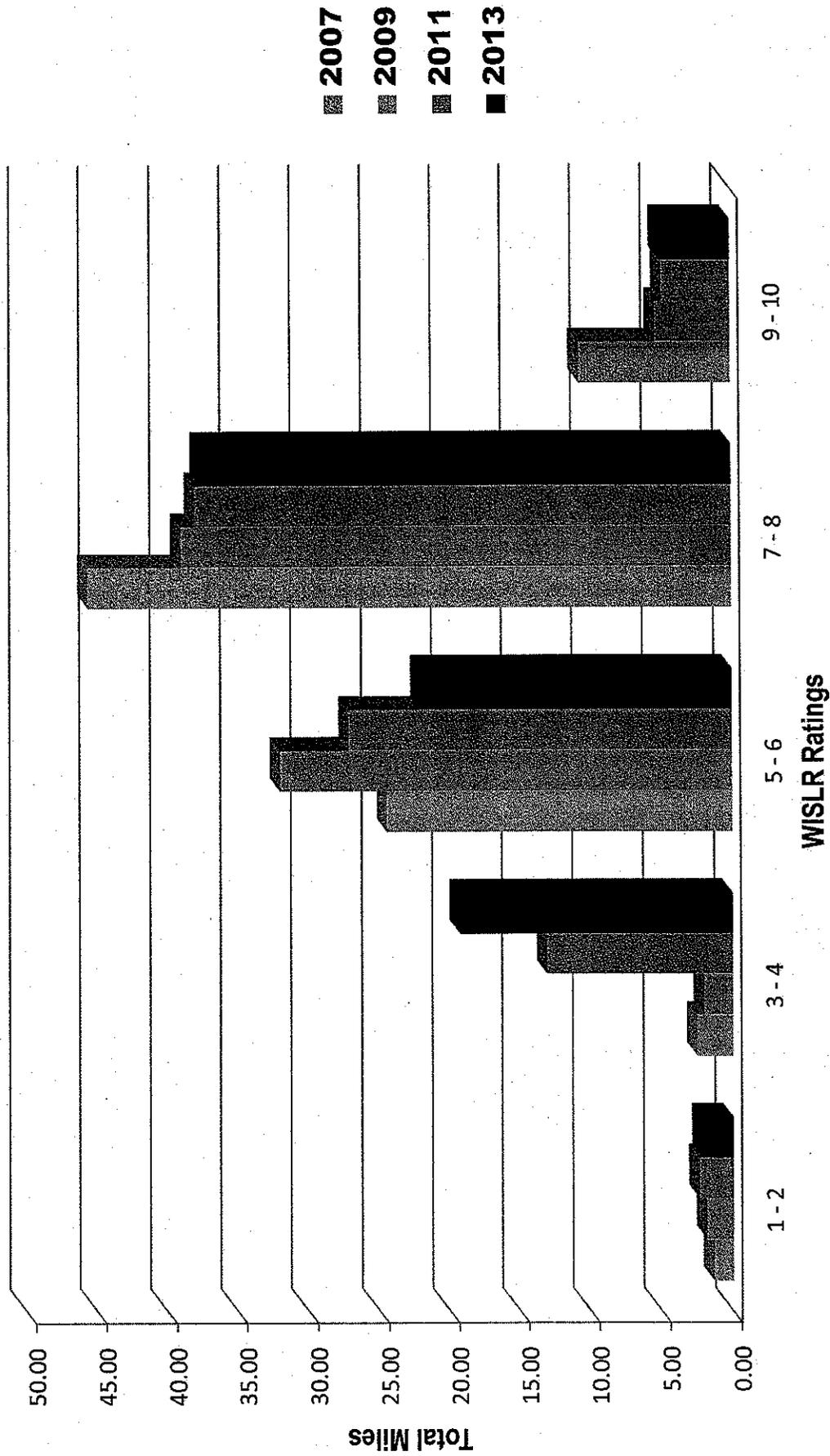


In addition to indicating the surface condition of a road, a given rating also includes a recommendation for needed maintenance or repair. This feature of the rating system facilitates its use and enhances its value as a tool in ongoing road maintenance.

### RATINGS ARE RELATED TO NEEDED MAINTENANCE OR REPAIR

<b>Rating 9 &amp; 10</b>	No maintenance required
<b>Rating 8</b>	Little or no maintenance
<b>Rating 7</b>	Routine maintenance, cracksealing and minor patching
<b>Rating 5 &amp; 6</b>	Preservative treatments (sealcoating)
<b>Rating 3 &amp; 4</b>	Structural improvement and leveling (overlay or recycling)
<b>Rating 1 &amp; 2</b>	Reconstruction

# City of Onalaska WISLR Ratings + Mileage - 2007-2013



WISLR  
CITY OF ONALASKA STREETS  
2007 - 2015

Rating	2007		2009		2011		2013		2015	
	Miles	% of Total								
1 - 2	1.41	1.7%	1.88	2.3%	2.40	2.8%	2.18	2.5%	5.12	5.9%
3 - 4	2.53	3.0%	2.05	2.5%	13.11	15.3%	19.33	22.4%	20.80	23.9%
5 - 6	24.52	28.9%	32.08	39.9%	27.21	31.7%	22.07	25.6%	28.03	32.2%
7 - 8	45.69	53.8%	39.09	48.6%	38.13	44.5%	37.69	43.7%	23.80	27.3%
9 - 10	10.76	12.7%	5.37	6.7%	4.88	5.7%	5.00	5.8%	9.28	10.7%

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

**Agenda Item:**

**#10**

**Project/Item Name:**

**Kurt Place utility easement**

**Location:**

**Kurt Place**

**Requested Action:**

**Approval of releasing easement**

**Staff Report/Description:**

**With the vacating of Kurt Place the utility easement surrounding the right of way must be released. Currently the city has no infrastructure within this easement area.**

**Attachments:**

**Easement release**

## **PARTIAL RELEASE OF PLATTED UTILITY EASEMENT**

This Partial Release of Platted Utility Easement ("Release") is made by the City of Onalaska and Charter Communications.

### **BACKGROUND:**

A. A utility easement described as a strip of land ten feet (10') in width along the perimeter of the right-of-way boundary of the street known as Kurt Place in Nathan Hill Estates Subdivision, City of Onalaska, La Crosse County, Wisconsin ("Utility Easement"), was established by the Nathan Hill Estates Subdivision recorded on June 8, 2005, as Document Number 1423505, in the office of the Register of Deeds, La Crosse County, Wisconsin.

B. Valley View Business Park, LLP ("Owner") owns Lots 1 and 2 in the Nathan Hill Estates Subdivision, as evidenced by that certain deed recorded on January 22, 2004, as Instrument Number 1384177, in the office of the Register of Deeds, La Crosse County, Wisconsin. Owner has requested that the City of Onalaska and Charter Communications release its right, title and interest in the Utility Easement with respect to a portion of Lots 1 and 2 of the Nathan Hill Estates Subdivision. The City of Onalaska and Charter Communications are willing to do so upon the terms and conditions contained in this Release.

### **RELEASE:**

As of the date the City of Onalaska and Charter Communications signs this Release, the City of Onalaska and Charter Communications vacates and releases all of its right, title and interest in and to any and all easements and easement rights acquired by the City of Onalaska and Charter Communications with respect to Lots 1 and 2 in the area immediately adjacent to Kurt Place, such area being cross-hatched and referred to as "AREA TO BE RELEASED" on Exhibit A attached to and incorporated by reference into this Release ("Released Easement Tract"). All of the City of Onalaska's and Charter Communications' right, title and interest in and to any and all easements and easement rights acquired by the City of Onalaska and Charter Communications pursuant to the Utility Easement with respect to all other real property outside of the Released Easement Tract remain and are not affected by this Release.

IN WITNESS WHEREOF, the undersigned have executed this Instrument this \_\_\_\_\_ of \_\_\_\_\_, 2015

\_\_\_\_\_  
Joe Chilsen  
Mayor, City of Onalaska

\_\_\_\_\_  
Cari Burmaster  
Clerk, City of Onalaska

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named Joe Chilsen and Cari Burmaster, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

IN WITNESS WHEREOF, the undersigned have executed this Instrument this \_\_\_\_\_ of \_\_\_\_\_, 2015

\_\_\_\_\_  
Perry McClellan  
Authorized Signatory, Charter Communications

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

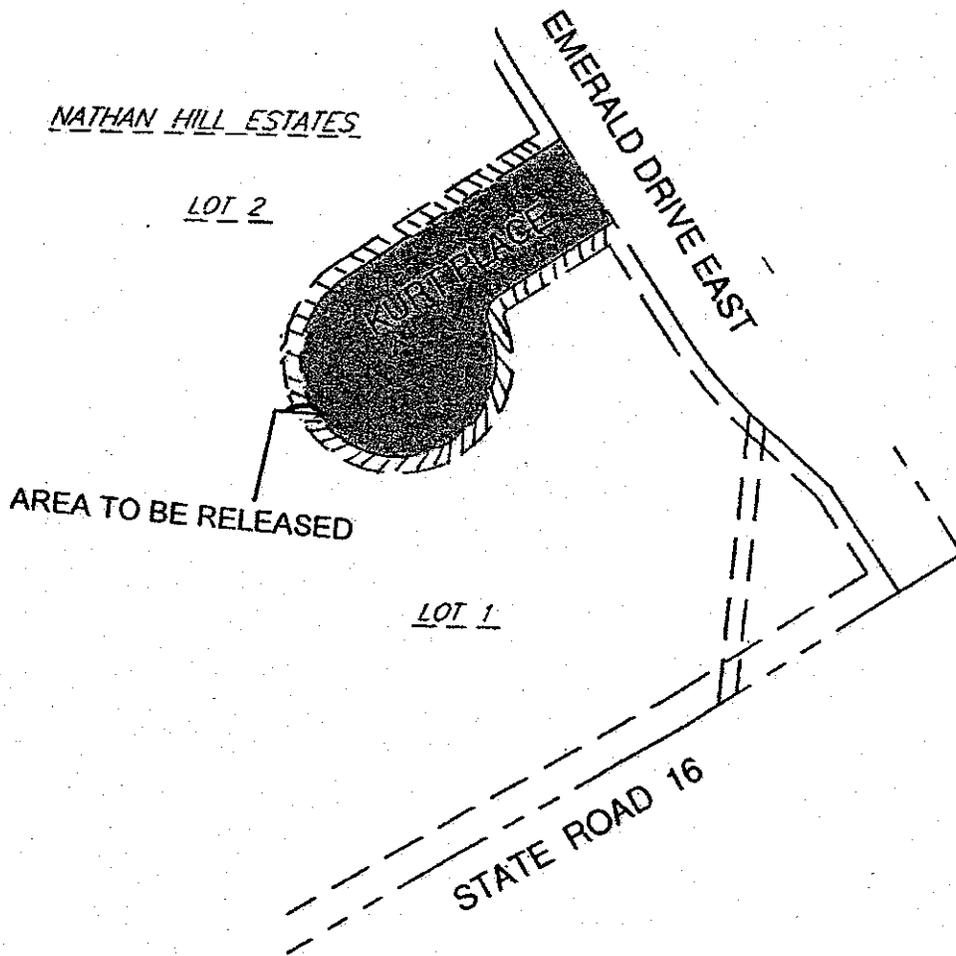
Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, the above named Perry McClellan, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

Document Prepared by:  
Andy Lutchens  
Davy Engineering Inc.  
115 6<sup>th</sup> Street South  
La Crosse, WI 54601

EXHIBIT A

City of Onalaska, La Crosse County, Wisconsin  
Part of the SW ¼ of the SW ¼ of Section 1, T-16N, R-7W  
Nathan Hill Estates Subdivision



# **STAFF REVIEW SUMMARY**

## **CITY OF ONALASKA BOARD OF PUBLIC WORKS**

September 1, 2015

**Agenda Item:** #11

**Project/Item Name:** 2016 – 2020 Capital Improvements budget

**Location:** Citywide

**Requested Action:** Discussion on proposed budget

**Staff Report/Description:** Attached is the proposed 2016 – 2020 Capital Improvements budget. The budget is being presented with discussion in October and November. Public hearing will be held at the December meeting.

**Attachments:** Proposed 2016 – 2020 Capital Improvements budget

CITY OF ONALASKA

2016 Capital Improvement Projects - Proposed

Meeting Dates:  
BOPW -  
BOPW -

DRAFT (8/24/15)

I. Public Works Department

	Sanitary Sewer	Water	General	Storm Sewer	Total Cost	Less Amount Already Bonded	Less Amount Other Sources	Amount Needed by Borrowing
1. Sidewalk (NEW)								
a. Repair Program	\$ -	\$ -	\$ 75,000	\$ -	\$ 75,000	\$ -	\$ -	\$ -
b. Well St in fill installation	\$ -	\$ -	\$ 42,000	\$ -	\$ 42,000	\$ -	\$ -	\$ -
c. Misc. In fill installation	\$ -	\$ -	\$ 43,000	\$ -	\$ 43,000	\$ -	\$ -	\$ -
2. Pavement Maintenance Program (NEW) w/ La Crosse County Hwy Dept.	\$ -	\$ -	\$ 375,000	\$ -	\$ 375,000	\$ -	\$ -	\$ -
3. Railroad quiet zone study (2013 CIP #24) 2nd Ave SW & Irvin St								
a. Design Study	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -	\$ -
b. Construction	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -	\$ -
4. Street repaving - Holiday Heights (2015 Proposed) East Young Dr from West Young Dr to Medary Lane	\$ -	\$ -	\$ 34,000	\$ -	\$ 34,000	\$ -	\$ -	\$ -
5. East Main St, Theater Rd Dr to Marcou Rd - mill & overlay (2014 Proposed) - PASER 3.0	\$ -	\$ -	\$ 723,000	\$ -	\$ 723,000	\$ -	\$ -	\$ -
6. Sanitary sewer combination cleaning truck (2015 Proposed)	\$ 300,000	\$ -	\$ -	\$ -	\$ 300,000	\$ -	\$ -	\$ -
7. Green Coulee intersection improvements at East Main St (2015 Proposed)								
a. Design	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -
1) Preliminary	\$ -	\$ -	\$ 200,000	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ -
2) Final	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Meeting Dates:  
BOPW -  
BOPW -

CITY OF ONALASKA

2016 Capital Improvement Projects - Proposed

DRAFT (8/24/15)

I. Public Works Department (cont'd)

	Sanitary Sewer	Water	General	Storm Sewer	Total Cost	Less Amount Already Bonded	Less Amount Other Sources	Amount Needed by Borrowing
8. Crossing Meadows Dr - pavement replacement - 12th Ave S to 1,200 feet east (2014 Proposed) PASER 3.0	\$ -	\$ -	\$ 182,000	\$ -	\$ 182,000	\$ -	\$ -	\$ -
9. Green St - reconstruction (2015 Proposed) 9th Ave to 10th Ave & Horman Blvd PASER 2.0	\$ 74,000	\$ 98,000	\$ 230,000	\$ 50,000	\$ 452,000	\$ -	\$ -	\$ -
10. Fern St reconstruction, 3rd to 4th (NEW) PASER 2.0	\$ -	\$ -	\$ 94,000	\$ 28,000	\$ -	\$ -	\$ -	\$ -
11. Green Coulee Water High Service Zone Improvements (NEW)	\$ -	\$ 250,000	\$ -	\$ -	\$ 250,000	\$ -	\$ -	\$ -
12. Public Works Facility - epoxy floor coating (2015 Proposed)	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 80,000	\$ -	\$ -	\$ -
13. Coachlite Subdivision - repaving (2015 Proposed) GrandView Blvd, Fairway Ct, Coachlite Ct N, Kevin Ct, & Coachlite Ct S PASER 2.0	\$ -	\$ -	\$ 325,000	\$ -	\$ 325,000	\$ -	\$ -	\$ -
14. Sand Lake Rd reconstruction (NEW) Redwood St to Riders Club Rd Design (construction 2017)	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -
15. King St reconstruction (2015 Proposed) 5th Ave N to 6th Ave N & 6th Ave N reconstruction - Main St to Monroe St PASER 3.5	\$ 22,000	\$ 46,000	\$ 196,000	\$ -	\$ 264,000	\$ -	\$ -	\$ -

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Meeting Dates:  
BOPW -  
BOPW -

CITY OF ONALASKA

2016 Capital Improvement Projects - Proposed

DRAFT (8/24/15)

I. Public Works Department (cont'd)

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
16. 2nd Ave/STH 35 crosswalk replacement (NEW)	\$ -	\$ -	\$ 90,000	\$ -	\$ 90,000	\$ -	\$ -	\$ -
17. Alley Paving projects (2015 Proposed)								
a. Alley construction between Irvin St/Main St & 3rd Ave N/4th Ave N	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000	\$ -	\$ -	\$ -
b. Alley paving between Irvin/Hickory St & 3rd Ave N/4th Ave N	\$ -	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -	\$ -
18. South Kinney Coulee liftstation (2015 Proposed) - reconstruction	\$ 265,000	\$ -	\$ -	\$ -	\$ 265,000	\$ -	\$ -	\$ -
19. French Rd - (2011 Proposed)								
a. Booster Station	\$ -	\$ 600,000	\$ -	\$ -	\$ 600,000	\$ -	\$ -	\$ -
b. Watermain	\$ -	\$ 150,000	\$ -	\$ -	\$ 150,000	\$ -	\$ -	\$ -
20. I-90 sanitary sewer - WIS DOT project (NEW)	\$ 500,000	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ -	\$ -
21. Street repaving (NEW)								
10th Ave N - Park Pl to Grove St	\$ -	\$ -	\$ 182,000	\$ -	\$ 182,000	\$ -	\$ -	\$ -
Park Pl - 10th Ave N to end PASER 2.4	\$ -	\$ -	\$ 310,000	\$ -	\$ 310,000	\$ -	\$ -	\$ -
22. Country Club Lane - repaving (NEW) PASER 2.5	\$ -	\$ -	\$ 663,000	\$ -	\$ 663,000	\$ -	\$ -	\$ -
23. Street repaving (NEW) Well St, 13th Ave N, 14th Ave N, Lake St, 13th Pl, Herman Ct, Pleasant Ct, Hanson Ct, Meadow Ln & Redwood St PASER 2.6	\$ -	\$ -	\$ 70,000	\$ -	\$ 70,000	\$ -	\$ -	\$ -
24. 3rd Ave N- Poplar St to cul de sac south of John St, design only (construction 2017) (NEW)	\$ -	\$ -	\$ 70,000	\$ -	\$ 70,000	\$ -	\$ -	\$ -

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**CITY OF ONALASKA**  
**2016 Capital Improvement Projects - Proposed**

DRAFT (8/24/15)

**I. Public Works Department (cont'd)**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
25. Street repaving -- Oak Forest Dr (NEW) Hilltopper Pl to 12th Ave S PASER 2.5	\$ -	\$ -	\$ 401,000	\$ -	\$ 401,000	\$ -	\$ -	\$ -
26. Main St Pavement Patching (2014 Deferred)	\$ -	\$ 15,000	\$ 202,000	\$ 15,000	\$ 232,000	\$ -	\$ -	\$ -
27. Street repaving -- Oak Forest Dr (NEW) 12th Ave S to Wilson St PASER 3.0	\$ -	\$ -	\$ 387,000	\$ -	\$ 387,000	\$ -	\$ -	\$ -
28. 2nd Ave SW to STH 35 cross lot (NEW) Sanitary Sewer Interceptor relay	\$ 199,000	\$ -	\$ -	\$ -	\$ 199,000	\$ -	\$ -	\$ -
29. Tractor backhoe (NEW)	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 120,000	\$ -	\$ -	\$ -
30. Cemetary Enhancements (NEW) Main St / 13th Ave S	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -
31. Street Sign inventory (NEW)	\$ -	\$ -	\$ 65,000	\$ -	\$ 65,000	\$ -	\$ -	\$ -
32. STH 16 - Landfill Rd to City limits (2014) WIS DOT reconstruction	\$ 10,000	\$ 50,000	\$ -	\$ -	\$ 60,000	\$ -	\$ -	\$ -

**II. Planning Department**

1. Bluffland protection program w/ MVC (NEW)	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -
2. Urban Forestry - general (NEW)	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -
3. Emerald Ash Borer - tree planting (NEW)	\$ -	\$ -	\$ 215,000	\$ -	\$ 215,000	\$ -	\$ -	\$ -

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**CITY OF ONALASKA**  
**2016 Capital Improvement Projects - Proposed**

DRAFT (8/24/15)

**II. Planning Department (cont'd)**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
4. Emerald Ash Borer - tree stump removal (NEW)	\$ -	\$ -	\$ 45,000	\$ -	\$ 45,000	\$ -	\$ -	\$ -
5. Urban forestry consulting services - tree inventory update (2nd of 3 yrs) (NEW)	\$ -	\$ -	\$ 14,000	\$ -	\$ 14,000	\$ -	\$ -	\$ -
6. Waterfront improvements - Great River Landing Project (2015 Proposed)								
a. Design	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -	\$ -
b. Construction - Phase I (projects 1.0 & 1.1 including trailhead building & parking lot)	\$ -	\$ -	\$ 2,750,000	\$ -	\$ 2,750,000	\$ -	\$ -	\$ -

**III. Fire Department**

1. Land & Facilities (2008 Proposed)								
a. Purchase land (3 acres@\$3.00/sq ft)								
Fire Station #2 - STH 16 & I-90 vicinity	\$ -	\$ -	\$ 396,000	\$ -	\$ 396,000	\$ -	\$ -	\$ -
2. Fire Engine/Pumper (replaces 1992 Peterbilt) (NEW)	\$ -	\$ -	\$ 600,000	\$ -	\$ 600,000	\$ -	\$ -	\$ -

**IV. Parks & Recreation Department**

1. Comprehensive Outdoor Recreation Plan (NEW) - rewrite	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -	\$ -
2. Nathan Hills area playground (2015 Proposed)	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -
3. Van Riper Park playground replacement (2015 Proposed)	\$ -	\$ -	\$ 75,000	\$ -	\$ 75,000	\$ -	\$ -	\$ -

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CITY OF ONALASKA

2016 Capital Improvement Projects - Proposed

Meeting Dates:  
BOPW -  
BOPW -

DRAFT (8/24/15)

IV. Parks & Recreation Department (cont'd)

	Sanitary Sewer	Water	General	Storm Sewer	Total Cost	Less Amount Already Bonded	Less Amount Other Sources	Amount Needed by Borrowing
4. Van Ripper Park - outfield fencing (west field) (2015 Proposed)	\$ -	\$ -	\$ 13,000	\$ -	\$ 13,000	\$ -	\$ -	\$ -
5. Pierce Park - shade structure (2015 Proposed)	\$ -	\$ -	\$ 30,000	\$ -	\$ 30,000	\$ -	\$ -	\$ -
6. Hilltopper Heights Park - basketball court overlay (2015 Proposed)	\$ -	\$ -	\$ 18,500	\$ -	\$ 18,500	\$ -	\$ -	\$ -
7. Bluffland protection program (2015 Proposed))	\$ -	\$ -	\$ 12,000	\$ -	\$ 12,000	\$ -	\$ -	\$ -

V. Police

1. Replace squad cars (NEW)	\$ -	\$ -	\$ 96,800	\$ -	\$ 96,800	\$ -	\$ -	\$ -
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VI. Omni Center

1. Water heater for Zamboni room (NEW)	\$ -	\$ -	\$ 7,000	\$ -	\$ 7,000	\$ -	\$ -	\$ -
2. LED sign board for Omni Center (NEW)	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -	\$ -
3. Security cameras for Arena 1 (NEW)	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -	\$ -
4. Overhaul of chiller in Arena 2 (NEW)	\$ -	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -	\$ -
5. Arena 1 bleacher work (NEW) a. Perma-Cap bleacher seat & riser cover b. End & front bleacher rails	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -

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Meeting Dates:  
BOPW -  
BOPW -

CITY OF ONALASKA

2016 Capital Improvement Projects - Proposed

DRAFT (8/24/15)

VI. Omni Center (cont'd)

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>				
6. Omni Center roof (NEW)	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -	\$ -				
7. Arena 1 sound system (NEW)	\$ -	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -	\$ -				
<u>VII. Library</u>												
1. NONE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
<u>IX. City Hall</u>												
1. NONE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
<b>TOTALS:</b>						\$ 1,420,000	\$ 1,259,000	\$ 10,476,300	\$ 443,000	\$ 13,122,300	\$ -	\$ -

CITY OF ONALASKA

2017 Capital Improvement Projects - Proposed

DRAFT (rev 8-25-2015)

I. Public Works Department

	Sanitary Sewer	Water	General	Storm Sewer	Total Cost	Less Amount	
						Already Bonded	Other Sources
1. Single axle dump truck w/ plow, spreader and wing	\$ -	\$ -	\$ 145,000	\$ -	\$ 145,000	\$ -	\$ -
2. King St reconstruction - 2nd Ave to 4th Ave	\$ 8,000	\$ -	\$ 104,000	\$ -	\$ 112,000	\$ -	\$ -
3. 3rd Ave N - King St to Locust St	\$ 40,000	\$ -	\$ 85,000	\$ 12,000	\$ 137,000	\$ -	\$ -
4. Street repaving - Pinecrest Ln, Rosewood Trl, Valley Ct, 13th Ave S, Green St, La Crosse St, Green Bay St & Fairfield Pl.	\$ -	\$ -	\$ 546,000	\$ -	\$ 546,000	\$ -	\$ -
5. Sand Lake Rd - reconstruction Redwood St to Riders Club Rd including lighting	\$ -	\$ -	\$ 2,000,000	\$ -	\$ 2,000,000	\$ -	\$ -
6. Mini excavator	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 100,000	\$ -	\$ -
7. Traffic Study - Sand Lake Rd/12th Ave S	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
8. Reconstruction - 2nd Ave SW - STH 35 to railroad tracks & Oak Forest Dr - 2nd Ave SW to STH 35 w/ watermain under railroad tracks	\$ 15,000	\$ 180,000	\$ 310,000	\$ 40,000	\$ 530,000	\$ -	\$ -
9. East Main ST / North Kinney Coulee Rd - concrete pavement repairs	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -
10. Midwest Dr Repaving - National Dr to west	\$ -	\$ -	\$ 392,000	\$ -	\$ 392,000	\$ -	\$ -
11. Sidewalk repair program	\$ -	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ -	\$ -

CITY OF ONALASKA

2017 Capital Improvement Projects - Proposed

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
<b>I. Public Works Department (cont'd)</b>							
12. Pavement maintenance program w/ La Crosse County Hwy Dept.	\$ -	\$ -	\$ 225,000	\$ -	\$ 225,000	\$ -	\$ -
13. Stormwater quality management Pond 5 dry pond to wet pond conversion	\$ -	\$ -	\$ -	\$ 2,300,000	\$ 2,300,000	\$ -	\$ -
14. Alley Paving Projects	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
15. Sanitary sewer slip lining	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16. End loader	\$ -	\$ -	\$ 175,000	\$ -	\$ 175,000	\$ -	\$ -
17. Court St liftstation - replacement	\$ 150,000	\$ -	\$ -	\$ -	\$ 150,000	\$ -	\$ -
18. Watermain extension - Well St reservoir to 2,500 feet north	\$ -	\$ 300,000	\$ -	\$ -	\$ 300,000	\$ -	\$ -
19. Franklin St lift station upgrades	\$ 200,000	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ -
20. Troy St reconstruction - Hwy 35 to East Ave	\$ 111,000	\$ 94,000	\$ 312,000	\$ 472,000	\$ 989,000	\$ -	\$ -
21. Shared Ride maintenance/storage facility	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -	\$ -
22. Single-axle dump truck w/plow, spreader & wing	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -
23. 6th Ave lift station - reconstruction	\$ 400,000	\$ -	\$ -	\$ -	\$ 400,000	\$ -	\$ -

CITY OF ONALASKA

2017 Capital Improvement Projects - Proposed

						<u>Less Amount</u>	
	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Already Bonded</u>	<u>Other Sources</u>
<u>I. Public Works Department (cont'd)</u>							
24. 6th Ave N reconstruction - Pearl St to King St	\$ 50,000	\$ 200,000	\$ 350,000	\$ 100,000	\$ 700,000	\$ -	\$ -
25. Snowblower - end loader mounted	\$ -	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ -	\$ -
26. 2nd Ave SW reconstruction - railroad tracks to STH 35 including Ash St	\$ 5,000	\$ 108,000	\$ 311,000	\$ 39,000	\$ 463,000	\$ -	\$ -
27. 3rd Ave N, Poplar St to south - reconstruction - including John St	\$ 300,000	\$ 300,000	\$ 400,000	\$ -	\$ 1,000,000	\$ -	\$ -
28. Poplar St - STH 35 to 4th Ave N - reconstruction	\$ 50,000	\$ 50,000	\$ 100,000	\$ -	\$ 200,000	\$ -	\$ -
29. Cemetery - pavement replacement	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
30. Sanitary Sewer Slip Lining (NEW)	\$ 250,000	\$ -	\$ -	\$ -	\$ 250,000	\$ -	\$ -
31. Fiber optic computer cable to Public Works Facility	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -
32. Scada System upgrades	\$ 50,000	\$ 50,000	\$ -	\$ 10,000	\$ 110,000	\$ -	\$ -
<u>II. Planning Department</u>							
1. Waterfront improvements	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -
2. Bluff land protection program	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
3. Emerald Ash Borer - tree planting	\$ -	\$ -	\$ 228,000	\$ -	\$ 228,000	\$ -	\$ -

**CITY OF ONALASKA**  
**2017 Capital Improvement Projects - Proposed**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
<b>DRAFT (rev 8-25-2015)</b>							
<b><u>II. Planning Department (cont'd)</u></b>							
4. Emerald Ash Borer - tree stump removal	\$ -	\$ -	\$ 35,400	\$ -	\$ 35,400	\$ -	\$ -
5. STH 16 Bike Trail - S Kinney to Landfill Rd	\$ -	\$ -	\$ 750,000	\$ -	\$ 750,000	\$ -	\$ -
6. Ordinance updates for Comprehensive Plan	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -
7. Urban Forestry - General	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
8. Downtown/waterfront - bury existing overhead power lines	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -
9. Aerial Photography	\$ -	\$ -	\$ 40,000	\$ -	\$ 40,000	\$ -	\$ -
<b><u>III. Fire Department</u></b>							
1. 1st Responder Truck - replacement	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -
2. Firestation - I-90/STH 16 vicinity (NEW)	\$ -	\$ -	\$ 1,700,000	\$ -	\$ 1,700,000	\$ -	\$ -
<b><u>IV. Parks &amp; Recreation Department</u></b>							
1. Van Riper Park - co-op w/ OHS on baseball field improvements	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -
2. Rowe Park - parking lot for shelter #1	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
3. Van Riper Park - shade structure	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -

CITY OF ONALASKA

2017 Capital Improvement Projects - Proposed

DRAFT (rev 8-25-2015)

IV. Parks & Recreation Department (cont'd)

	Sanitary Sewer	Water	General	Storm Sewer	Total Cost	Less Amount	
						Already Bonded	Other Sources
4. Bluffland Protection	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
5. Parkridge Park - waterline & drinking fountain	\$ -	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -
6. Park benches	\$ -	\$ -	\$ 8,000	\$ -	\$ 8,000	\$ -	\$ -
7. Natural Areas Management Plan	\$ -	\$ -	\$ 12,000	\$ -	\$ 12,000	\$ -	\$ -

V. Police

1. Replace Vehicles (2)	\$ -	\$ -	\$ 96,800	\$ -	\$ 96,800	\$ -	\$ -
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VI. Omni Center

1. Replace concession equipment	\$ -	\$ -	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ -
2. Flooring -- Omni hallways (rubber)	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
3. Entry flooring for Arena 2	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -
4. Water coolers w/ bottle fillers (2)	\$ -	\$ -	\$ 4,394	\$ -	\$ 4,394	\$ -	\$ -
5. Portable basketball standards (2)	\$ -	\$ -	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -

VII. Library

1. Replace movable wall cover	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -
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IX. City Hall

1. Carpet replacement - Park & Rec suite	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
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**CITY OF ONALASKA**  
**2017 Capital Improvement Projects - Proposed**

DRAFT (rev 8-25-2015)

**IX. City Hall (cont'd)**

2. Replace electronic keyways at City Hall

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
<b>TOTALS:</b>	<b>\$ 1,816,000</b>	<b>\$ 1,102,000</b>	<b>\$ 7,797,594</b>	<b>\$ 2,921,000</b>	<b>\$ 13,386,594</b>	<b>\$ -</b>	<b>\$ -</b>

**CITY OF ONALASKA**  
**2018 Capital Improvement Projects - Proposed**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
<b>DRAFT (rev 8-25-2015)</b>							
<b>I. Public Works Department</b>							
1. CTH S road reconstruction - Sand Lake Rd to 1,350 ft east	\$ 48,000	\$ 72,000	\$ 410,000	\$ 53,000	\$ 483,000	\$ -	\$ -
2. Tillman, Johnson Dr, Lincoln St - pavement replacement	\$ -	\$ -	\$ 70,000	\$ -	\$ 70,000	\$ -	\$ -
3. French Rd reservoir - 300,000 gallons	\$ -	\$ 1,200,000	\$ -	\$ -	\$ 1,200,000	\$ -	\$ -
4. Sidewalk repair	\$ -	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ -	\$ -
5. Pavement maintenance	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -
6. Sanitary sewer sliplining	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -
7. Alley paving projects	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
8. 5th Ave N - Locust to Pearl reconstruction	\$ 111,000	\$ 138,000	\$ 290,000	\$ 91,000	\$ 630,000	\$ -	\$ -
9. Public Works Facility - cold storage addn	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -	\$ -
10. Riders Club Rd repaving - STH 35 to Sand Lake Rd.	\$ 5,000	\$ 5,000	\$ 1,500,000	\$ -	\$ 1,500,000	\$ -	\$ -
11. Braund St repaving - STH 16 to PH	\$ 5,000	\$ 5,000	\$ 300,000	\$ -	\$ 310,000	\$ -	\$ -
12. PH repaving - Braund St to Theater Rd	\$ 5,000	\$ 5,000	\$ 325,000	\$ -	\$ 335,000	\$ -	\$ -
13. Street repaving - Oak Ave N from Vilas St to Westwood Dr, Parkridge Pl, Parkridge Dr, Sunset Pl, Terrace Dr & Sunrise Ct	\$ -	\$ -	\$ 640,000	\$ -	\$ 640,000	\$ -	\$ -

**CITY OF ONALASKA**  
**2018 Capital Improvement Projects - Proposed**

Meeting Dates:  
 BOPW - 8/5/14

DRAFT (rev 8-25-2015)

**I. Public Works Department (cont'd)**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
14. Street repaving - Wilson St from 13th Ave S to Oak Forest Dr	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -
15. Street repaving - 10th Ave S from Schafer to Green, 11th Ave S from Green to Hickory, Hickory St from 10th Ave S to 12th Ave S, Green St from 10th Ave S to 12th Ave S, Placid Ct, La Crosse St from 9th Ave S to 11th Ave S, Fairfield Pl, Fairfield St, Michael Ct, & Placid Ct	\$ -	\$ -	\$ 296,000	\$ -	\$ 296,000	\$ -	\$ -
16. Sand Lake Rd - Main St to Lake St - reconstruction	\$ 400,000	\$ 400,000	\$ 750,000	\$ -	\$ 1,550,000	\$ -	\$ -
17. East Ave N - Vilas St to Riders Club Rd - repaving	\$ -	\$ -	\$ 226,000	\$ -	\$ 226,000	\$ -	\$ -
18. Holiday Heights pavement replacement and spot watermain replacement	\$ -	\$ 150,000	\$ 500,000	\$ -	\$ 650,000	\$ -	\$ -
19. Green Coulee intersection improvements at East Main St (2015 Proposed)	\$ -	\$ -	\$ 3,000,000	\$ 1,200,000	\$ 4,200,000	\$ -	\$ -
a. Construction	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -
20. Street reconstruction - PH from theater Rd to STH 16 including intersection control at PH & Theater Rd	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -

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**CITY OF ONALASKA**

**2018 Capital Improvement Projects - Proposed**

Less Amount  
Already Less Amount  
Bonded Other Sources

Sanitary  
Sewer

DRAFT (rev 8-25-2015)

I. Public Works Department (cont'd)

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Already Bonded</u>	<u>Less Amount Other Sources</u>
21. Street repaving - 10th Ave S from Main St to Westview Circle Dr	\$ -	\$ -	\$ 75,000	\$ -	\$ 75,000	\$ -	\$ -
22. Sunset Vista Subdivision - reconstruction Park Ave West, 4th Ave N, Royal St, Spruce St, West Ave & Park Ave	\$ 500,000	\$ 500,000	\$ 1,000,000	\$ 250,000	\$ 2,250,000	\$ -	\$ -
23. Single axle dump truck w/ plow, spreader & wing	\$ -	\$ -	\$ 145,000	\$ -	\$ 145,000	\$ -	\$ -
24. Cemetery - fencing & retaining wall replacement	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -
25. Evenson Drive - Stormwater (NEW) Quality Enhancement	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ -	\$ -

II. Planning Department

1. Waterfront improvements	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000	\$ -	\$ -
2. Urban Forestry - general	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
3. Old City Shop site - building removal and site restoration work	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -
4. Vehicle replacement - one	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -

III. Fire Department

1. Fire Engine / Quint	\$ -	\$ -	\$ 700,000	\$ -	\$ 700,000	\$ -	\$ -
2. Command Vehicles	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -

**CITY OF ONALASKA**  
**2018 Capital Improvement Projects - Proposed**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
<b>DRAFT (rev 8-25-2015)</b>							
<b><u>IV. Parks &amp; Recreation Department</u></b>							
1. Community Park - sports field lighting	\$ -	\$ -	\$ 95,000	\$ -	\$ 95,000	\$ -	\$ -
2. Van Riper Park - sports field lighting	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -
3. Bluffland Protection	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
4. Playground replacement at Rowe Park	\$ -	\$ -	\$ 35,000	\$ -	\$ 35,000	\$ -	\$ -
<b><u>V. Police</u></b>							
1. Replace squad cars (2)	\$ -	\$ -	\$ 101,640	\$ -	\$ 101,640	\$ -	\$ -
<b><u>VI. Omni Center</u></b>							
1. New Boards for Arena 2	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -
2. Shelving for storage building	\$ -	\$ -	\$ 15,000	\$ -	\$ 15,000	\$ -	\$ -
<b><u>VII. Library</u></b>							
1. Repaint under walkway	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -
<b><u>IX. City Hall</u></b>							
1. Boiler replacement	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
2. Carpet - Police Dept 1st floor	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
<b>TOTALS:</b>	<b>\$ 1,226,000</b>	<b>\$ 1,203,000</b>	<b>\$ 13,563,640</b>	<b>\$ 1,561,000</b>	<b>\$ 17,343,640</b>	<b>\$ -</b>	<b>\$ -</b>

**CITY OF ONALASKA**  
**2019 Capital Improvement Projects - Proposed**

Rev 8-25-2015

**L. Public Works Department**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
1. Street pavement replacement - 16th Ave S, Kingswood Ln, Cedar Pl, Hickory St, 17th Ave S, Jennifer Ct, Cedar Pl & Hickory St	\$ -	\$ -	\$ 750,000	\$ -	\$ 750,000	\$ -	\$ -	\$ -
2. Reconstruction - Pierce St, 7th Ave N, 8th Ave N, Oak Ave N from Madison St to Well St	\$ 100,000	\$ 100,000	\$ 300,000	\$ 50,000	\$ 550,000	\$ -	\$ -	\$ -
3. Reconstruction - Lake St from 10th Ave N to Sand Lake Rd, 10th Pl, 11th Ave N from Well St to Quincy St, 12th Ave N from Well St to Quincy St, 10th Ct & Vaaler Ct	\$ 250,000	\$ 250,000	\$ 700,000	\$ 150,000	\$ 1,350,000	\$ -	\$ -	\$ -
4. Motor grader	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -
5. Tandem Axle Dump Truck w/ plow, wing & muni-box	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -
6. 11th Ave N lift station reconstruction	\$ 500,000	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ -	\$ -
7. Sidewalk repair	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ -
8. Pavement maintenance	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000	\$ -	\$ -	\$ -
9. Reconstruction - Green Bay St from 9th Ave S to 400 feet west of 11th Ave S	\$ 100,000	\$ 100,000	\$ 300,000	\$ 50,000	\$ 550,000	\$ -	\$ -	\$ -
10. N Kinney Coulee Rd - reconstruct to urban cross section, La Crosse City limit to 1,500 ft east	\$ -	\$ -	\$ 350,000	\$ -	\$ 350,000	\$ -	\$ -	\$ -

**CITY OF ONALASKA**  
**2019 Capital Improvement Projects - Proposed**

Rev 8-25-2015

**I. Public Works Department (cont'd)**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
11. Repaving - Braund St, Lester Ave & Rudy St	\$ -	\$ -	\$ 314,000	\$ -	\$ 314,000	\$ -	\$ -	\$ -
12. Street paving - 6th Ave N from Quincy St to Vilas, Gail Ave, Troy St from East Ave N to Oak Ave N, Spruce St from Northern Hills to Oak Ave N	\$ -	\$ -	\$ 481,000	\$ -	\$ 481,000	\$ -	\$ -	\$ -
13. Street paving - Monica Ct, Monica Ln & Hope Ct	\$ -	\$ -	\$ 250,000	\$ -	\$ 250,000	\$ -	\$ -	\$ -
14. 11th Ave N - forcemain replacement - Main St to Well St	\$ 500,000	\$ 200,000	\$ 500,000	\$ -	\$ 1,200,000	\$ -	\$ -	\$ -
15. Stormwater quality management Pond 12 - engineered soil bottom	\$ -	\$ -	\$ -	\$ 800,000	\$ 800,000	\$ -	\$ -	\$ -
16. Cemetery - irrigation/watering system replacement	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ -

**II. Planning Department**

1. Waterfront improvements	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -	\$ -	\$ -
2. Urban Forestry - general	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -
3. Vehicle replacement (2)	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -

**III. Fire Department**

1. Command Vehicle	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -
2. Rescue/Engine (additional)	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -	\$ -

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**CITY OF ONALASKA**

**2019 Capital Improvement Projects - Proposed**

Rev 8-25-2015

**IV. Parks & Recreation Department**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>	<u>Amount Needed by Borrowing</u>
1. Bluff land protection	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -
2. Hilltopper Heights Park - open shelter	\$ -	\$ -	\$ 38,000	\$ -	\$ 38,000	\$ -	\$ -	\$ -
3. Van Riper Park - tennis court resurface	\$ -	\$ -	\$ 24,000	\$ -	\$ 24,000	\$ -	\$ -	\$ -
4. Glen Fox Park - shelter replacement	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ -

**V. Police**

1. Squad cars (3)	\$ -	\$ -	\$ 152,460	\$ -	\$ 152,460	\$ -	\$ -	\$ -
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**VI. Omni Center**

1. Parking lot	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -	\$ -
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**VII. Library**

1. Table & Chair replacement	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -	\$ -
2. HVAC upgrade	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -

**IX. City Hall**

1. Generator update/upgrade	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -	\$ -
2. Water heater replacement	\$ -	\$ -	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -	\$ -
3. Carpet - Police Dept basement	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -

**TOTALS: \$ 1,450,000 \$ 650,000 \$ 7,179,460 \$ 1,050,000 \$ 10,329,460 \$ - \$ - \$ -**

**CITY OF ONALASKA**  
**2020 Capital Improvement Projects - Proposed**

Rev 8-25-2015

**I. Public Works Department**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
1. Pavement maintenance	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000	\$ -	\$ -
2 Sidewalk repair	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -
3. Repaving - S Kinney Coulee Rd from Pineview to East	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -
4. Repaving - Germann Ct from Esther Dr to end	\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -
5. Repaving - 10th Ave N from Larch to Well, Larch Ave, Monroe St from 9th to end, & Pierce St from 9th Ave N to 11th Ave N	\$ -	\$ -	\$ 300,000	\$ -	\$ 300,000	\$ -	\$ -
6. Repaving - Well St from Oak Ave N to 11th Ave N	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -
7. Theater Rd - PH to STH 16 - reconstruction (2020) with widening & signal lights	\$ -	\$ -	\$ 565,000	\$ 40,000	\$ 605,000	\$ -	\$ -
8. Elmwood Hills Subdivision - reconstruction (2020)	\$ -	\$ -	\$ 1,300,000	\$ -	\$ 1,300,000	\$ -	\$ -
9. Stonebridge Greens - repaving (2020)	\$ -	\$ -	\$ 500,000	\$ -	\$ 500,000	\$ -	\$ -
10. Franklin St, Riders Club Rd to Victoria Ln (2020) - pavement replacement	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -

**CITY OF ONALASKA**  
**2020 Capital Improvement Projects - Proposed**

Rev 8-25-2015

**I. Public Works Department (cont'd)**

- 11. Pralle Rd from CTH OS to Esther Dr - sanitary, storm, curb & gutter, sidewalk, crushed rock, asphalt pavement including Germann Ct
- 12. Main St watermain replacement
- 13. Tandem axle dump truck w/ plow, wing and muni-box
- 14. Sand Lake Rd/12th Ave S & Main St intersection improvements

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
\$ 45,000	\$ -	\$ -	\$ 180,000	\$ 65,000	\$ 290,000	\$ -	\$ -
\$ -	\$ 500,000	\$ -	\$ -	\$ -	\$ 500,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
\$ -	\$ -	\$ -	\$ 900,000	\$ -	\$ 900,000	\$ -	\$ -

**II. Planning Department**

- 1. Waterfront improvements
- 2. Urban forestry - general
- 3. Vehicle replacement (1)
- 4. Aerial photography

**III. Fire Department**

- 1. Ladder truck

**CITY OF ONALASKA**  
**2020 Capital Improvement Projects - Proposed**

Rev 8-25-2015

**IV. Parks & Recreation Department**

	<u>Sanitary Sewer</u>	<u>Water</u>	<u>General</u>	<u>Storm Sewer</u>	<u>Total Cost</u>	<u>Less Amount Already Bonded</u>	<u>Less Amount Other Sources</u>
1. Bluffland protection	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
2. Hilltopper Heights Park - playground replacement	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
3. Community Park - community center remodel	\$ -	\$ -	\$ 1,600,000	\$ -	\$ 1,600,000	\$ -	\$ -

**V. Police Department**

1. Vehicle Replacement (3)	\$ -	\$ -	\$ 160,083	\$ -	\$ 160,083	\$ -	\$ -
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**VI. Omni Center**

NONE

**VII. Library**

1. Air handler replacement	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -
2. Replace lighting	\$ -	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ -

**IX. City Hall**

1. Carpet replacement - Inspection suite	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -
2. Roof replacement	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ -

**TOTALS: \$ 45,000 \$ 500,000 \$ 8,955,083 \$ 105,000 \$ 9,605,083 \$ - \$ -**

# **STAFF REVIEW SUMMARY**

## CITY OF ONALASKA BOARD OF PUBLIC WORKS

September 1, 2015

**Agenda Item:** #12

**Project/Item Name:** 2015 Comprehensive plan update

**Location:** Citywide

**Requested Action:** Invitation to open house

**Staff Report/Description:** The 2015 Comprehensive Plan update is nearing completion. Staff is requesting public input on the proposed plan through an open house.

**Attachments:** Open house notice



# CITY OF ONALASKA

## PLANNING/ZONING DEPARTMENT

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ONALASKA, WI 54650-2953  
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## MEMO

Date: August 25, 2015  
To: Board of Public Works  
From: Katie Meyer, Planner | Zoning Inspector  
Re: 2015 Comprehensive Plan Update -- Open House

The Long Range Planning Committee (LRPC) has completed a final draft of the 2015 Comprehensive Plan Update and will host a "Public Open House" at City Hall on Wednesday, **September 30, 2015 from 4:30PM – 7:30PM**. A small presentation will be made at 5:30PM that gives an overview of the comprehensive plan with major changes to the plan.

As the Board of Public Works reviewed a number of draft chapters of the 2015 Comprehensive Plan Update, the LRPC would like to invite you to participate in the Public Open House meeting to provide final feedback on the document.

Below are the chapters for the 2015 Comprehensive Plan Update. The entire document is available on the City's Webpage at [www.cityofonalaska.com](http://www.cityofonalaska.com) for review and comment by the public/city committees. Go to "Planning Department" and select "2015 Comprehensive Plan Update".

- Chapter 1: Introduction
- Chapter 2: Issues & Opportunities;
- Chapter 3: Housing;
- Chapter 4: Transportation;
- Chapter 5: Utilities & Community Facilities;
- Chapter 6: Agriculture, Natural, and Cultural Resources;
- Chapter 7: Economic Development;
- Chapter 8: Intergovernmental Cooperation;
- Chapter 9: Land Use; and
- Chapter 10: Implementation.

The LRPC, City staff, and S.E.H. appreciate your time and effort in reviewing the 2015 Comprehensive Plan Update to ensure that goals, objectives, and policies within the plan will effectively guide the community for the next ten-twenty years.

**BOARD OF PUBLIC WORKS  
MONTHLY ESTIMATES  
September 1, 2015**

<u>Contractor</u>	<u>Original Contract Amount</u>	<u>Change Orders</u>	<u>Paid to Date</u>	<u>Due this Estimate</u>
<b>1. STRAND ASSOCIATES</b> Well #9 Construction Estimate #5	\$ 157,200.00	\$ -	\$ 60,837.47	\$ 15,701.68
<b>2. STRAND ASSOCIATES</b> Well #9 Safe Drinking Water Loan Assistance Estimate #5	\$ 16,500.00	\$ -	\$ 7,159.31	\$ 1,222.45
<b>3. STRAND ASSOCIATES</b> South Kinney Coulee Lift Station Updated Design Estimate #5	\$ 10,000.00	\$ -	\$ 6,812.97	\$ 1,714.56
<b>4. OLYMPIC BUILDERS</b> Well #9 Reconstruction & Filter Addition Construction Estimate #3	\$ 2,763,593.00	\$ 21,046.30	\$ 164,050.75	\$ 155,937.75
<b>5. SEH INC.</b> Riders Club Rd & PH Design Estimate #2	\$ 148,348.18	\$ -	\$ 1,461.82	\$ 6,193.92
<b>6. ST JOSEPH CONSTRUCTION</b> Pond 17 Reconstruction Construction Estimate #1	\$ 54,387.50	\$ -	\$ -	\$ 42,062.57
<b>7. STRAND ASSOCIATES</b> Mayo Traffic Study Planning Estimate #3	\$ 3,990.00	\$ -	\$ 2,966.42	\$ 957.33
<b>8. SEH INC. (01375)</b> Water System Modeling Design Estimate #2	\$ -	\$ -	\$ -	\$ 431.98