



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA  
TUESDAY, OCTOBER 18, 2011  
7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN STREET  
THAD G. BIRMINGHAM, MAYOR**

1. **Call to order.**
  2. **Pledge of Allegiance.**
  3. **Roll call.**
  4. **Adoption of agenda.**
  5. **Consideration of the following bills: General Fund – \$170,171.37, Capital Fund - \$2,186.60, Cable TV - \$133.23, TID #2 - \$8,130.95, TID #3 - \$11,775.32 and Solid Waste Enterprise - \$13,102.41 for a grand total of \$205,499.88. [roll call]**
  6. **CONSENT AGENDA**
- \* All items listed with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.**
- \* a. Approval of 10/4/11 regular Common Council minutes.**
  - \* b. Approval of the following minutes:**
    - (1) Sturgeon Bay Utility Commission – 9/12/11**
    - (2) Zoning Board of Appeals – 9/26/11**
    - (3) Finance/Purchasing & Building Committee – 9/27/11**
    - (4) Committee of the Whole – 10/3/11**
    - (5) Personnel Committee – 10/5/11**
    - (6) City Plan Commission – 10/6/11**
  - \* c. Place the following reports on file:**
    - (1) Inspection Department Report – September 2011**
    - (2) Street Department Report – September 2011**
    - (3) Fire Department Report – September 2011**
    - (4) Bank Reconciliation – September 2011**
    - (5) Revenue & Expense Report – September 2011**
  - \* d. Consideration of: Beverage Operator Licenses.**
  - \* e. Consideration of: Temporary Beer License for St. John Bosco Parent Association.**
  - \* f. Zoning Board of Appeals recommendation re: Amending the Rules of Procedure in regard to submission requirements for variances from required setbacks.**
  - \* g. Finance/Purchasing & Building Committee recommendation re: Approve vendor fees of \$20.00 for non-electrical spaces and \$30.00 for electrical spaces for organized events held in City parks and to exclude the events sponsored by SBVC.**

- \* h. **Personnel Committee recommendation re: Approve written Safety Policies.**
- 7. **Mayoral appointments.**
- 8. **First reading of ordinance re: Bicycle and Pedestrian Advisory Board.**
- 9. **Community Protection & Services Committee recommendation re: Create Section 10.12 of the Municipal Code - Firearms in Public Buildings.**
- 10. **Ordinance re: Creating Section 10.12 of the Municipal Code – Firearms in public buildings. [Vote to suspend rules (3/4 vote = 6 votes) to allow for first and second reading, followed by vote on passage of ordinance.]**
- 11. **Zoning Board of Appeals recommendation re: Amending the public hearing notice requirement for variances in the zoning code and the ZBA Rules of Procedures.**
- 12. **City Plan Commission recommendation re: Approval of the Final Planned Unit Development for a community based residential facility (CBRF) known as The Sanctuary at Deer Run Village, subject to requirements and conditions.**
- 13. **First reading of ordinance re: Rezone property from Two-Family Residential (R-3) to Planned Unit Development (PUD) and shall be subject to site plan and requirements. (The Sanctuary at Deer Run Village)**
- 14. **City Plan Commission recommendation re: Approval of the Final Planned Unit Development for a community based residential facility (CBRF), known as Marsh Manor at Deer Run Village, subject to PUD requirements and conditions.**
- 15. **First reading of ordinance re: Rezone property from Two-Family Residential (R-3) to Planned Unit Development (PUD) and shall be subject to site plan and requirements. (Marsh Manor at Deer Run Village)**
- 16. **Finance/Purchasing & Building Committee recommendation re: Accept proposal from Town of Sevastopol for fire protection with changes.**
- 17. **Public comment.**
- 18. **Mayor's comments.**
- 19. **Adjourn.**

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 10/14/11  
 Time: 12:00pm  
 By: Deje

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
<b>GENERAL FUND</b>				
GENERAL FUND				
LIABILITIES				
19730	STURGEON BAY VISITOR CENTER	PK SEC DEP REF SBVC	01-000-000-23162	100.00
19830	STURGEON BAY OPEN BASS TOURN	PK SEC DEP REF SBOBT	01-000-000-23162	100.00
R0000941	ANIYA GREGORY	PK SEC DEP REF GREGORY	01-000-000-23162	50.00
TOTAL LIABILITIES				250.00
TOTAL GENERAL FUND				250.00
<b>MAYOR</b>				
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-100-000-56700	2.50
TOTAL				2.50
TOTAL MAYOR				2.50
<b>LAW/LEGAL</b>				
16555	PINKERT LAW FIRM, LLP	TRAFFIC MATTERS	01-110-000-55010	2,306.00
BUELOW	BUELOW, VETTER, BUIKEMA,	PROFESSIONAL SERVICES	01-110-000-57900	1,644.00
TOTAL				3,950.00
TOTAL LAW/LEGAL				3,950.00
<b>CITY CLERK-TREASURER</b>				
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-115-000-56700	10.00
DC PRINT	DC PRINTING	1,000 PRINTED ENVELOPES	01-115-000-51950	112.00
UTECHT	CHRISTOPHER UTECHT	2 APPREANCES	01-115-000-56350	33.60
UTECHT		MILEAGE	01-115-000-56350	148.50
UTECHT		LUNCH	01-115-000-56350	10.54
TOTAL				314.64
TOTAL CITY CLERK-TREASURER				314.64
<b>ADMINISTRATION</b>				
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-120-000-56700	5.00
19842	ROTARY CLUB	3RD & 4TH QUARTER DUES	01-120-000-56000	323.50
TOTAL				328.50
TOTAL ADMINISTRATION				328.50
<b>COMPUTER</b>				
03101	CDW GOVERNMENT, INC.	HARDWARE PD CHIEF	01-125-000-55500	36.32
04696	DOOR COUNTY TREASURER	09/11 TECH SUPPORT	01-125-000-55550	2,500.00
HARRIS	HARRIS COMPUTER SYSTEMS	FINE PRINT RUNTIME INSTALL	01-125-000-55550	1,335.00

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
			TOTAL	3,871.32
			TOTAL COMPUTER	3,871.32
CITY ASSESSOR				
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-130-000-56700	7.50
ASSO APP	ASSOCIATED APPRAISAL	11/18/11 CONTRACT	01-130-000-55010	1,759.72
			TOTAL	1,767.22
			TOTAL CITY ASSESSOR	1,767.22
BUILDING/ZONING CODE ENFORCMENT				
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-140-000-56700	2.50
09223	INDEPENDENT INSPECTIONS, LTD	09/11 PERMITS	01-140-000-55010	2,627.23
			TOTAL	2,629.73
			TOTAL BUILDING/ZONING CODE ENFORCMENT	2,629.73
MUNICIPAL SERVICES ADMIN.				
03133	CELLCOM WISCONSIN RSA 10	CELL SERVICE	01-145-000-58250	93.74
03133		CELL SERVICE	01-145-000-58250	19.61
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-145-000-56700	5.00
06600	FRV INC	INK	01-145-000-51950	68.73
06600		SHIPPING	01-145-000-51950	2.75
17700	QUILL CORPORATION	5 COLOR INK CARTS	01-145-000-51300	187.45
LASERLIN	LASERLINE MGF, INC	PARTS FOR DIRECT GRADE ROD	01-145-000-52700	6.00
LASERLIN		SHIPPING	01-145-000-52700	8.65
			TOTAL	391.93
			TOTAL MUNICIPAL SERVICES ADMIN.	391.93
PUBLIC WORKS ADMINISTRATION				
03133	CELLCOM WISCONSIN RSA 10	CELL SERVICE	01-150-000-58250	43.64
03767	STAPLES ADVANTAGE	PAPER FOR NEWLETTERS	01-150-000-51950	71.39
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-150-000-56700	8.75
			TOTAL	123.78
			TOTAL PUBLIC WORKS ADMINISTRATION	123.78
CITY HALL				
04575	DOOR COUNTY HARDWARE	AERATOR	01-160-000-54999	3.99

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
04575		AERATOR	01-160-000-54999	-3.99
04575		PUTTY KNIFE, JOINT CEMENT	01-160-000-54999	6.78
04575		POWERGRAB PRESSURE PACK	01-160-000-54999	9.49
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-160-000-56700	2.50
05500	ENERGY CONTROL AND DESIGN INC	REPAIR CHILLER @ CITY HALL	01-160-000-58999	679.80
08280	HILL BUILDING MAINTENANCE INC	09/11 CH CLEANING	01-160-000-55300	977.21
19880	STURGEON BAY UTILITIES	421 MICHIGAN ST	01-160-000-56150	3,572.62
19880		421 MICHIGAN ST	01-160-000-58650	324.06
CINTAS	CINTAS FIRE PROTECTION	FIRE EXT INSPECTION & RECHARGE	01-160-000-58999	1,274.46
TOTAL				6,846.92
TOTAL CITY HALL				6,846.92
INSURANCE				
BH	BURKART HEISDORF INSURANCE	10/11 GENERAL LIABILITY	01-165-000-56400	2,706.00
BH		10/11 POLICE LIABILITY	01-165-000-57150	1,073.00
BH		10/11 PUBLIC OFFICIALS	01-165-000-57400	1,027.00
BH		10/11 AUTO LIABILITY	01-165-000-55200	1,488.00
BH		10/11 AUTO PHYSICAL DAMAGE	01-165-000-55200	1,066.00
BH		10/11 WORKERS COMP	01-165-000-58750	11,457.00
TOTAL				18,817.00
TOTAL INSURANCE				18,817.00
GENERAL EXPENDITURES				
04696	DOOR COUNTY TREASURER	09/11 CH PHONE	01-199-000-58200	130.28
04696		09/11 FD PHONE	01-199-000-58200	27.96
04696		09/11 MS PHONE	01-199-000-58200	58.61
04696		09/11 PD PHONE	01-199-000-58200	97.08
04696		2ND QTR PHONE SERVICE	01-199-000-58200	923.25
04696		3RD QTR PHONE SERVICE	01-199-000-58200	654.45
08167	GANNETT WISCONSIN NEWSPAPERS	ORD, CC MINUTES, PHN	01-199-000-57450	311.12
08167		CREDIT	01-199-000-57450	-2.00
TOTAL				2,200.75
TOTAL GENERAL EXPENDITURES				2,200.75
POLICE DEPARTMENT				
04575	DOOR COUNTY HARDWARE	PEN, PAINT, KEY RINGS	01-200-000-51950	23.44
04575		KEY	01-200-000-51950	2.98
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-200-000-56700	35.00
04696		TECH SUPPORT	01-200-000-58999	7,273.08
06592	FOX VALLEY TECHNICAL COLLEGE	RESOURCE ALLOCATION HOUGAARD	01-200-000-55600	225.00
08167	GANNETT WISCONSIN NEWSPAPERS	PUBLISH 2 SEX OFFENDERS	01-200-000-58999	326.28
15890	PACK AND SHIP PLUS	BOX & BUBBLE WRAP	01-200-000-57250	9.90
15890		RETURN ITEM	01-200-000-57250	10.10
15890		SHIP LIFE VESTS	01-200-000-57250	24.71

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
15890		BOX & BUBBLE WRAP	01-200-000-57250	4.80
17700	QUILL CORPORATION	ENVELOPES & POST ITS	01-200-000-51950	54.98
17700		2 YEAR WARRANTY ON SHREDDER	01-200-000-58999	40.49
CDE	PAULA REICHEL	POLO W/PATCH & NAME BRINKMAN	01-200-000-52900	39.00
CDE		POLO W/PATCH & NAME PORTER	01-200-000-52900	39.00
CDE		POLO W/PATCH & NAME HENRY	01-200-000-52900	39.00
PRO-TECH	DRELLISHAK & DRELLISHAK, INC	AUDIO/VIDEO RECORDER	01-200-000-54999	110.00
TOTAL				8,257.76
TOTAL POLICE DEPARTMENT				8,257.76
PATROL BOAT				
02206	BAY MARINE	STARBOARD DRIVE	01-205-000-51650	191.90
02206		DRIVE ISSUE	01-205-000-51650	191.90
TOTAL PATROL BOAT				383.80
TOTAL PATROL BOAT				383.80
POLICE DEPARTMENT/PATROL				
01766	AURORA MEDICAL GROUP	LAB/DRUG SCREEN MOGEN	01-215-000-57100	83.00
02005	BAY ELECTRONICS, INC.	TWO WAY RADIO REPAIR	01-215-000-57550	109.90
04150	DE JARDIN CLEANERS LLC	UNIFORM CLNG ALLOW SOUTH	01-215-000-56800	7.25
04150		UNIFORM CLNG ALLOW PELLIZZER	01-215-000-56800	15.42
04150		UNIFORM CLNG ALLOW SOUTH	01-215-000-56800	7.00
04150		UNIFORM CLNG ALLOW OSBORNE	01-215-000-56800	15.93
04150		UNIFORM CLNG ALLOW HOUGAARD	01-215-000-56800	5.40
06650	GALLS, AN ARAMARK COMPANY	BOOTS TASSOUL	01-215-000-52900	70.98
06650		BOOTS JENNERJOHN	01-215-000-52900	70.98
20254	TIP TOP CLEANERS	UNIFORM CLNG ALLOW JENNERJOHN	01-215-000-56800	1.00
20254		UNIFORM CLNG ALLOW MELKE	01-215-000-56800	12.47
20254		UNIFORM CLNG ALLOW MEISNER	01-215-000-56800	11.62
20254		UNIFORM CLNG ALLOW TASSOUL	01-215-000-56800	10.00
21450	THE UNIFORM SHOPPE	UNIFORM PANTS MEISNER	01-215-000-52900	104.95
21450		EXCHANGE SHOES PELLIZZER	01-215-000-52900	23.00
21450		UNIFORM PANTS TASSOUL	01-215-000-52900	95.90
21450		UNIFORM SHIRT SOUTH	01-215-000-52900	52.92
21450		BOOTS BILODEAU	01-215-000-52900	60.00
21450		SHOES PELLIZZER	01-215-000-52900	44.95
23828	WITT PENINSULA FORD LINCOLN	LOF	01-215-000-58600	24.95
23828		LOF	01-215-000-58600	24.95
23828		LOF	01-215-000-58600	24.95
23828		LOF, REPAIR FLAT	01-215-000-58600	36.95
23828		LOF, REPLACE FRONT TIRE	01-215-000-58600	34.95
23828		INSTALL WATER PUMP	01-215-000-58600	179.06
23828		REPAIR FLAT	01-215-000-58600	10.00
R0000608	AUTO ZONE, INC	HALOGEN BULB	01-215-000-58600	30.38
TOTAL				1,168.86
TOTAL POLICE DEPARTMENT/PATROL				1,168.86

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
FIRE DEPARTMENT				
01766	AURORA MEDICAL GROUP	DRUG TEST	01-250-000-57100	123.00
03075	CARQUEST OF DOOR COUNTY	ROTOR & BRAKE PADS	01-250-000-53000	251.90
03075		STARTER	01-250-000-53000	201.56
03075		METAL PREP & PAINT	01-250-000-54999	48.18
03075		SOCKET & RELAY	01-250-000-53000	16.07
03075		BELT	01-250-000-53000	9.20
03133	CELLCOM WISCONSIN RSA 10	CELL SERVICE	01-250-000-58250	7.01
03133		CELL SERVICE	01-250-000-58250	9.53
03159	CHARTER COMMUNICATIONS	CABLE TV	01-250-000-54999	6.42
04300	KEN DOELL	REIMB PINK SHIRT	01-250-000-52900	5.48
04575	DOOR COUNTY HARDWARE	WASP SPRAY, CAULK, BUNGEE	01-250-000-52700	49.48
04575		SUPPLIES	01-250-000-54999	63.44
04575		BULB, TAPE, FOAM, SPRING	01-250-000-54999	18.26
04575		EXCHANGE SPRING	01-250-000-54999	0.70
04575		SANDPAPER, SAWZAL BLADES	01-250-000-52700	53.34
04575		VALVE BALL LEVER	01-250-000-54999	9.99
04575		BUSHING, VALVE BALL LEVER	01-250-000-54999	16.97
04575		SPOUT, BONDO, FASTNERS, GASKET	01-250-000-54999	28.51
04575		HOSE & WASHER	01-250-000-54999	4.58
04575		PAINT SUPPLIES	01-250-000-54999	58.95
04575		HARDWARE	01-250-000-52700	11.99
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-250-000-56700	12.50
11700	KALIN MONTEVIDEO	REIMB PINK SHIRTS	01-250-000-52900	36.00
14525	MICHAEL FRANGIPANE	REIMB PINK SHIRT	01-250-000-52900	16.00
19880	STURGEON BAY UTILITIES	421 MICHIGAN ST	01-250-000-56675	40.00
19880		TRUCK FILL	01-250-000-56675	119.00
19880		N MADISON AVE SPRINKLER	01-250-000-56675	6.70
19880		PENN ST DOCK	01-250-000-56675	6.70
19880		1018 GREEN BAY RD SIREN	01-250-000-56150	15.45
19880		N 1ST AVE RESTROOMS	01-250-000-56675	21.30
19880		N 1ST AVE PARKING RAMP	01-250-000-56675	2.70
19880		48 KENTUCKY ST DOCK	01-250-000-56675	6.70
19880		48 KENTUCKY ST MARINA	01-250-000-56675	21.30
21450	THE UNIFORM SHOPPE	UNIFORM SHOES BRIDENHAGEN	01-250-000-52900	44.95
23896	MIKE WRITT	REIMB UNIFORM SHIRTS	01-250-000-52900	26.51
AMER O D	AMERICAN OVERHEAD DOOR	TAKE UP REEL	01-250-000-51350	45.00
CJ	CJ WORKS, LLC	09/11 LAUNDRY	01-250-000-56800	95.00
TOTAL				1,510.37
TOTAL FIRE DEPARTMENT				1,510.37
SOLID WASTE MGMT/SPRING/FALL				
03075	CARQUEST OF DOOR COUNTY	SWITCH	01-311-000-53000	4.60
03075		RELAY	01-311-000-53000	41.10
DC WASTE	DOOR COUNTY WASTE & RECYCLING	10.02 TONS REFUSE	01-311-000-58400	560.52
DC WASTE		3 HAZ ITEMS	01-311-000-58400	96.00
R0000655	TRANSMOTION, LLC	4 HYD ETGS	01-311-000-53000	23.40
TOTAL				725.62
TOTAL SOLID WASTE MGMT/SPRING/FALL				725.62

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
COMPOST/SOLID WASTE SITE				
PURPLE	PURPLE COW ORGANICS	GRINDING BRUSH COMPOST SITE	01-320-000-57700	7,700.00
TOTAL				7,700.00
TOTAL COMPOST/SOLID WASTE SITE				7,700.00
STREET SWEEPING				
25700	ZARNOTH BRUSH WORKS INC	MAIN BROOM	01-330-000-51400	448.00
25700		3 SETS GUTTER BROOMS	01-330-000-51400	390.00
25700		2 FRONT DIRT SHOES	01-330-000-51400	32.50
25700		2 REAR DIRT SHOES	01-330-000-51400	48.50
TOTAL				919.00
TOTAL STREET SWEEPING				919.00
SNOW REMOVAL				
03075	CARQUEST OF DOOR COUNTY	BATTERY	01-410-000-51400	117.56
03075		CORE RETURN	01-410-000-51400	-15.00
04575	DOOR COUNTY HARDWARE	HARDWARE & RSTP VOC OIL EMN	01-410-000-51400	31.48
06012	FASTENAL COMPANY	20 PLOW BOLTS	01-410-000-51400	40.44
11800	KRUEGER IMPLEMENT INC	6 TOP LINK PINS	01-410-000-51400	17.94
11800		6 LYNCH PINS	01-410-000-51400	2.76
TOTAL				195.18
TOTAL SNOW REMOVAL				195.18
STREET SIGNS AND MARKINGS				
04575	DOOR COUNTY HARDWARE	FASTNERS, FLANGE, THREADS	01-420-000-52550	18.81
06012	FASTENAL COMPANY	3/8-16X1/2 KNRL SSS	01-420-000-52550	44.62
10750	PREMIER CONCRETE INC	CONCRETE FOR SIGNS	01-420-000-52550	38.00
TOTAL				101.43
TOTAL STREET SIGNS AND MARKINGS				101.43
CURB/GUTTER/SIDEWALK				
04575	DOOR COUNTY HARDWARE	TARP	01-440-000-54999	20.99
TOTAL				20.99
TOTAL CURB/GUTTER/SIDEWALK				20.99
STREET MACHINERY				
03075	CARQUEST OF DOOR COUNTY	RETURN HITCH BALL	01-450-000-51400	-13.87

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
03075		RETURN TRANS FILTERS	01-450-000-51400	-256.76
03075		HDB M-3368 AUTO SLACK	01-450-000-51400	158.36
03075		ELECTRONIC CLEANER	01-450-000-51400	15.44
03075		LED LIGHT	01-450-000-51400	6.25
03075		ELECTRICAL TAPE	01-450-000-52150	50.30
03075		RED LED, LED PLUG-IN PIGTAIL	01-450-000-51400	79.37
03075		RED LED LIGHT	01-450-000-51400	6.25
03075		MOLY RED, DLX SLVNT, PRPL CLNR	01-450-000-52050	112.80
03075		OIL FILTER	01-450-000-52150	33.64
03075		SPOOL WIRE	01-450-000-51400	40.29
04575	DOOR COUNTY HARDWARE	MINI TUBING CUTTER	01-450-000-52700	11.99
04575		WIRE	01-450-000-51400	24.90
06012	FASTENAL COMPANY	CABLETIES	01-450-000-51400	14.38
06012		AIR HOSE	01-450-000-52700	61.66
06012		RINGS & CONNECTORS	01-450-000-51400	50.72
11545	MAPLE STREET SIGN CO.	INSTALL LOGO & #'S ON TRUCKS	01-450-000-51400	236.00
13460	MILLER BRADFORD & RISBERG, INC	PEDAL PAD	01-450-000-51400	26.04
13460		PEDAL	01-450-000-51400	121.68
13460		MOUNT	01-450-000-51400	22.33
13460		PIVOT PIN	01-450-000-51400	28.56
13460		2 CLIPS	01-450-000-51400	0.52
13460		SHIPPING	01-450-000-51400	19.00
20725	T R COCHART TIRE CENTER	2 TIRES	01-450-000-52850	402.02
20725		4 TIRES, MOUNT, DISMOUNT, DISP	01-450-000-52850	467.28
		TOTAL		1,719.15
		TOTAL STREET MACHINERY		1,719.15
CITY GARAGE				
03075	CARQUEST OF DOOR COUNTY	BATTERY	01-460-000-52700	115.19
04575	DOOR COUNTY HARDWARE	KEYS	01-460-000-54999	14.90
04575		HEX NIPPLE, REDUCR COUPLING	01-460-000-54999	6.78
06012	FASTENAL COMPANY	F5-414 SMK/GLD SFTGL	01-460-000-52350	48.29
06012		F5-26 NVY/CAF SFRGLS	01-460-000-52350	47.90
15890	PACK AND SHIP PLUS	SHIPPING CHARGES	01-460-000-54999	10.60
16771	975-PRAXAIR DISTRIBUTION INC	WELDER WHIP	01-460-000-52700	245.40
23085	WARNER WHOLESALE CO INC	PAPER SUPPLIES CITY HALL	01-460-000-54999	281.85
		TOTAL		770.91
		TOTAL CITY GARAGE		770.91
HIGHWAYS - GENERAL				
19880	STURGEON BAY UTILITIES	OLD HWY RD SIGN	01-499-000-58000	23.30
19880		EGG HARBOR TRAFFIC LIGHTS	01-499-000-58000	35.50
19880		N 14TH & EGG HAROR TRFC LIGHTS	01-499-000-58000	35.50
19880		WS TREAFFIC LIGHTS	01-499-000-58000	35.50
19880		ORNAMENTAL ST LIGHTS	01-499-000-58000	6,289.24
19880		OVERHEAD ST LIGHTS	01-499-000-58000	11,106.69
19880		808 S DULUTH AVE SIGN	01-499-000-58000	8.68
19880		EAST SIDE DOCK	01-499-000-58000	64.51

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
19880		SHIPYARD DEVELOPMENT	01-499-000-58000	398.50
DEGREEF	GARY DEGREEF	REIMB SAFETY GLASSES	01-499-000-56800	100.00
TOTAL				18,097.42
TOTAL HIGHWAYS - GENERAL				18,097.42
PARK & RECREATION ADMIN				
03133	CELLCOM WISCONSIN RSA 10	CELL SERVICE	01-500-000-58250	8.09
03133		CELL SERVICE	01-500-000-58250	95.00
03133		CELL SERVICE	01-500-000-58250	8.96
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-500-000-56700	3.75
08167	GANNETT WISCONSIN NEWSPAPERS	REC BOOK & MARKER	01-500-000-51950	10.43
23200	WDOR	FARM MARKET ADS	01-500-000-57450	88.00
23200		FARM MARKET ADS	01-500-000-57450	110.00
KOBUSSEN	KOBUSSESN BUSES LTD	BUSSING FOR SENIOR CITIZEN AFT	01-500-000-52250	144.50
TOTAL				468.73
TOTAL PARK & RECREATION ADMIN				468.73
PARKS AND PLAYGROUNDS				
01766	AURORA MEDICAL GROUP	PRE EMPL DRUG SCREEN GIESSEMAN	01-510-000-57100	55.00
01766		PRE EMPL DRUG SCREEN RABAS	01-510-000-57100	55.00
01766		PRE EMPL DRUG SCREEN BOSMAN	01-510-000-57100	55.00
02480	BONNIE BROOKE GARDENS LLC	2 ROYAL RED MAPLES	01-510-000-58450	210.00
03025	CAPTAIN COMMODES INC	PORT-A-POTTIE RENTAL	01-510-000-58999	225.00
03075	CARQUEST OF DOOR COUNTY	MINI LAMPS	01-510-000-51400	1.80
03941	DAVE'S TREE SERVICE, INC	STUMP GRINDING	01-510-000-58450	870.00
04545	DOOR COUNTY COOPERATIVE	GRASS SEED	01-510-000-51750	443.70
04575	DOOR COUNTY HARDWARE	DRILL BIT	01-510-000-52700	3.49
04575		PANEL & FASTNERS	01-510-000-54999	11.99
04575		ROOF PATCH	01-510-000-54999	2.99
13049	MAY'S SPORT CANTER	REPAIR MOTOR ON TORO MOWER	01-510-000-51900	360.00
13365	MEISSNER LANDSCAPE INC	ROLL OF CURLEX & STAKES	01-510-000-51750	175.00
20725	T R COCHART TIRE CENTER	TIRE CHANGE & 4 USED TIRES	01-510-000-58600	230.00
LAU'S	LAU'S AUTO CARE CENTER INC	4 TIRES	01-510-000-52850	614.16
PLAY &	PS COMMERCIAL PLAY, LLC	PLASTIC TIRE SWING ASSEMBLY	01-510-000-51750	257.35
TOTAL				3,570.48
TOTAL PARKS AND PLAYGROUNDS				3,570.48
BALLFIELDS				
04575	DOOR COUNTY HARDWARE	STRAP, PIPE, BEND, SCOOP	01-520-000-54999	22.35
20250	TILLMAN LANDSCAPE & NURSERY IN	24 ROLLS SOD MEM FIELD	01-520-000-51750	25.44
20900	TRU GREEN CHEMLAWN	LATE SUMMER APP MEM FLD	01-520-000-56500	80.00
R0000384	H&K SPORTS FIELDS	RAPID DRY	01-520-000-51750	500.00
TOTAL				627.79

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
			TOTAL BALLFIELDS	627.79
MUNICIPAL DOCKS				
04575	DOOR COUNTY HARDWARE	HOSE MENDER & SHUTOFF	01-550-000-54999	6.78
			TOTAL	6.78
			TOTAL MUNICIPAL DOCKS	6.78
WATERFRONT PARKS & WALKWAYS				
04575	DOOR COUNTY HARDWARE	WASP SPRAY	01-570-000-54999	4.49
04575		CONN FLEX SETSCREW	01-570-000-58999	1.49
04575		ROPE & SNAP BOLT	01-570-000-54999	45.58
04575		BULB	01-570-000-54999	7.99
19880	STURGEON BAY UTILITIES	WALNUT DR & LANSING SIGN	01-570-000-56150	8.65
19880		W LARCH WALKWAY	01-570-000-56150	87.45
19880		W LARCH ST PARKING LOT	01-570-000-56150	37.10
19880		PENN ST DOCK	01-570-000-58650	17.11
19880		48 KENTUCKY ST WATER FRONT	01-570-000-56150	371.34
19880		N 1ST AVE RESTROOMS	01-570-000-56150	403.32
19880		N 1ST AVE RESTROOMS	01-570-000-58650	63.70
19880		N 1ST AVE PARKING RAMP	01-570-000-56150	323.93
19880		48 KENTUCKY ST DOCK	01-570-000-58650	35.70
19880		48 KENTUCKY ST MARINA	01-570-000-58650	24.00
			TOTAL	1,431.85
			TOTAL WATERFRONT PARKS & WALKWAYS	1,431.85
EMPLOYEE BENEFITS				
03780	COUNSELING ASSOCIATES OF DC	MONTHLY EAP	01-600-000-56553	150.83
			TOTAL	150.83
			TOTAL EMPLOYEE BENEFITS	150.83
COMMUNITY & ECONOMIC DEVLPMT				
01510	AMERICAN PLANNING ASSOC	APA MEMBERSHIP	01-900-000-56000	250.00
01510		WI CHAPTER	01-900-000-56000	45.00
01510		AICP MEMBERSHIP	01-900-000-56000	140.00
04696	DOOR COUNTY TREASURER	09/11 INTERNET	01-900-000-56700	5.00
			TOTAL	440.00
			TOTAL COMMUNITY & ECONOMIC DEVLPMT	440.00
			TOTAL GENERAL FUND	89,761.24

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
<b>CAPITAL FUND</b>				
ROADWAYS/STREETS				
ANNUAL RESURFACING & BASE REP.				
JOHN DEE	JOHN DEERE LANDSCAPES, INC	20 ROLLS CURLEX	10-400-110-59095	710.00
JOHN DEE		5 CASES 4" STAKES	10-400-110-59095	241.60
JOHN DEE		FREIGHT	10-400-110-59095	35.00
TOTAL ANNUAL RESURFACING & BASE REP.				986.60
TOTAL ROADWAYS/STREETS				986.60
CURB/GUTTER/SIDEWALK				
EXPENSE				
R0000063	LONEY TEICH	REIMB 40' CURB & GUTTER RELCMN	10-440-000-59102	1,200.00
TOTAL EXPENSE				1,200.00
TOTAL CURB/GUTTER/SIDEWALK				1,200.00
TOTAL CAPITAL FUND				2,186.60
CABLE TV				
CABLE TV / GENERAL				
CABLE TV / GENERAL				
03159	CHARTER COMMUNICATIONS	CB MUSIC SERVICE	21-000-000-56700	33.18
04696	DOOR COUNTY TREASURER	09/11 CABLE PHONE	21-000-000-58200	0.05
04696		09/11 INTERNET	21-000-000-56700	100.00
TOTAL CABLE TV / GENERAL				133.23
TOTAL CABLE TV / GENERAL				133.23
TOTAL CABLE TV				133.23
TID #2 DISTRICT				
TID DISTRICT #2				
R0000421	WI DEPT OF TRANSPORTATION	CSD PAYMENT OREGON ST BRIDGE	25-320-000-59095	8,130.95
TOTAL				8,130.95
TOTAL TID DISTRICT #2				8,130.95
TOTAL TID #2 DISTRICT				8,130.95
TID #3 DISTRICT				
TID #3 DISTRICT				
04696	DOOR COUNTY TREASURER	PAVE ALLEY WIRE TECH	27-330-000-59095	11,775.32
TOTAL				11,775.32
TOTAL TID #3 DISTRICT				11,775.32
TOTAL TID #3 DISTRICT				11,775.32

DATE: 10/11/2011  
TIME: 15:42:36  
ID: AP443000.CST

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

PAGE: 11

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
20725	T R COCHART TIRE CENTER	ELAT REPAIR	60-000-000-52850	30.00
20725		2 TIRES, MOUNT & DISPOSAL	60-000-000-52850	893.70
20725		2 TIRES, MOUNT & DISMOUNT	60-000-000-52850	252.00
DC WASTE	DOOR COUNTY WASTE & RECYCLING	187.99 TONS REFUSE	60-000-000-58300	10,511.73
DC WASTE		PAPER & COMINGLED	60-000-000-58350	1,341.93
LODAL	LODAL , INC	EMERGENCY STOP SWITCH	60-000-000-53000	73.05
TOTAL SOLID WASTE ENTERPRISE FUND				13,102.41
TOTAL SOLID WASTE ENTERPRISE FUND				13,102.41
TOTAL SOLID WASTE ENTERPRISE				13,102.41
TOTAL ALL FUNDS				125,089.75

**MANUAL CHECKS**

WPPI \$ 75,297.51  
10/03/11  
Health insurance  
ACH  
Misc accounts

WPPI \$ 5,112.62  
10/03/11  
Health insurance  
ACH  
Misc accounts

**TOTAL MANUAL CHECKS \$ 80,410.13**

INVOICES DUE ON/BEFORE 10/18/2011

VENDOR # NAME ITEM DESCRIPTION ACCOUNT # AMOUNT DUE

SUMMARY OF FUNDS:

GENERAL FUND	<del>69,761.24</del>	170,171.37
CAPITAL FUND	2,186.60	
CABLE TV	133.23	
TID #2 DISTRICT	8,130.95	
TID #3 DISTRICT	11,775.32	
SOLID WASTE ENTERPRISE	13,102.41	
TOTAL --- ALL FUNDS	<del>125,089.75</del>	205,499.88

October 11, 2011 *Jerry E. Lebeck*  
10-11-11 *Jerry E. Lebeck*  
10-11-11 *Richard A. ...*

COMMON COUNCIL  
October 4, 2011

A meeting of the Common Council was called to order at 7:04 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Ald. Wiegand, Vandertie, Lodi, Abeyta, Stutting, Fett and Schlicht were present.

Schlicht/Fett to adopt the agenda. Carried.

Abeyta/Schlicht to approve bills: General Fund – \$56,509.22, Capital Fund - \$195,716.55, Cable TV - \$4,490.43, TID #2 - \$20,229.00, TID #3 - \$744.00 and Solid Waste Enterprise - \$674.62 for grand total of \$278,363.82. Roll call: All voted aye. Carried.

Fett/Abeyta to approve the consent agenda:

- a. Approval of 9/20/11 regular Common Council minutes.
- b. Approval of the following minutes:
  - (1) Waterfront Design Review Board – 9/6/11
  - (2) Zoning Board of Appeals – 9/12/11
  - (3) Finance/Purchasing & Building Committee – 9/13/11
  - (4) Parking & Traffic Committee – 9/19/11
- c. Disallowance of Claim Resolution re: Jeremy Zenefski.
- d. Finance/Purchasing & Building Committee recommendation re: Accept scenario #6, to purchase five iPads's for five Council members (Mayor and Utility Commission members to use the SBU issued iPad's) at a cost of \$3,250.00 with a 5.22 year payback period.
- e. Finance/Purchasing & Building Committee recommendation re: Transfer \$6,000.00 from Contingency Account to Vehicle/Parts & Supplies, to cover the cost of the repairs to the Aerial Truck.
- f. Parking & Traffic committee recommendation re: Remove the two No Parking signs in the alley between Michigan Street and Nebraska Street adjacent to Market Square.

Carried.

There were no mayoral appointments.

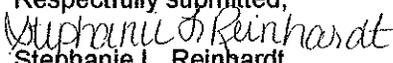
Community Development Director Marty Olejniczak summarized the proposed development agreement language regarding the Deer Run Village development. Discussion took place regarding the status of the development, the proposed agreement, and highway intersection and traffic of the development. Wiegand/Vandertie to approve the development agreement parameters and direct the City Attorney to draft formal document for signatures. Carried.

Community Development Director Marty Olejniczak summarized the item regarding creation of a bicycle and pedestrian advisory board. It was noted that the City has completed several plans to improve pedestrian and bicycle transportation. Creation of such a board would allow an advisory group to submit recommendations to the Parking & Traffic Committee. Wiegand/Schlicht to approve the concept of the bicycle and pedestrian advisory board and direct staff to draft the official ordinance to create it. Carried.

The following people spoke during public comment: Brian Troutman, Bay Shore Drive; Dan Powell, 1625 Rhode Island Place; and Tim Dietman, 605 Delaware Street.

The Mayor made his comments.

After the Mayor announced the statutory basis, Schlicht/Stutting to convene in closed session in accordance with the following exemption: Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Wis. Stats. 19.85(c). Consideration of: Staff performance evaluation data. Roll call: All voted aye. Carried. The meeting moved to closed session at 7:34 p.m. and adjourned at 8:34 p.m.

Respectfully submitted,  
  
Stephanie L. Reinhardt  
City Clerk

STURGEON BAY UTILITIES  
Regular Meeting  
September 12<sup>th</sup>, 2011

President Stewart Fett called the regular meeting of the Utilities Commission to order at 8:02 p.m. at the Sturgeon Bay Utilities office. Roll call: President Stewart Fett, Vice-President Bernard Ellenbecker, Secretary Gary DeNamur, and Commissioners James Abeyta and Matt Felhofer were present. Mayor Thad Birmingham entered later as indicated. Commissioner David Phillips was excused. Also present were General Manager James Stawicki, Operations Manager Cliff White and Electric Supervisor Jason Bieri.

Abeyta/Ellenbecker to adopt the amended agenda (complete copy on file at the Utility office). Motion carried.

DeNamur/Abeyta to approve the minutes of the regular meeting held on August 8<sup>th</sup>, 2011. Motion carried.

Mayor Birmingham entered at 8:05 p.m.

The Commission proceeded to review the bills for August in the amount of \$1,708,772.92. Fett/Abeyta to approve payment of the bills. Motion carried.

The July 2011 financials were presented. Abeyta/DeNamur to accept the financials subject to audit. Motion carried.

General Manager Stawicki reported on the current investments and their allocations. No formal action was taken.

Next item was consideration of discipline and grievance policy for non-bargaining employees. Wisconsin's Act 10 requires that local units of government adopt a grievance procedure by October 1<sup>st</sup>, 2011 for non-represented employees. Abeyta/Ellenbecker to approve the adoption of the policy and addition to SBU's Administrative Employee Handbooks. Motion carried.

The ratification of action to move low-income Commitment to Community (CTC) programs to Wisconsin Department of Administration (DOA) was presented to the Commission. Wisconsin Act 141 states a municipal utility must notify the DOA every three years whether it has elected to contribute its CTC low-income fees collected to the state low-income programs. SBU currently administers local programs or pays WPPI Energy a fee to administer programs on its behalf. By opting into the statewide program, SBU may see a larger return of low-income benefits to the community. Abeyta/DeNamur to approve the action to move low-income CTC programs to the DOA for the next three years. After the third year, the contribution will be re-evaluated. Motion carried.

The next item discussed was the wastewater utility. SBU's wastewater rates and tariffs were last updated in 1993. A review of the calculated return in invested assets reflects a steady decline in the ability to not only reinvest in SBU's collection and treatment systems, but also an inability to pay down the debt owed to the electric utility (currently \$720,000). Commissioners Felhofer, Abeyta and Secretary DeNamur would like to see a gradual rate increase every 2 or 3 years. Mayor Birmingham concurred and believes administering a lower rate increase every year for all three utilities (e.g., year 1 - electric rate increase, year 2 - water rate increase, etc) would satisfy customers who disapproved of the higher rate increases that occur every 5+ years. This item was for discussion only.

Operations report was presented by Operations Manager White. Abeyta/DeNamur to accept the Operations Report for August. Motion carried.

The next item of business was the General Manager's report.

- a. Adjustments for the month
- b. Update on projects
  - 1. WPPI annual meeting
  - 2. Wellness program
  - 3. Public power week – October 3<sup>rd</sup> – 7<sup>th</sup>

Commissioner Abeyta asked for an update on the progress of moving the transformer out of Sturgeon Bay High School and to a different location. General Manager Stawicki stated that the job has been planned out but timing was an issue this year. SBHS and SBU will attempt to incorporate the project into next year's budgets for work to begin in the summer.

Abeyta/Birmingham to adjourn. Motion carried. The meeting adjourned at 9:02 p.m.

\_\_\_\_\_  
Gary DeNamur  
Secretary

Approved for publication:

\_\_\_\_\_  
Stewart Fett  
President

\_\_\_\_\_  
James Stawicki  
General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ZONING BOARD OF APPEALS  
Monday, September 26, 2011

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 7:00 p.m. by Vice-Chairperson James Goodwin in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members James Goodwin, Andrew Starr, Jack Gigstead, Sandi Larson, and Alternate Richard Jennings were present. Excused: Member William Murrock. Also present were Community Development Director Marty Olejniczak and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Ms. Larson, seconded by Mr. Gigstead to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 22, 2011 and September 12, 2011.
4. Public hearing: Variance request from Door County Co-op to expand the size of an existing ground sign, located at 317 Green Bay Road.
5. Consideration of: Variance request from Door County Co-op to expand the size of an existing ground sign, located at 317 Green Bay Road.
6. Consideration of: Notice requirements for public hearings.
7. Consideration of: Submission requirements for variance applications.
8. Adjourn.

Carried.

**Approval of minutes from August 22 and September 12, 2011:** Moved by Mr. Gigstead, seconded by Ms. Larson to approve the minutes from August 22 and September 12, 2011. Roll call vote: Carried.

**Public hearing: Variance request from Door County Co-op to expand the size of an existing ground sign, located at 317 Green Bay Road:** Vice-President Goodwin opened the public hearing at 7:05 p.m. The applicant was not present. No one spoke during the public hearing. There were no letters of correspondence.

Mr. Olejniczak stated that the DC Co-op recently erected a 100 sq. ft. ground sign that includes the names of the six businesses within the building. They would like to expand the sign with an additional 32 sq. ft. reader board, which requires a variance since 100 sq. ft. is the maximum size allowed. He noted two other businesses in the same area during the last couple of years that were granted a sign variance of the same type. He offered an option to postpone consideration until a future date when the applicant was present or it could be voted on at this meeting. He added that the sign code allows 100 sq. ft. maximum for ground signs in the commercial district regardless of lot size or the size of the building.

The public hearing was declared closed at 7:15 p.m.

**Consideration of: Variance request from Door County Co-op to expand the size of an existing ground sign, located at 317 Green Bay Road:** The Board decided to consider this request at this meeting.

Mr. Goodwin stated the Board has been approving this type of request for some time.

Mr. Starr added that there are a number of businesses on the property. At a previous meeting there was a short discussion regarding sign variances and that 100 sq. ft. is not that large of a sign.

Moved by Mr. Starr, seconded by Mr. Jennings to approve the variance request to expand the ground sign since there are multiple businesses utilizing the same ground sign and other variances have been approved in the vicinity for similar situations. Roll call vote. All ayes. Carried.

**Consideration of: Notice requirements for public hearings:** Mr. Olejniczak reminded the Board that the notice requirements under the ZBA Rules of Procedure do not match the zoning code.

The Board reviewed the three options in regard to changing notice requirements for public hearings to be consistent between the rules of procedure and zoning code. The first option (A) is to follow the current rules of procedure, but request that the zoning code be amended to match. The second option (B) is to change the rules of procedure to match the zoning code, which includes notification to all abutting property owners within 300' of the applicant's property. The third option (C) would amend the rules of procedure to require notification to all abutting property owners and to also amend the zoning code to match.

Mr. Olejniczak mentioned that he spoke with City Attorney Randy Nesbitt and he did not see any problems with the options. He also stated that the only statutory requirement is to publish the hearing notification in the Door County Advocate. He added that any changes to the rules of procedure also need to be approved by the Council. A comparison of the number of mailings required under each option was also reviewed.

After discussion, it was moved by Ms. Larson, seconded by Mr. Jennings to request that the Common Council amend the zoning code and adopt Option C as follows, so the zoning code would match the ZBA requirements:

- A. Notice of Hearing. Notice of the time, date and place of the hearing of an appeal or application shall be given in the following manner:
- (1) To the appellant or applicant in writing by first class mail or by personal service and to the Zoning Administrator or officer appealed from, not less than 10 days prior to the date of the hearing.
  - (2) Except as otherwise required under the Municipal Code or State Statutes, in every case involving a variance, the City shall mail a copy of the hearing notice to the fee owners of record, as follows:
    - (a) Front yard variances - To the *all* abutting property owners ~~on each side of the applicant's property on the same side of the street~~ and to the property owners directly across the street.
    - (b) Side yard variances - To the *all abutting* property owners ~~abutting the side yard on which the variance is requested.~~
    - (c) Rear yard variances - To the *all* abutting property owners ~~of any portion of~~

the required rear yard area of the applicant's lot.

- (d) All other variances (lot size, lot width, etc.) - To all abutting property owners within 300' of the applicant's property including property owners on the opposite side of the street if within 300'.

Moved by Ms. Larson, seconded by Mr. Jennings to amend the motion and request Council to adopt Option C and amend the rules of procedure to match the zoning code. This would cut down on the amount of paperwork and postage.

Roll call vote: All ayes. Carried.

**Consideration of: Submission requirements for variance applications:** Board members discussed amending the rules of procedure in regard to submission requirements for variances from required setbacks. Mr. Olejniczak presented language which would include requiring a scale drawing from a licensed engineer or surveyor, or a scale drawing based upon existing lot monuments.

Moved by Mr. Starr, seconded by Mr. Gigstead to recommend to Council to amend the Zoning Board of Appeals Rules of Procedure as follows:

- C. Forms. Every appeal or application shall be made upon forms furnished by the Secretary or City staff, which have been approved by the Board. A scale drawing shall accompany each form showing the location and size of the property, existing improvements, all abutting properties and improvements thereon and change or addition requested. *If the application is for a variance from a required street yard, side yard or rear yard, the scale drawing shall be prepared by a licensed surveyor or engineer, or the scale drawing shall be based upon existing lot monuments duly located on the subject property.* The applicant or appellant shall provide all information requested on the form and any additional information requested in writing by the Chair or Secretary which is necessary to inform the Board of the facts of the appeal. Failure to supply such information shall be grounds for dismissal of the appeal or application.

Roll call vote. Carried.

Mr. Olejniczak stated he conferred with City Attorney Randy Nesbitt and there did not appear to be any legal issues with the amendment.

**Adjourn:** Moved by Ms. Larson, seconded by Mr. Gigstead to adjourn. Carried. Meeting adjourned at 7:39 p.m.

Respectfully submitted,

  
Cheryl Nault  
Community Development Secretary

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**September 27, 2011**

A meeting of the Finance/Purchasing & Building Committee was called to order at 7:03 p.m. by Chairperson Abeyta in Council Chambers, City Hall. Roll call: Alderperson Abeyta, Alderperson Schlicht, and Alderperson Wiegand were present. Also present: City Administrator McNeil, Finance Director/City Treasurer Clarizio, Public Works/Park and Recreation Superintendent Bordeau and Office/Accounting Assistant II Flinn.

Moved by Alderperson Abeyta seconded by Alderperson Schlicht to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Vendor fees.
4. Review of unfinished business list.
5. Review bills.
6. Adjourn.

Carried.

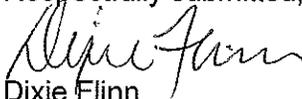
Public Works/Park and Recreation Superintendent Bordeau led the discussion on vendor fees. He stated that it was decided to set the fee at \$20.00 for non-electrical spaces and \$30.00 for electrical spaces for any organized event held in City parks. Since the rates are changing for the farm market, all of the rates will be the same. He added that it would affect all vendors at an organized event in City parks. Each vendor would pay the City a fee in addition to the fee that is charged by the Sturgeon Bay Visitor Center. Alderperson Wiegand questioned that if adding this fee to the fees that SBVC already charges would deter vendors from coming to the different events because of cost. Alderperson Schlicht felt that it seems like the City is double charging the vendors. Moved by Alderperson Schlicht to recommend to the Common Council to approve the vendor fees of \$20.00 for non-electrical spaces and \$30.00 for electrical spaces and to include the events sponsored by SBVC. Motion failed due to lack of a second. After further discussion, it was moved by Alderperson Wiegand, seconded by Alderperson Abeyta to recommend to the Common Council to approve the vendor fees of \$20.00 for non-electrical spaces and \$30.00 for electrical spaces for organized events held in City parks and to exclude the events sponsored by Sturgeon Bay Visitor Center. Carried.

The Committee reviewed the unfinished business list.

Moved by Alderperson Abeyta, seconded by Alderperson Schlicht to accept the bills as presented and forward to the Common Council for payment. Carried.

Moved by Alderperson Abeyta, seconded by Alderperson Wiegand to adjourn. Carried. The meeting adjourned at 7:24 p.m.

Respectfully submitted,



Dixie Flinn  
Office/Accounting Assistant II

Committee of the Whole  
October 3, 2011

A meeting of the Committee of the Whole was called to order at 4:03 p.m. by Mayor Birmingham. Roll call: Birmingham, Wiegand, Vandertie, Abeyta, Stutting, Fett and Schlicht were present. Lodi arrived at 4:07 p.m.

Schlicht/Fett to adopt agenda.

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Consideration of: 2012 Budget.
5. Adjourn.

Carried.

City Administrator McNeil presented a power point presentation outlining the proposed 2012 budget. Mr. Lodi entered the meeting at 4:07 pm. Mr. McNeil explained the budget principles that were established in 2009. The increase in assessed value for the City of Sturgeon Bay was only .72% which amounts to \$41,109.00.

Finance Director/City Treasurer explained that Shared Revenues, Transportation Aids and Law Enforcement will decrease dramatically for 2012. The City of Sturgeon Bay will also have a reduction in revenue with the decreased amounts in grants for 2012. Department Heads explained other revenue items in the proposed 2012 budget. Mr. McNeil commented that funding for Sturgeon Bay Visitor Center will not come out of the Cable TV Fund for 2012. Mayor Birmingham suggested establishing a long range plan to fund Sturgeon Bay Visitor Center for future years.

Mr. McNeil stated that operating budgets for all departments stayed fairly consistent. Department Heads explained expenditures in the proposed 2012 budget.

Mr. McNeil explained that as a result of Act 10 and Act 32 that were passed earlier this year in Wisconsin state legislation, the City of Sturgeon Bay has a reduction in revenue. Governor Walker provided tools for each municipality to make up reduced funding. One of those tools is to get employees to pay their share of retirement. However, current union contracts do not allow the City use of that tool until 2014.

Council members inquired why discussions were not held earlier for services and their priorities prior to budget time. Mayor Birmingham explained that waiting until this time was not intentional, however, information provided by the State of Wisconsin has been constantly changing.

Wiegand/Stutting to adjourn. Carried. Meeting adjourned at 6:27 p.m.

Respectfully submitted,



Laurie Spittlemeister  
Office/Accounting Assistant

A meeting of the Personnel Committee was called to order by Chairperson Vandertie at 5:31 p.m. in the second floor conference room, City Hall. Roll call: Members Vandertie, Abeyta, and Stutting were present. Also present: City Administrator McNeil, City Clerk Reinhardt, and Assistant City Administrator Allen.

Moved by Mr. Abeyta, seconded by Mr. Stutting to adopt the following agenda:

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Consideration of: Safety Program Written Policies as required by the Department of Commerce and OSHA.
5. Adjourn.

Carried.

City Clerk Reinhardt reported that in beginning of January 2011 the City contracted with the Municipal Electric Utility of Wisconsin (MEUW) to establish a formal safety program and manual for the City to comply with the mandatory requirements of the Department of Commerce and OSHA. MEUW Regional Safety Coordinator Chris Schlechta has been working with the City to develop the program and manual. His experience and knowledge is essential as there is no staff member with the expertise to develop a comprehensive program and training. An eight member Safety Committee consisting of Mr. Schlechta, department heads and representatives of each department including union members meet the first Friday of each month to review programs, policies, and review incident and claims. The goal of the Safety Committee is to be in compliance with requirements and to develop a practical and workable programs manual and training.

The Safety Committee is recommending that the Council approve the following first five written programs: Confined Space Program, Hazardous Communications Program, Excavation/Trenching program, Personal Protective Equipment, and Exposure Control Plan-Bloodborne Pathogens. Once approved, the programs will be implemented and Mr. Schlechta will begin training employees on each module. While employee safety and injury prevention is the objective, training and safe practices result in lower Workers Compensation claims. Claims experience was briefly discussed.

Ms. Reinhardt answered questions and explained that the City is able to contract with MEUW at an annual cost of \$12,000 which includes Mr. Schlechta's services, because Sturgeon Bay Utilities has agreed to share half of its training time so the City can have him as a program consultant/trainer. Mr. Schlechta also does department safety inspections, and provides information from other municipalities. As part of complying with regulations, funds will have to be expended for safety items such as hearing tests, protective clothing, etc.

After further discussion it was moved by Mr. Stutting, seconded by Mr. Abeyta to recommend to the Common Council to approve the following written Safety Programs as recommended by the City's Safety Committee:

Confined Space Program  
Hazardous Communications Program  
Excavation/Trenching Program  
Personal Protective Equipment  
Exposure Control Plan - Bloodborne Pathogens

Carried.

Moved by Mr. Abeyta, seconded by Mr. Stutting to adjourn. Carried. The meeting adjourned at 5:52 p.m.

Respectfully submitted,

  
Mary Lou Allen  
Assistant City Administrator

**CITY PLAN COMMISSION**  
Wednesday, October 6, 2011

A meeting of the City Plan Commission was called to order at 7:02 p.m. by Chairperson Dan Wiegand in Council Chambers, City Hall, 421 Michigan Street.

**Roll call:** Members Joe Porten, Jeff Norland, Michael Gilson, Laurel Brooks, Dan Wiegand, and Dennis Statz were present. Excused: Member John Lodi. Also present were Mayor Thad Birmingham, Door County Economic Development Corporation Executive Director Bill Chaudoir, City Administrator Steve McNeil, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Lodi, seconded by Ms. Brooks to approve the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from August 17, 2011.
4. Public comment on non-agenda items.
5. Consideration of: Final Planned Unit Development for The Sanctuary at Deer Run Village (Deer Run Building #2).
6. Consideration of: Final Planned Unit Development for Marsh Manor at Deer Run Village (Deer Run Building #3).
7. Consideration of: Wellhead Protection Ordinance.
8. Consideration of: West Waterfront Area Redevelopment Plan.
9. Consideration of: Regulations for commercial real estate signs.
10. Adjourn.

Carried.

**Approval of minutes from August 17, 2011:** Moved by Mr. Norland, seconded by Mr. Statz to approve the minutes from August 17, 2011. Carried.

**Public comment regarding non-agenda items:** No one spoke during public comment.

**Consideration of: Final Planned Unit Development for The Sanctuary at Deer Run Village (Deer Run Building #2):** Mr. Olejniczak explained that this is the second building to be approved for the Deer Run project. The first building will consist of senior apartments to be located south of the property. The Sanctuary at Deer Run Village is a U-shaped 36-unit memory care facility, along with storage units for use by all of Deer Run residents. The driveway leading to the storage units will come off Clay Banks Road and not through the development. The proposal conforms to all zoning requirements and staff's recommendation is to approve the final PUD based on the submitted plans and the proposed PUD zoning parameters, with the following conditions:

1. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
2. A development agreement shall be entered into between the property owner and City regarding future street improvements.

He added that a development agreement regarding future street improvements had just been approved by Council.

Moved by Mr. Gilson, seconded by Mr. Norland to approve the final PUD for Deer Run Building #2, subject to the conditions recommended by staff. All ayes. Carried.

**Consideration of: Final Planned Unit Development for Marsh Manor at Deer Run Village (Deer Run Building #3):** Mr. Olejniczak stated that this matches the approved Preliminary PUD. It is a low density CBRF. City Engineer Tony Depies has approved the drainage plan, as well as receiving approval from Sturgeon Bay Utilities. R-3 is the underlying zoning classification. Staff recommended approval of the final PUD based upon the submitted plans and the proposed PUD zoning parameters, with the following conditions.

1. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
2. A development agreement shall be entered into between the property owner and City regarding future street improvements.

Mr. Olejniczak added that when this building is built, it is up to the City when the street should be dedicated. It would be constructed to the west property line.

Moved by Mr. Norland, seconded by Mr. Statz to approve the final PUD, subject to conditions recommended by staff. All ayes. Carried.

**Consideration of: Wellhead Protection Ordinance:** Per direction of the Plan Commission, Mr. Olejniczak and Sturgeon Bay Utilities Operations Manager Cliff White had made some revisions to the proposed ordinance.

Mr. White gave a recap of the last meeting. There was a general consensus that the language was too strong with prohibitions. They did change the language so that there are no strict prohibitions of activities. They also expanded the list of exemptions. In addition, he spoke with the DNR in regard to communities that had some issues.

Mr. White explained that this ordinance is a preventative or insurance type action. He responded to several questions from Commission members. There are not any new wells planned for the future. The City currently has 5 wells and if one were to fail, there still would be sufficient amount of water. Members wondered how and what businesses will be affected by this ordinance. Single-family homes are exempted unless they have certain issues such as fuel tanks, etc. They would then be regulated. Mr. Gilson said it should be made clearer about what is regulated. Mr. White added that the term expansion refers to regulated substances. In regard to 12(b) under Enforcement, Mr. Gilson thought something like *fair and reasonable* should be added. Mr. White explained unopened containers are not regulated. An open container, for example, of ice melt is regulated.

Appeals were also discussed. Mr. Norland stated according to the ordinance, there were only two reasons listed to appeal. There would be a considerable amount of cost. Mr. White responded appeals are based on what would cause a property to fall into the situation. It kind of mirrors both ways. Mr. Norland said the next person to head SBU may not look at things the same way as it is looked at now.

Mr. Wiegand added that anyone who puts a tank in the ground has to be registered with the Dept. of Commerce and DNR. There is currently enforcement, as well as many regulations with pesticides, etc. He added that the Fire Dept. inspects all storage facilities of chemicals, etc. in the City and beyond.

Ms. Brooks stated anything done to protect our resource is reasonable. She didn't feel that this ordinance language is threatening to businesses or residents.

Mr. Porten felt that this is an intimidating and frightenly wordy ordinance. He noted that 335 communities have adopted a Wellhead Protection Plan.

Mr. White said that businesses are given a certain amount of time to complete an emergency plan for chemicals if they have not already done so. He added that the DNR provides guidelines with Sturgeon Bay specifically in mind when this ordinance was written. With the permitting process, if there is an issue, Sturgeon Bay Utilities has a plan to turn a well off or respond to it in a timely fashion and determine what the mediation process will be and prevent that contaminant from entering the water system.

Mr. Olejniczak will get clarification from the City Attorney regarding the ordinance being part of the zoning code and whether it would be appealable to the ZBA.

Mr. Olejniczak stated that to adopt the Wellhead Protection Ordinance there will be a public hearing held before the Plan Commission per the zoning code. It was suggested that the owners that would be affected by the ordinance should be notified. Changes can be made after a public hearing.

Moved by Mr. Wiegand, seconded by Mr. Statz to postpone this issue and have staff review suggestions and possible changes and come up with a plan of action, have reviewed by the City Attorney, and bring it back to the next meeting in November.

Mr. Statz suggested sending out a copy of the ordinance to the businesses affected for their review. Mr. Wiegand thought a news release could be sent out for the next meeting and then hold a public hearing at the December meeting.

Mr. Brooks requested that the revised document be presented with tracking the changes in order to see how it was and how it is proposed to be. She was not in favor of issuing a special invitation to the businesses the ordinance would affect. They should specifically be made aware of the hearing, but to issue a special invitation is ignoring a much larger group of people whose interests are being protected by this document.

A vote was taken on the motion. All ayes. Carried.

**Consideration of: West Waterfront Area Redevelopment Plan:** Mr. Olejniczak presented the West Waterfront Area Redevelopment Plan. Vandewalle and Associates were hired to complete the plan with a grant that was awarded to the City from the State to help with the planning. The Waterfront Redevelopment Authority recommended its approval for the plan.

Mr. Olejniczak presented the main points of the plan. The proposed new developments include a two-story, 30,000 sq. ft. four seasons market located on the waterfront, which would become a retail showcase for Door County products. A 50-60 room, 4-story nationally flagged hotel is shown behind the renovation of the granary, which would serve as an icon and represent the history of the area and could also be used as a backdrop for performances.

Other uses include facilities for the Coast Guard at Sawyer Park. Residential uses are planned across Maple Street for workforce housing (currently Bargain Corner) with one building being an adaptive warehouse reuse and the other having ground floor commercial, with workforce housing above or behind. Also along Maple Street is a 7,000 sq. ft. mixed-use two-story retail/casual dining building designed to keep a pedestrian connection to the waterfront. Also planned is new housing located south of Larch Street. The empty corner building on Madison Avenue and Larch Street could be converted into a ground floor retail shop with residential above. One idea is to turn Larch Street into a parking street with possible parallel parking on one side and angle parking on the other. Envisioned is the reuse of Applebees restaurant and redesigning the entrance, as well as an upper and lower restaurant, with transient slips for diners.

Providing more short term docking slips was in the plan, as well as possibly relocating the tugboats to another area. Mr. Olejniczak mentioned that if the tugs do not interfere with the development of the market building or the lodging there should be no reason to relocate them. Part of the concern is the use of transient dockage and tugboat use are tough to mix together. The tugs represent a working waterfront.

There are several steps to implement the plan including developer recruitment, assess the granary structural and financial feasibility, develop strategy for Co-op site issues, leverage funding opportunities, and create a food hub business plan.

Mayor Thad Birmingham reminded Commission members that this is just a concept plan. He has never seen a concept plan that was entirely done as initially presented. It is important to have everyone on board to show that the City is interested in moving forward with this concept. It is not as easy to find developers as in the past.

Mr. Wiegand discussed that the tugboats are vital to the interests of Sturgeon Bay businesses and the City needs to be prepared to address this by ensuring a location on the Sturgeon Bay waterfront.

Mr. Chaudoir gave a background on how the planning process began. There was a prospective buyer for Applebees, but it did not work out for him. He had asked the City what the vision was for the rest of the waterfront. Developers want to know that the community has a vision before they invest in it. The main purpose is to show the idea and goal to developers. The granary makes this area unique. It is connected to Sturgeon Bay's history.

No action was taken.

**Consideration of: Regulations for commercial real estate signs:** Mr. Wiegand stated many companies put up very large real estate signs within the City when smaller signs could be used. There are also multiple listings for businesses and homes. He invites everyone to ride through the City and note the large signs. Many of them are tipped over. Many of the large signs are put up to draw attention. Such large signs should not be allowed, since a smaller sign can do the same job.

Ms. Brooks said it should be considered the way signs are mounted.

Commission members are to give some thought to this issue and come back with some direction for staff.

**Adjourn:** Moved by Mr. Gilson, seconded by Ms. Brooks to adjourn. All ayes. Carried. Meeting adjourned at 8:49 p.m.

Respectfully submitted,

  
Cheryl Nault  
Community Development Secretary

6c1.

CITY OF STURGEON BAY  
INSPECTION DEPARTMENT  
September 30, 2011

6c1.

THE FOLLOWING IS THE MONTHLY SUMMARY OF THE ACTIVITIES OF THE INSPECTION DEPARTMENT FOR THE MONTH OF SEPTEMBER 2011

September-11	YEAR TO DATE		September-11	YEAR TO DATE
0	7	ONE FAMILY DWELLINGS	-----	1,125,000
0	0	TWO FAMILY DWELLINGS	-----	-----
0	1	MULTIPLE FAMILY DWELLINGS	-----	300,000
0	0	DUPLEX CONVERTED TO TRI-PLEX	-----	-----
0	0	C.B.R.F.	-----	-----
2	5	RESIDENTIAL ADDITIONS	55,400	148,200
16	135	RESIDENTIAL ALTERATIONS	156,315	920,189
0	6	RESIDENTIAL GARAGES/CARPORTS	-----	156,500
1	4	RESIDENTIAL GARAGE ADDITIONS & ALTERATIONS	10,000	19,650
1	5	RESIDENTIAL STORAGE BUILDINGS	1,940	24,740
0	0	RESIDENTIAL SWIMMING POOLS	-----	-----
0	0	NON-RESIDENTIAL SWIMMING POOLS	-----	-----
0	1	NEW COMMERCIAL BUILDINGS	-----	6,500,000
0	1	NON-RESIDENTIAL GARAGES & STORAGE BUILDINGS	-----	520,000
0	3	NON-RESIDENTIAL ADDITIONS	-----	761,029
8	37	NON-RESIDENTIAL ALTERATIONS	142,150	603,730
0	0	MUNICIPAL BUILDINGS	-----	-----
0	0	WAREHOUSES	-----	-----
0	0	FACTORY & SHOP	-----	-----
0	0	COMMUNICATION TOWER	-----	-----
0	0	SUBSTATION	-----	-----
0	0	AGRICULTURAL BUILDINGS	-----	-----
0	2	MANUFACTURED HOME SLABS	-----	12,000
<hr/>	<hr/>			
28	207			
		TOTAL ESTIMATED COST OF CONSTRUCTION	\$365,805	11,091,038

September-11	YEAR TO DATE	TOTAL PERMITS ISSUED	September-11	YEAR TO DATE
28	207	BUILDING PERMITS	1,361	31,435
10	101	ELECTRICAL PERMITS	525	14,264
5	53	PLUMBING PERMITS	264	8,994
7	53	HEATING PERMITS	631	10,705
8	113	SIGN PERMITS	180	3,330
0	2	MISCELLANEOUS PERMITS	-----	55
0	0	SUMP PUMP PERMITS	-----	-----
0	92	ELECTRICIAN LICENSES	-----	1,310
0	2	EARLY STARTS	-----	375
0	4	EROSION CONTROL	-----	1,300
0	0	STATE PLAN APPROVALS	-----	-----
0	4	PARK & PLAYGROUND PAYMENTS	-----	1,200
0	9	WISCONSIN PERMIT SEALS	-----	315
1	6	ZONING BOARD OF APPEALS APPLICATIONS	275	1,525
0	3	ZONING CHANGES/P.U.D. APPLICATIONS	-----	950
0	2	PLAN COMMISSION - CONDITIONAL USES	-----	400
0	4	CERTIFIED SURVEY MAP REVIEWS	-----	100
0	0	SUBDIVISION PLATTING REVIEW	-----	-----
0	0	MISCELLANEOUS REVENUE	-----	-----
0	0	(COPIES, POSTAGE, SALE OF MAPS, ETC.)	-----	-----
0	0	RESIDENTIAL BUILDINGS MOVED	-----	-----
0	0	NON-RESIDENTIAL BUILDINGS MOVED	-----	-----
0	0	CHANGE OF USE	-----	-----
0	0	RESIDENTIAL OCCUPANCY FEES	-----	-----
0	10	COMMERCIAL OCCUPANCY FEES	-----	700
0	0	PIER PERMIT	-----	-----
0	3	DEMOLITION	-----	75
0	0	REINSPECTION FEE	-----	-----
0	0	BLASTING	-----	-----
		TOTAL RECEIPTS DEPOSITED WITH CITY TREASURER	\$3,236	\$77,033.00

Cheryl Nault  
Building Inspection Dept.

*Cheryl Nault*

Bob Bordeau  
Municipal Services Superintendent  
835 N. 14th Avenue  
Sturgeon Bay, WI 54235



Phone: 920-746-2912  
Fax: 920-746-2906  
bbordeau@sturgeonbaywi.org

## STREET DEPARTMENT WORK COMPLETED

September 2011

- Grind and paint lines on Egg Harbor Road
- Repair manhole on 1<sup>st</sup> Avenue between Michigan and Louisiana
- Prepare the alley between Michigan and Oregon from 9<sup>th</sup> to 10<sup>th</sup> for paving
- Assist with grinding materials at the compost site
- Fix soft spots on Michigan between 18<sup>th</sup> Avenue and the Highway
- Repair Guardrail on Circle Ridge Road
- Set up and remove barricades for Harvest Fest
- Move bases for the Sturgeon Art Auction
- Fix the parking lot by the sledding hill
- Saw and dig out patches
- Cleared trees and brush from city streets caused by wind storm
- Collected brush from storm damage
- Patching
- Sweep City streets
- Complete large item collection
- Sign repair and maintenance
- Clean stencils
- Backfill curbing
- Patch curbing
- Install equipment for leaf collection
- Weld and paint snow plows to prepare for winter

### Truck Repairs:

- Rebuild brakes on rear axle on #41 garbage truck
- Rebuild throttle assembly on #15 loader
- Replace broken fuel tank strap on #8

### Garbage Weights:

Tons of refuse: 187.90  
Tons of commingled: 19.18  
Tons of paper: 34.04

Rainfall for August was: 3.79 inches  
Average daily high temperature was: 69.2  
Average daily low temperature was: 49.0

OT Hours Worked: 79.75

Providing all residents, businesses and visitors a safe and clean community.



# CITY of STURGEON BAY FIRE DEPARTMENT

421 Michigan St  
Sturgeon Bay, WI 54235

920-746-2916  
920-746-2905 FAX  
Email: therlache@sturgeonbaywi.org

Tim  
Herlache  
Fire Chief

TO: The Honorable Mayor Thad Birmingham and the Common Council  
FROM: Fire Chief Tim Herlache *T. H.*  
SUBJECT: September 2011 Monthly Fire Report  
DATE: October 11, 2011

I submit the following report of activities for the Sturgeon Bay Fire Department for the month of September 2011.

## CALLS FIRE DEPARTMENT RECEIVED: 92

<u>CITY CALLS:</u>	<u>74</u>	<u>Type of Call:</u>	<u>COUNTRY CALLS:</u>	<u>18</u>
East Side Calls:	<u>49</u>	Fire	Town of Sevastopol:	<u>12</u>
West Side Calls:	<u>25</u>	EMS	Town of Sturgeon Bay:	<u>5</u>
			Clay Banks:	<u>1</u>

## CALLS PER DAY:

Monday	15
Tuesday	8
Wednesday	9
Thursday	24
Friday	16
Saturday	12
Sunday	8

## INCIDENT TYPE:

57 – First Responder	3 – Vehicle Accident
1 – Public Service/Assist	1 – Search for Person
2 – Outside/Grass Fire	1 – Hazardous Condition
1 – Service Call	1 – Combustible Liquid Spill
1 – Assist Police	2 – Smoke Scare/Odor of Smoke
1 – Gas Leak	1 – Dispatched & Cancelled
8 – Power Line Down	6 – Detector Activation, No Fire
1 – Animal Problem	3 – Carbon Monoxide Incident
1 – Citizen Complaint	1 – Severe Weather Incident

## INSPECTION REPORT:

Inspections within the city limits: 281  
Number of violations: 80  
Inspections outside the city limits: 67  
Number of violations: 7  
Total number of inspection hours: 160.91 hours

## INSPECTION VIOLATIONS:

3 – Storage Under Stairs	1 – Corridors/Exits Illuminated	5 – Fire Extinguisher Required
5 – Exit Access	1 – Carbon Monoxide Detectors	3 – Insp/Test/Maint of Fire Alarms
4 – Covers & Canopies	6 – Exit Sign Illumination	13 – Fire Extinguisher Maintenance
6 – Smoke Detectors	1 – Vents	3 – Cleanliness
2 – Compressed Gas Cylinders	2 – Hood System Cleanliness	16 – Extension Cords
4 – Fire Extinguisher Mounting	5 – Insp/Test/Maint of Sprinklers	7 – Emergency Illumination

## **SPECIAL REPORTS, ACTIVITIES AND REPAIRS**

**FIRE PRACTICE:** We held a practice/training burn at a home on Division Rd. Firefighters were able to enter a burning building and practice structural firefighting procedures. Twelve interior fires were individually started and extinguished.

**PUBLIC SAFETY AND EDUCATION:** Firefighters participated in the Sturgeon Bay Homecoming Parade and the 9/11 memorial event; spoke with students on driving/fire safety at Sturgeon Bay High School drivers Ed program; presented Fire Safety/Extinguisher Demos for employees at AmericInn, WI DNR, Women's Employment Office and students at NWTC; hung fire prevention posters throughout the community and presented Fire Prevention programs to students at St. John Bosco and Sawyer School.

**TRUCK/STATION MAINTENANCE:** Firefighters repaired the tower scene light on R1; aligned the head lights on unit #4; put all the equipment back into service on unit #2 after its repairs were completed; repaired side red lights on unit #6; replaced the fuel filter on unit #4; repaired the garage door at eastside station; got all the fire prevention equipment ready for schools; replaced the front and rear brakes on unit #8; repaired the fan on unit #4 replaced the starter and a fuse to lift the cab on unit #4.

**TRAINING:** 242.5 hours of training was conducted in September. All full-time firefighters participated in citywide harassment training and conducted a practice/training burn held at a home on Division Rd.

**OTHER:** Firefighters participated in; issued one burning permit; testing emergency weather sirens; attended various committee meetings at the city and county level and conducted multiple station tours.

SEPTEMBER 2011 BANK RECONCILIATION

CHECKING ACCOUNTS

INVESTMENT ACCOUNTS

GENERAL FUND	WDF	TIF #9 WIRETECH	WDC GRANT
BAYLAKE	BAYLAKE	BAYLAKE	BAYLAKE
PRIOR G/L BALANCE	4,852,736.88	335,184.72	44,051.12
REVENUE	702,059.03	8,263.18	0.00
DISBURSEMENTS	3,767,153.58	0.00	5,000.00
AMOUNT IN TRANSIT	1,543.64	0.00	0.00
ADJUSTMENTS	58,350.07	0.00	0.00
ENDING BALANCE	1,844,448.76	343,447.90	39,051.12

GENERAL/CAPITAL FUND	INVESTMENTS
	1,517,927.93
	261.67
	394,442.06
	0.00
	0.00
	1,123,747.54

BANK BALANCE	1,854,962.42	343,447.90	39,051.12	91.39
LESS OUTS, CHECKS	10,503.66	0.00	0.00	0.00
	1,844,448.76	343,447.90	39,051.12	91.39

	1,123,747.54
	0.00
	1,123,747.54

SAVINGS ACCOUNTS

GENERAL FUND	GENERAL FUND	TIF #1 DEBT	TOURISM FUND	WDF	CAPITAL - BUILDING DEBT	TIF #3 DEBT	TIF #3 CONSTRUCTION
STATE - #2	BAYLAKE BANK - MWBI	STATE - #11	STATE - #12	STATE - #4	STATE - #9	STATE - #08	STATE - #14
PRIOR G/L BALANCE	855,969.80	12,064.12	513,539.12	3,642.89	5,932.22	100,314.38	154,377.36
REVENUE	468,045.10	7,735.66	8,526.48	0.33	0.54	545.62	14.05
DISBURSEMENTS	15,271.00	1,503.39	0.00	0.00	0.00	27,462.50	1,368.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	1,308,743.90	18,296.39	522,065.60	3,643.22	5,932.76	73,397.50	153,023.41
BANK BALANCE	1,308,743.90	18,296.39	522,065.60	43,261.49	3,643.22	5,932.76	73,397.50
							153,023.41

PRIOR G/L BALANCE	TIF #2	TIF #2	TIF #2 DEBT	TIF #2 AMENDED AREA	TIF #2 AMENDED AREA	TIF #2-CAPITAL MAINT.	TIF #2 WFRDA DEBT RES.	TIF #2 AMENDED CITY
REVENUE	STATE - #3	STATE - #9	STATE - #10	CONST. - STATE - #06	CAP. INT. - STATE - #7	STATE - #15	STATE - #13	FUND STATE - #5
REVENUE	0.61	2,002.66	1,936,397.93	74,086.08	6.78	184,894.91	1,652,274.52	8,674.78
DISBURSEMENTS	0.00	5,036.50	11,310.99	0.00	0.00	15.34	151.18	0.73
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	27,275.22	0.00	1,032.73
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	3,717.89	20,028.82	2,690,208.85	74,092.86	0.00	157,635.03	1,652,425.70	7,642.78
BANK BALANCE	3,717.89	20,028.82	2,690,208.85	74,092.86	111,988.87	157,635.03	1,652,425.70	7,642.78

6c5.

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: GENERAL FUND  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI-ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE
REVENUES	835,109.01	83,749.23	(89.9)	10,021,304.00	6,575,036.04	(34.3)
GENERAL FUND	835,109.01	83,749.23	(89.9)	10,021,304.00	6,575,036.04	(34.3)
TOTAL REVENUES						
EXPENSES						
GENERAL FUND	56,188.57	178,625.01	(217.9)	674,260.00	558,244.11	17.2
MAYOR	1,009.60	1,736.09	(71.9)	12,115.00	9,480.51	21.7
CITY COUNCIL	5,036.26	5,428.40	(7.7)	60,435.00	44,109.13	27.0
LAW/LEGAL	6,250.01	4,194.50	32.8	75,000.00	33,205.48	55.7
CITY CLERK-TREASURER	27,006.73	27,567.88	(2.0)	324,080.00	237,074.86	26.8
ADMINISTRATION	18,154.61	19,237.58	(5.9)	217,855.00	161,483.53	25.8
COMPUTER	4,379.20	4,958.00	(13.2)	52,550.00	33,745.61	35.7
CITY ASSESSOR	8,050.51	8,061.85	(0.1)	96,605.00	79,006.45	18.2
BOARD OF REVIEW	205.44	0.00	100.0	2,465.00	753.57	69.4
BUILDING/ZONING CODE ENFORCEMENT	5,753.35	5,577.85	3.0	69,040.00	62,713.68	9.1
MUNICIPAL SERVICES ADMIN.	17,097.14	17,036.75	0.3	205,165.00	145,081.04	29.2
PUBLIC WORKS ADMINISTRATION	17,676.73	18,383.91	(4.0)	212,120.00	155,288.32	26.7
ELECTIONS DEPARTMENT	1,167.94	793.42	32.0	14,015.00	10,577.49	24.5
CITY HALL	14,014.67	18,848.20	(34.4)	168,175.00	109,082.63	35.1
INSURANCE	23,205.04	18,817.00	18.9	278,460.00	206,133.80	25.9
GENERAL EXPENDITURES	77,161.21	1,989.65	97.4	925,934.00	45,282.79	95.1
POLICE DEPARTMENT	37,413.40	40,048.60	(7.0)	448,960.00	313,074.94	30.2
PATROL BOAT	892.10	(93.81)	110.5	10,705.00	3,630.18	66.0
PARKING ENFORCEMENT	0.00	0.00	0.0	0.00	0.00	0.0
POLICE DEPARTMENT/PATROL	139,720.92	150,637.75	(7.8)	1,676,650.00	1,213,048.09	27.6
POLICE DEPT. / INVESTIGATIONS	18,855.88	12,154.06	35.5	226,270.00	105,801.98	53.2
FIRE DEPARTMENT	138,300.95	169,989.05	(22.9)	1,659,610.00	1,222,607.82	26.3
STORM SEWERS	4,192.95	9,520.74	(127.0)	50,315.00	1,222,607.82	45.9
SOLID WASTE MGMT/SPRING/FALL	6,325.03	2,912.34	53.9	75,900.00	29,219.26	60.5
COMPOST/SOLID WASTE SITE	2,697.94	947.59	64.8	32,375.00	16,521.93	48.9
STREET SWEEPING	2,993.35	4,135.54	(38.1)	35,920.00	23,202.91	35.4
WEED ABATEMENT	568.35	0.00	100.0	6,820.00	2,523.31	63.0
ROADWAYS/STREETS	17,641.29	22,815.62	(29.3)	211,695.00	186,484.72	11.9
SNOW REMOVAL	17,646.26	1,041.47	94.0	211,755.00	135,385.32	36.0
STREET SIGNS AND MARKINGS	4,797.52	10,213.54	(112.8)	57,570.00	47,037.70	18.2
CURB/GUTTER/SIDEWALK	1,141.26	3,851.08	(237.4)	13,695.00	8,214.91	40.0
STREET MACHINERY	14,740.04	13,883.51	5.8	176,880.00	115,951.78	34.4
CITY GARAGE	5,537.95	3,203.46	42.1	66,455.00	35,726.29	46.2
CELEBRATION & ENTERTAINMENT	3,054.60	961.47	68.5	36,655.00	34,019.23	7.1
HIGHWAYS - GENERAL	42,451.29	41,644.31	1.9	509,415.00	359,956.36	29.3
PARK & RECREATION ADMIN	11,166.32	11,929.74	(6.8)	133,995.00	104,297.89	22.1
PARKS AND PLAYGROUNDS	33,772.20	43,417.10	(28.5)	405,265.00	280,108.15	30.8
BALLFIELDS	2,510.02	700.83	72.0	30,120.00	16,444.68	45.4
ICE RINKS	832.94	0.00	100.0	9,995.00	8,223.66	17.7
BEACHES	272.94	69.73	74.4	3,275.00	717.73	78.0

6c5.

DATE: 10/12/2011  
 TIME: 10:46:15  
 ID: GL480000.MOM

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: GENERAL FUND  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER	SEPTEMBER	VARI- ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL				
<b>EXPENSES</b>						
MUNICIPAL DOCKS	3,691.73	4,133.48	(11.9)	44,300.00	26,509.52	40.1
WATER WEED MANAGEMENT	8,093.39	15,709.69	(94.1)	97,120.00	75,044.10	22.7
WATERFRONT PARKS & WALKWAYS	4,490.44	5,994.43	(33.4)	53,885.00	32,153.40	40.3
EMPLOYEE BENEFITS	2,041.68	12,257.55	(500.3)	24,500.00	18,328.44	25.1
PUBLIC FACILITIES	6,357.50	0.00	100.0	76,290.00	53,950.22	29.2
BOARDS AND COMMISSIONS	156.26	0.00	100.0	1,875.00	86.16	95.4
COMMUNITY & ECONOMIC DEVELOPM	20,397.14	19,165.58	6.0	244,765.00	173,879.36	28.9
<b>TOTAL EXPENSES</b>	<b>835,110.65</b>	<b>932,500.54</b>	<b>(11.6)</b>	<b>10,021,304.00</b>	<b>6,561,322.62</b>	<b>34.5</b>
<b>TOTAL FUND REVENUES</b>						
	835,109.01	83,749.23	(89.9)	10,021,304.00	6,575,036.04	(34.3)
<b>TOTAL FUND EXPENSES</b>	<b>835,110.65</b>	<b>932,500.54</b>	<b>(11.6)</b>	<b>10,021,304.00</b>	<b>6,561,322.62</b>	<b>34.5</b>
<b>SURPLUS (DEFICIT)</b>	<b>(1.64)</b>	<b>(848,751.31)</b>	<b>3028.6</b>	<b>0.00</b>	<b>13,713.42</b>	<b>100.0</b>

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CAPITAL FUND  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI-ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE
REVENUES	434,284.22	46,383.23	(89.3)	5,211,410.00	2,397,860.83	(53.9)
TOTAL REVENUES	434,284.22	46,383.23	(89.3)	5,211,410.00	2,397,860.83	(53.9)
EXPENSES						
CITY CLERK-TREASURER	0.00	0.00	0.0	0.00	0.00	0.0
ADMINISTRATION	0.00	0.00	0.0	0.00	0.00	0.0
COMPUTER	1,083.34	0.00	100.0	13,000.00	1,986.24	84.7
CITY ASSESSOR	0.00	0.00	0.0	0.00	0.00	0.0
MUNICIPAL SERVICES ADMIN.	0.00	0.00	0.0	0.00	0.00	0.0
CITY HALL	0.00	0.00	0.0	0.00	0.00	0.0
GENERAL EXPENDITURES	55,200.02	247.00	99.5	662,400.00	651,465.29	1.6
POLICE DEPARTMENT	0.00	0.00	0.0	0.00	0.00	0.0
PATROL	31,882.51	11,640.79	63.4	382,590.00	86,290.46	77.4
POLICE DEPT. / INVESTIGATIONS	0.00	0.00	0.0	0.00	0.00	0.0
FIRE DEPARTMENT	2,552.10	0.00	100.0	30,625.00	21,825.85	28.7
STORM SEWERS	7,500.00	60,606.53	(708.0)	90,000.00	61,559.03	31.6
SOLID WASTE MGMT/REFUSE/RECYCL	0.00	0.00	0.0	0.00	0.00	0.0
SOLID WASTE MGMT/SPRING/FALL	2,916.67	0.00	100.0	35,000.00	0.00	100.0
ROADWAYS/STREETS	247,916.70	293,155.47	(18.2)	2,975,000.00	1,262,404.65	57.5
SNOW REMOVAL	10,416.67	0.00	100.0	125,000.00	112,342.35	10.1
CURB/GUTTER/SIDEWALK	25,124.59	4,771.00	81.0	301,495.00	17,999.15	94.0
CITY GARAGE	833.34	0.00	100.0	10,000.00	4,495.00	55.0
PARKS AND PLAYGROUNDS	6,583.35	0.00	100.0	79,000.00	47,828.15	39.4
BALLFIELDS	1,083.34	0.00	100.0	13,000.00	5,223.70	59.8
ICE RINKS	0.00	0.00	0.0	0.00	0.00	0.0
BEACHES	416.67	0.00	100.0	5,000.00	0.00	100.0
MUNICIPAL DOCKS	0.00	0.00	0.0	0.00	0.00	0.0
WATER WEED MANAGEMENT	0.00	0.00	0.0	0.00	0.00	0.0
WATERFRONT PARKS & WALKWAYS	541.68	0.00	100.0	6,500.00	0.00	100.0
SANITARY & WATER MAIN	37,500.01	0.00	100.0	450,000.00	0.00	100.0
PUBLIC FACILITIES	0.00	0.00	0.0	0.00	0.00	0.0
COMMUNITY & ECONOMIC DEVLPMT	1,250.00	0.00	100.0	15,000.00	0.00	100.0
TOTAL EXPENSES	432,800.99	370,420.79	14.4	5,193,610.00	2,273,419.87	56.2
TOTAL FUND REVENUES	434,284.22	46,383.23	(89.3)	5,211,410.00	2,397,860.83	(53.9)
TOTAL FUND EXPENSES	432,800.99	370,420.79	14.4	5,193,610.00	2,273,419.87	56.2
SURPLUS (DEFICIT)	1,483.23	(324,037.56)	(1946.7)	17,800.00	124,440.96	599.1

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CABLE TV  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER	SEPTEMBER	VARI- ANCE	FISCAL	FISCAL	VARI- ANCE
	BUDGET	ACTUAL		YEAR BUDGET	YEAR-TO-DATE ACTUAL	
REVENUES						
CABLE TV / GENERAL	8,937.09	0.00	100.0	107,245.00	86,617.89	(19.2)
TOTAL REVENUES	8,937.09	0.00	100.0	107,245.00	86,617.89	(19.2)
EXPENSES						
CABLE TV / GENERAL	20,694.17	4,624.16	77.6	248,330.00	210,505.70	15.2
TOTAL EXPENSES	20,694.17	4,624.16	77.6	248,330.00	210,505.70	15.2
TOTAL FUND REVENUES	8,937.09	0.00	100.0	107,245.00	86,617.89	(19.2)
TOTAL FUND EXPENSES	20,694.17	4,624.16	77.6	248,330.00	210,505.70	15.2
SRPLUS (DEFICIT)	(11,757.08)	(4,624.16)	(60.6)	(141,085.00)	(123,887.81)	(12.1)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TOURISM FUND  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI- ANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE %
REVENUES						
TOURISM COMMITTEE / GENERAL	8,634.59	3.96	(99.9)	103,615.00	72,540.07	(29.9)
TOTAL REVENUES	8,634.59	3.96	(99.9)	103,615.00	72,540.07	(29.9)
EXPENSES						
TOURISM COMMITTEE / GENERAL	6,458.34	0.00	100.0	77,500.00	74,000.00	4.5
TOTAL EXPENSES	6,458.34	0.00	100.0	77,500.00	74,000.00	4.5
TOTAL FUND REVENUES	8,634.59	3.96	(99.9)	103,615.00	72,540.07	(29.9)
TOTAL FUND EXPENSES	6,458.34	0.00	100.0	77,500.00	74,000.00	4.5
SURPLUS (DEFICIT)	2,176.25	3.96	(99.8)	26,115.00	(1,459.93)	(105.5)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #2 DISTRICT  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI-ANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE %
REVENUES						
TID DISTRICT #2	137,025.60	1,985,426.46	1348.9	1,644,307.00	3,367,107.16	104.7
TOTAL REVENUES	137,025.60	1,985,426.46	1348.9	1,644,307.00	3,367,107.16	104.7
EXPENSES						
TID DISTRICT #2	228,502.23	2,000,080.62	(775.3)	2,742,026.00	2,573,224.36	6.1
TOTAL EXPENSES	228,502.23	2,000,080.62	(775.3)	2,742,026.00	2,573,224.36	6.1
TOTAL FUND REVENUES	137,025.60	1,985,426.46	1348.9	1,644,307.00	3,367,107.16	104.7
TOTAL FUND EXPENSES	228,502.23	2,000,080.62	(775.3)	2,742,026.00	2,573,224.36	6.1
SURPLUS (DEFICIT)	(91,476.63)	(14,654.16)	(83.9)	(1,097,719.00)	793,882.80	(172.3)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #1 DISTRICT  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI-ANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE %
REVENUES						
TID #1 DISTRICT	32,781.68	47.48	(99.8)	393,380.00	393,658.35	0.0
TOTAL REVENUES	32,781.68	47.48	(99.8)	393,380.00	393,658.35	0.0
EXPENSES						
TID #1 DISTRICT	32,066.67	0.00	100.0	384,800.00	0.00	100.0
TOTAL EXPENSES	32,066.67	0.00	100.0	384,800.00	0.00	100.0
TOTAL FUND REVENUES	32,781.68	47.48	(99.8)	393,380.00	393,658.35	0.0
TOTAL FUND EXPENSES	32,066.67	0.00	100.0	384,800.00	0.00	100.0
SURPLUS (DEFICIT)	715.01	47.48	(93.3)	8,580.00	393,658.35	4488.0

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #3 DISTRICT  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI-ANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE %
REVENUES						
TID #3 DISTRICT	14,939.43	21.67	(99.8)	179,273.00	4,865.81	(97.2)
TOTAL REVENUES	14,939.43	21.67	(99.8)	179,273.00	4,865.81	(97.2)
EXPENSES						
TID #3 DISTRICT	22,480.36	28,302.50	(25.8)	269,764.00	93,246.05	65.4
TOTAL EXPENSES	22,480.36	28,302.50	(25.8)	269,764.00	93,246.05	65.4
TOTAL FUND REVENUES	14,939.43	21.67	(99.8)	179,273.00	4,865.81	(97.2)
TOTAL FUND EXPENSES	22,480.36	28,302.50	(25.8)	269,764.00	93,246.05	65.4
SURPLUS (DEFICIT)	(7,540.93)	(28,280.83)	275.0	(90,491.00)	(88,380.24)	(2.3)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: REVOLVING LOAN FUND (STATE)  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER	SEPTEMBER	VARI-	FISCAL	FISCAL	VARI-
	BUDGET	ACTUAL	ANCE	YEAR BUDGET	YEAR-TO-DATE ACTUAL	ANCE
REVENUES						
REVOLVING LOAN FUND (STATE)	2,692.53	1,398.44	(48.0)	32,310.00	20,966.97	(35.1)
TOTAL REVENUES	2,692.53	1,398.44	(48.0)	32,310.00	20,966.97	(35.1)
EXPENSES						
REVOLVING LOAN FUND (STATE)	875.01	0.00	100.0	10,500.00	0.00	100.0
TOTAL EXPENSES	875.01	0.00	100.0	10,500.00	0.00	100.0
TOTAL FUND REVENUES	2,692.53	1,398.44	(48.0)	32,310.00	20,966.97	(35.1)
TOTAL FUND EXPENSES	875.01	0.00	100.0	10,500.00	0.00	100.0
SURPLUS (DEFICIT)	1,817.52	1,398.44	(23.0)	21,810.00	20,966.97	(3.8)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: SOLID WASTE ENTERPRISE  
 FOR 9 PERIODS ENDING SEPTEMBER 30, 2011

DEPARTMENT DESCRIPTION	SEPTEMBER BUDGET	SEPTEMBER ACTUAL	VARI-ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE
REVENUES						
SOLID WASTE ENTERPRISE FUND	37,532.51	25,492.98	(32.0)	450,390.00	377,341.53	(16.2)
TOTAL REVENUES	37,532.51	25,492.98	(32.0)	450,390.00	377,341.53	(16.2)
EXPENSES						
SOLID WASTE ENTERPRISE FUND	32,071.76	45,394.85	(41.5)	384,860.00	242,287.21	37.0
TOTAL EXPENSES	32,071.76	45,394.85	(41.5)	384,860.00	242,287.21	37.0
TOTAL FUND REVENUES	37,532.51	25,492.98	(32.0)	450,390.00	377,341.53	(16.2)
TOTAL FUND EXPENSES	32,071.76	45,394.85	(41.5)	384,860.00	242,287.21	37.0
SURPLUS (DEFICIT)	5,460.75	(19,901.87)	(464.4)	65,530.00	135,054.32	106.0

DATE: 10/12/2011  
 TIME: 10:46:16  
 ID: GL480000.WOW

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

DEPARTMENT DESCRIPTION	MUNICIPAL REPORT TOTALS				FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE
	FOR 9 PERIODS ENDING SEPTEMBER 30,	2011	SEPTEMBER BUDGET	SEPTEMBER ACTUAL			
TOTAL MUNICIPAL REVENUES	1,511,936.66	2,142,523.45	41.7	18,143,234.00	13,295,994.65	(26.7)	
TOTAL MUNICIPAL EXPENSES	1,611,060.18	3,381,323.46	(109.8)	19,332,694.00	12,028,005.81	37.7	
SURPLUS (DEFICIT)	(99,123.52)	(1,238,800.01)	1149.7	(1,189,460.00)	1,267,988.84	(206.6)	

**BEVERAGE OPERATOR LICENSES**

1. Heineman, Jennifer E.
2. Hunsader, Brad
3. Vanness, Elliot S.

**TEMPORARY CLASS B BEER**

St. John Bosco Parent Association  
Agent: Stephanie Reinhardt  
15 North Elgin Avenue  
Sturgeon Bay, WI 54235  
October 23, 2011

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Sturgeon Bay Zoning Board of Appeals, hereby recommend amending the Rules of Procedures in regard to submission requirements for variances from required setbacks as follows:

- C. Forms. Every appeal or application shall be made upon forms furnished by the Secretary or City staff, which have been approved by the Board. A scale drawing shall accompany each form showing the location and size of the property, existing improvements, all abutting properties and improvements thereon and change or addition requested. If the application is for a variance from a required street yard, side yard or rear yard, the scale drawing shall be prepared by a licensed surveyor or engineer, or the scale drawing shall be based upon existing lot monuments duly located on the subject property. The applicant or appellant shall provide all information requested on the form and any additional information requested in writing by the Chair or Secretary which is necessary to inform the Board of the facts of the appeal. Failure to supply such information shall be grounds for dismissal of the appeal or application.

Respectfully submitted:  
STURGEON BAY ZONING BOARD OF APPEALS  
By: James Goodwin, Acting Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Date: September 26, 2011

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson  
\_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

## EXECUTIVE SUMMARY

**Title:** Submission Requirements for Zoning Variances

**Background:** Currently, under the Zoning Board of Appeals Rules of Procedure, applicants for a zoning variance are required to submit a scaled drawing showing the proposed improvement in relation to the lot lines. The ZBA is requesting that the rules of procedure be amended to make it clear that for yard variances the drawing must be prepared by a surveyor or engineer or be based upon the actual lot monuments. The ZBA wants to make sure the request is accurately presented and make it clear that the applicant is responsible for finding the lot corners.

This request will not have a major impact on the variance process since nearly all applicants already are following this protocol. But, occasionally there may be confusion or discrepancy from submitted plans or drawings. The proposed changes would hopefully eliminate that and ensure timely review of applications.

**Fiscal Impact:** None.

**Options for Council Action:** Either approve or deny the recommendation.

**Recommendation:** Approve the recommendation.

Prepared by:  10-12-11  
Martin Olejniczak Date  
Community Development Director

Reviewed by:  10-12-11  
Steve McNeil Date  
City Administrator

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to approve the vendor fees of \$20.00 for non-electrical spaces and \$30.00 for electrical spaces for organized events held in City parks and to exclude the events sponsored by Sturgeon Bay Visitor Center.

Respectfully submitted,  
FINANCE/PURCHASING & BUILDING  
COMMITTEE

By: James Abeyta, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: September 27, 2011

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_ seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

## Executive Summary

**Title:** Vendor Fees

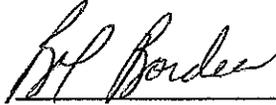
**Background:** The City Parks and Recreation Committee, Recreation Board and Common Council approved vendor sales in the City Parks in conjunction with park usage. Event organizers that want vendor sales along with their event can with the approval from the Parks Director and City Administrator. This item is before the Finance Committee to set vendor fees. Attached is what other communities charge for vendors to set up for special events. Costs range anywhere from \$25.00 per week to \$200.00 per event. Sturgeon Bay Visitor charges anywhere from \$85.00 per event to \$175.00 per event

**Fiscal Impacts:** Undetermined at this time.

**Options:** Unlimited

**Recommendation:** Staff recommends charging \$20.00 without electricity and \$30.00 with. This is the same that is going to be recommended for Daily Farmers Market sales.

**Prepared By:**



Bob Bordeau  
Municipal Services Superintendent

**Date:**

9/22/2011

**Reviewed By:**

Valerie Clarizio  
Finance Director/City Treasurer

**Date:**

**Reviewed By:**



Steven McNeil  
City Administrator

**Date:**

9/22/2011

## VENDOR FEES

Baileys Harbor	Community Association	\$ 50.00 per space
Village of Egg Harbor	Business Assn. gets \$100 of fee for advertising & promotion Village retains \$50.00	\$150.00
Jacksonport	Maifest Advancement Committee Cherryfest Historical Society Art on Scenic Side Fire Dept. Farmers Mkt. Parks Dept.	\$90.00 for 2 days \$65.00 for 1 day \$125.00 for 2 days 10% of sales, maximum \$25 per week
Village of Sister Bay	Sister. Bay Advancement Assn (similar to SBVC)	
	Festival of the Arts	\$125.00 includes lunch
	Fall Fest (3 days)	\$.00 Member Rate \$200.00 Non-member

### Sturgeon Bay Visitors Center -- 2012 rates:

Fine Art Fair	\$ 175.00 \$ 125.00 Non-profit
July 4 <sup>th</sup>	\$ 125.00 Sunset \$ 85.00 Otumba \$ 75.00 Non-profit
Jefferson Street Festival	\$ 85.00 *
Sail Thru the Avenue Sidewalk Sales	\$ 85.00 *
West Fest	\$ 85.00 *
Jazz on Jefferson	\$ 85.00 *
Harvest Festival	\$ 85.00 *
Harmony by the Bay	\$ <del>85.00</del> * 25.00

\*Non-profits pay \$10 less

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Personnel Committee, hereby recommend to approve the following written Safety Programs as recommended by the City's Safety Committee:

- Confined Space Program
- Hazardous Communications Program
- Excavation/Trenching Program
- Personal Protective Equipment
- Exposure Control Plan - Bloodborne Pathogens

Respectfully submitted,  
 PERSONNEL COMMITTEE  
 By: Ronald A. Vandertie, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: October 5, 2011

\* \* \* \* \*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

## EXECUTIVE SUMMARY

**TITLE:** Safety Program Written Policies as required by the Department of Commerce and OSHA.

**BACKGROUND:** In January of 2011, the City of Sturgeon Bay began working with MEUW (Municipal Electric Utility of Wisconsin) to administer and coordinate the safety program (both written and practical) for the City. For the past six months, departments have been working with Regional Safety Coordinator Chris Schlechta to establish written safety programs to put into practical use. In the past, the Safety Program had been administered by individual departments without the expertise that is necessary to comply with DCOMM and OSHA regulations.

Since the inception of the City's efforts with MEUW, a Safety Committee has been formed that meets on a monthly basis. The Committee is made up of our MEUW Regional Safety Coordinator Chris Schlechta, department heads, and members of each department within the City (including union personnel.) This formal Committee discusses and reviews written programs, work comp incidents, property damage claims, and inspection findings from each department. As each written program is reviewed by the Committee, the representatives from each department bring the program back to their respective departments for discussion or changes. Ultimately, the Committee makes a recommendation to the Common Council for adoption of the written program(s) in order to put the policies into effect. Once the written policies are passed by the Council, Safety Coordinator, Chris Schlechta, then trains each department on the programs.

**FISCAL IMPACT:** The City of Sturgeon Bay contracted with MEUW and budgeted the amount of \$12,000 for 2011. The written programs and subsequent training are part of that contract.

**RECOMMENDATION:** Approve the following written programs as recommended by the City's Safety Committee:

Confined Space Program  
Hazardous Communications Program  
Excavation/Trenching Program  
Personal Protective Equipment  
Exposure Control Plan – Bloodborne Pathogens

**PREPARED BY:**

  
Stephanie L. Reinhardt, City Clerk

**APPROVED BY:**

  
Steve McNeil, City Administrator

**DATE:**

July 12, 2011



# **CONFINED SPACE PROGRAM**

**OSHA 1910.146  
DEPARTMENT OF COMMERCE 32.29**

Approved by:

The Safety Committee on: 05/06/2011

City Council on: 00/00/00

Safety Committee Annual Review - Revised on: 00/00/00

<b>City name:</b>	<b>City of Sturgeon Bay</b>	
<b>Program name:</b>	<b>Permit Required Confined Space Program</b>	
<b>Prepared by:</b>	<b>Chris Schlechta, MEUW, Regional Safety Coordinator</b>	<b>Date: 3/4/2011</b>
<b>Revised by:</b>	<b>Chris Schlechta, MEUW, Regional Safety Coordinator</b>	<b>Date:</b>
<b>Program Administrator:</b>	<b>Stephanie Reinhardt</b>	
<b>Alternate Administrator:</b>	<b>Department Head</b>	

## Table of Contents

Preface.....	4
Purpose .....	4
Program Administration.....	4
Employer Responsibilities .....	8
Methods of Compliance.....	8
<b>Confined Space Determination.....</b>	<b>8</b>
<b>Internal Hazard Control .....</b>	<b>9</b>
<b>External Hazard Control .....</b>	<b>9</b>
Operation Procedures .....	9
<b>The Permit System .....</b>	<b>10</b>
<b>Prevention of Unauthorized Entry.....</b>	<b>10</b>
Permit-Required Entry and Cover Removal Safety.....	11
<b>Equipment.....</b>	<b>11</b>
Communications .....	11
<b>Signage .....</b>	<b>11</b>
Traffic Safety .....	12
<b>Downgrading a Permit Required Confined Space.....</b>	<b>12</b>
Emergency/Rescue Procedures .....	13
<b>Emergency Procedures.....</b>	<b>13</b>
<b>Internal Rescue Team .....</b>	<b>13</b>
<b>External Rescue Team.....</b>	<b>13</b>
Rescue and Emergency Services.....	13
Non-Entry Rescue.....	13
Material Safety Data Sheets (MSDS) .....	13
Contractors .....	14
Training and Communication.....	14
<b>Training for specific positions:.....</b>	<b>15</b>
Plan Evaluation and Review.....	17
<b>FORMS</b>	
<b>CONFINED SPACE ENTRY PERMIT .....</b>	<b>18</b>
<b>HOT WORK PERMIT .....</b>	<b>21</b>
<b>HOT WORKS FIRE WATCH PROCEDURES .....</b>	<b>22</b>
<b>EQUIPMENT LIST.....</b>	<b>23</b>
<b>CERTIFICATION FOR NON-PERMIT REQUIRED .....</b>	<b>24</b>
<b>SAMPLE CONTRACTOR LANGUAGE.....</b>	<b>25</b>
<b>TRAINING ATTENDANCE ROSTER.....</b>	<b>26</b>

## **Preface**

This program contains written procedures intended to comply with Permit Required Confined Space OSHA regulation 1910.146 and Wisconsin Department of Commerce regulation 32.29.

## **Purpose**

The City of Sturgeon Bay is committed to providing a safe and healthy work environment for employees. The purpose of this Confined Space Program is to minimize or eliminate workplace hazards and provide employees whose job duties require them to enter confined spaces with written procedures to follow. The written procedures define training requirements and proper procedures for entry, testing, and monitoring the use of appropriate personal protective equipment, rescue procedures, and specific responsibilities of confined spaces. This program is designed to ensure that safe work practices are utilized during all activities regarding the permit space to prevent personal injuries and illnesses that could occur.

Hereafter, The City of Sturgeon Bay will be referred to as the "City".

This program applies only to routine maintenance and inspection and does not apply to rescue operations conducted by the fire department. Reference fire department S.O.G. 207

## **Program Administration**

The Program Administrator or his/her designee is responsible for the implementation of the Confined Space Program, making the program available to all employees, employee safety training, and that proper engineering controls are maintained as required by regulation. The Program Administrator and Safety Coordinator will review the program annually for any job duties or risk exposures change and revise as necessary.

## Definitions

**Acceptable entry conditions** means the conditions that must exist in a permit space to allow entry and to ensure that employees involved with a permit-required confined space entry can safely enter into and work within the space.

**Air monitor** means a calibrated direct-reading instrument testing for oxygen content, flammable gases/vapors, and for potential toxic air contaminants.

**Attendant** means an individual stationed outside one or more permit spaces who monitors the Authorized Entrants and who performs all Attendant's duties assigned in the employer's permit space program.

**Authorized employee** means an employee who is responsible for determining if entry conditions are acceptable to issue a confined space permit and/or terminate the entry if necessary.

**Confined space** means an area that:

- (1) Has adequate size and configuration for employee entry; and
- (2) Has limited means for entry/exit; and
- (3) Is not designed for continuous employee occupancy.

**CSP** means Confined Space Program.

**Emergency** means any occurrence (including any failure of hazard control or monitoring equipment) or event internal or external to the permit space that could endanger entrants.

**Engulfment** means the surrounding and effective capture of a person by a liquid or finely divided (flowable) solid substance that can be aspirated to cause death by filling or plugging the respiratory system or that can exert enough force on the body to cause death by strangulation, constriction, or crushing.

**Entry** means the action by which a person passes through an opening into a permit-required confined space. Entry includes ensuing work activities in that space and is considered to have occurred as soon as any part of the entrant's body breaks the plane of an opening into the space.

**Entry permit** means the written or printed document that is provided by the employer to allow and control entry into a permit space that contains the required information.

**Entry Supervisor** means the person responsible for determining if acceptable entry conditions are present at a permit space where entry is planned for authorizing entry and overseeing entry operations, and for terminating entry as required by this section.

**NOTE:** An Entry Supervisor also may serve as an Attendant or as an Authorized Entrant, as long as that person is trained and equipped as required by this section for each role they fill. Duties of Entry Supervisor may be passed from one individual to another during the course of an entry operation.

**Hazardous atmosphere** means an atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue (that is, escape unaided from a permit space), injury, or acute illness from one or more of the following causes:

- (1) Flammable gas, vapor, or mist in excess of 10 percent of its lower flammable limit (LFL);
- (2) Airborne combustible dust at a concentration that meets or exceeds its LFL;

**NOTE:** This concentration may be approximated as a condition in which the dust obscures vision at a distance of 5 feet (1.52 m) or less.

- (3) Atmospheric oxygen concentration below 19.5 percent or above 23.5 percent;

- (4) Atmospheric concentration of any substance for which a dose or a permissible exposure limit is published in Subpart G, Occupational Health and Environmental Control, or in Subpart Z, Toxic and Hazardous Substances, and which could result in employee exposure in excess of its dose or permissible exposure limit;

**NOTE:** An atmospheric concentration of any substance that is not capable of causing death, incapacitation, impairment of ability to self-rescue, injury, or acute illness due to its health effects is not covered by this provision.

- (5) Any other atmospheric condition that is immediately dangerous to life or health.

**NOTE:** For air contaminants for which OSHA has not determined a dose or permissible exposure limit, other sources of information, such as MSDS that comply with the Hazard Communication Standard, section 1910.1200, published information, and internal documents can provide guidance in establishing acceptable atmospheric conditions.

**Hot work permit** means the employer's written authorization to perform operations (for example; welding, cutting, brazing, burning, and heating) capable of providing a source of ignition.

**Immediately dangerous to life or health (IDLH)** means any condition that poses an immediate or delayed threat to life or that would cause irreversible adverse health effects or interfere with an individual's ability to escape unaided from a permit space.

**NOTE:** Some materials -- hydrogen fluoride gas and cadmium vapor, for example -- may produce immediate transient effects that, even if severe, may pass without medical attention, but are followed by sudden, possibly fatal collapse 12-72 hours after exposure. Such materials in hazardous quantities are considered to be "immediately" dangerous to life or health (IDLH).

**Isolation** means the process by which a permit space is removed from service and completely protected against the release of energy and material into the space.

**Non-permit confined space** means a confined space that does not contain or, with respect to atmospheric hazards, have the potential to contain any hazard capable of causing death or serious physical harm.

**Oxygen deficient atmosphere** means an atmosphere containing less than 19.5 percent oxygen by volume.

**Oxygen enriched atmosphere** means an atmosphere containing more than 23.5 percent oxygen by volume.

**Permit-required confined space (permit space)** means a confined space that has one or more of the following characteristics:

- (1) Contains or has the potential to contain a hazardous atmosphere;
- (2) Contains a material that has the potential for engulfing an entrant;
- (3) Has an internal configuration such that an Entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
- (4) Contains any other recognized serious safety or health hazard.

**Permit-required confined space program** means the employer's overall program for controlling, and, where appropriate, for protecting employees from, permit space hazards and for regulating employee entry into permit spaces.

**Permit system** means the employer's written procedure for preparing and issuing permits for entry and for returning the permit space to service following termination of entry.

**PPE** means specific job personal protective equipment required to be worn by employees while performing work.

**Prohibited condition** means any condition in a permit space that is not allowed by the permit during the period when entry is authorized.

**Rescue service** means the personnel designated to rescue employees from permit spaces.

**Retrieval system** means the equipment (including a retrieval line, chest or full-body harness, wristlets, if appropriate, and a lifting device or anchor) used for non-entry rescue of persons from permit spaces.

**Testing** means the process by which the hazards that may confront entrants of a permit space are identified and evaluated.

## Employee Responsibilities

- Inspect, use, maintain, and store confined space equipment in accordance with applicable regulations, and established practices and training received,
- Follow safe entry practices and procedures while conducting work in confined spaces,
- Clean and properly store all confined space equipment,
- Use only functioning and safe confined space equipment,
- Dispose of damaged or defective confined space equipment,
- Inspect, store, and wear appropriate PPE as required.

## Employer Responsibilities

- Provide a written Permit Required Confined Space program along with procedural training for affected employees,
- Develop engineering controls, where feasible, to control confined space areas if possible,
- Supply affected employees with approved confined space equipment as required by specific job hazards,
- Inspect confined space equipment on a regular basis ensuring proper care, function, and maintenance,
- Manage affected employees ensuring the use of properly cleaned, inspected, and stored confined space equipment,
- Provide a clean, convenient, and sanitary work location for storage of equipment.

## Methods of Compliance

### Confined Space Determination

A confined space refers to:

1. a space which is large enough for an employee to whole bodily enter and perform work;  
**and**
2. a space that has limited or restricted means for entry or exit; **and**
3. a space that is not designed for continuous employee occupancy.

A non-permit confined space refers to a space that does not contain or have the potential to contain any hazard capable of injury, death or serious physical harm as determined by the hazard assessment form and/or previous entry permits.

A permit required confined space refers to a space that contains one or more of the following

conditions:

1. contains or has the potential to contain a hazardous atmosphere,
2. contains a material that has the potential for engulfing an entrant,
3. has an internal configuration that could trap an entrant,
4. contains any other recognizable serious safety or health hazard.

### **Internal Hazard Control**

Internal hazard control is accomplished by:

1. Identifying hazards associated with permit required confined spaces. (*Confined Space Hazard Inventory Form*),
2. Completing and authorizing a written permit prior to entry. (*Confined Space Entry Permit Form*),
3. Ensuring completion of annual employee training,
4. Evaluating the space by utilizing proper air testing equipment and keeping a record of the results, as well as the permit, for future reference,
5. Following standard operating procedures to reduce or eliminate the potential hazards (Appendices I and V),
6. Establishing emergency rescue procedures,
7. Completing the downgrade certification form when permit required confined spaces are downgraded to non-permit status.

### **External Hazard Control**

If a confined space is located in a roadway or traffic area, while work is conducted, physical barriers shall be erected to control pedestrian and vehicle traffic, as necessary. (Traffic control requirements can be found in the U. S. Department of Transportation's Manual on Uniform Traffic Control Devices.)

### **Operation Procedures**

Primary operation responsibilities include:

1. Ensure proper completion/authorization of entry permits prior to entry into the space,
2. Review permits to evaluate program at least annually and maintain prior year entry permits,
3. Evaluate confined spaces and maintain confined space hazard assessment form,
4. Coordinate employee training/information sessions,
5. Communicate the provisions of the program to contractors conducting work in permit-required spaces,
6. Authorize any changes in regard to downgrading confined spaces to "non-permit required" status and certify them accordingly.

Entry Supervisors will assist the Program Administrator with the task of implementing and maintaining the permit required confined spaces and will ensure that basic procedures are followed. These procedures include:

1. Planning the job (defining the scope of the work, indicating if hot work is necessary, ensuring that employees completed hazard communication training, etc.),
2. Removing the space from service,
3. Isolating the space (installing blind flanges, disconnecting lines, disconnecting drive shafts, etc.),

4. Preparing the space (ventilating, draining, purging, locking, etc.),
5. Testing the space for appropriate potential hazards (oxygen deficiency, flammable gases, toxic gases, noise, temperature, etc.),
6. Providing for rescue and retrieval,
7. Establishing entry requirements and emergency procedures,
8. Allowing work to begin only after the authorized permit is obtained,
9. Conducting work as specified on the permit,
10. Ensuring the cancellation of an entry permit when work is completed,
11. Informing entrants when a space has been downgraded to non-permit required status.

Entry Supervisors and employees are required to contact the Program Administrator or Safety Coordinator when questions about the confined spaces program arise.

### **The Permit System**

A written confined space entry permit is completed and authorized prior to any employee entering a permit required confined space. The Entry Supervisor in charge of the project will complete the entry permit.

The completed permit identifies necessary procedures and practices that must be satisfied **before** and **during** entry. In addition, the employees serving as Attendants and entrants, as well as any other requirements of the permit required confined spaces regulation, are specified on the permit. The Program Administrator authorized employee is responsible for approving the confined space permit.

The Entry Supervisor is responsible for ensuring the requirements of the permit are fulfilled **before** employees enter the permit required confined space. If a hazardous condition in the space arises, the confined space will be immediately evacuated. A new permit must then be issued and authorized prior to re-entry.

The authorizing employee will also cancel the permit after the work has been completed.

Approved and completed entry permits will be forwarded to the Safety Coordinator who shall maintain them for one year.

The authorized employee will also cancel the permit after the work has been completed.

### **Prevention of Unauthorized Entry**

Environmental controls precautions are taken to limit entry into and minimize hazards of all permit required confined spaces.

Precautions to prevent unauthorized entry include posting signs, constructing barriers, and employee training.

Supervisors are to prohibit anyone from entering a permit required confined space without a properly authorized permit and proper training.

Attendants shall prohibit unauthorized entry into a confined space while work is being conducted in that space.

## Permit-Required Entry and Cover Removal Safety

- 1) Before an employee enters the space, the internal atmosphere shall be tested with an air monitor,
- 2) Prior to opening a confined space entrance manhole cover, hatch, door or other entrance cover, any condition making it unsafe to remove an entrance cover shall be eliminated before its removal,
- 3) Any employee who enters the space shall be provided an opportunity to observe the pre-entry testing documentation prior to entrance. There may be NO HAZARDOUS ATMOSPHERE within the space whenever the employee is inside the space,
- 4) Employees are to wear an air monitor at all times during entry into the permit-required confined space. If hazardous atmosphere is detected during entry, each employee shall vacate the space immediately,
- 5) When entrance covers, hatches, doors, or other entrance cover is removed; a railing, temporary cover, or other temporary barrier that will prevent an accidental fall through the opening and will protect the employee from foreign object entering the space shall promptly guard the opening.

## Equipment

Special equipment is used before and/or during an entry into a confined space to eliminate and/or detect hazards and to protect employees from those hazards. These devices may include air testing instruments, communications equipment, ventilating equipment, and PPE.

An equipment inventory shall be kept on file for reference (see Equipment List form) and shall be updated as new equipment is purchased.

Supervisors and employees shall report any problems with existing equipment and make requests for new or additional equipment to the Program Administrator. Air testing results from various confined spaces shall be periodically recorded and be used as a baseline reference in hazard evaluation and control.

## Communications

Prior to entry into any permit or non-permit confined space, the Authorized Entrant and Attendant shall discuss communication procedures. Employees shall have a two-way portable radio for communication during entries that do not allow employees to verbally communicate.

If the situation arises that requires additional help the Authorized Entrant and/or Attendant shall call 911. The nature of the incident, the exact location and the number of persons involved shall be communicated to the 911 Dispatcher. **No unauthorized personnel shall be permitted to attempt a rescue.**

## Signage

Warning signs shall be posted notifying employees of potential hazards in the permit required confined space and that entry is limited to authorized personnel. In addition, signs will be

posted identifying each permit required confined spaces.

Locations of all permit required confined spaces shall be reviewed during employee training sessions for Attendants, Entrants, Entry Supervisors, and employees who authorize entry permits. Supervisors will inform employees of permit required confined spaces in their work areas in the case where warning signs are not feasible (e.g. access to tunnels in the middle of a street).

### **Traffic Safety**

Entrances to confined spaces that are located in streets shall be guarded in accordance with the following requirements;

- 1) Employees shall activate the vehicle beacon light(s) and four-way hazard flashers upon approach to an entrance to a confined space.
- 2) Employees shall park the vehicle used to transport their confined space equipment in such a way that the vehicle does not obstruct the normal traffic flow and shall, when possible, use the vehicle to provide protection for the employees.
- 3) Employees shall park the vehicle in such a manner that the vehicle's exhaust fumes cannot accumulate in the confined space.
- 4) Employees shall properly place traffic cones around the manhole and any vehicle in accordance with state and federal traffic ordinances to adequately warn oncoming traffic.
- 5) Traffic safety cones shall be visible to traffic in all directions and in such a manner as to protect the employees from the traffic flow. Traffic cones should also be placed far enough from the confined space to give drivers adequate notice.
- 6) When working on the street or an easement surface, all standby and flag person employees shall at all times wear a traffic safety vest or the equivalent. The flag person(s) shall not be considered as the required Attendant for a permit required confined space.

All work zone and traffic safety procedures of the most current Manual of Uniform Traffic Control Devices (MUTCD) and Wisconsin state DOT guidelines shall be followed.

### **Downgrading a Permit Required Confined Space**

A permit required confined space may be downgraded to a non-permit or alternate entry confined space, where there are no atmospheric hazardous conditions, by the Entry Supervisor or Program Administrator. Downgrading can occur only if documentation of monitoring results or previous permits and/or other appropriate information indicates the space contains no atmospheric hazards.

If a space can be downgraded, completion of the document the *Certification for Non-Permit Required Confined Space* form is required.

## Emergency/Rescue Procedures

### Emergency Procedures

The Entrants, Attendants, and Rescue Team shall receive annual emergency procedure training regarding permit required confined spaces. Appropriate rescue equipment shall be available on-site in the event of an emergency while employees conduct work in a permit required confined space.

### Internal Rescue Team

An internal rescue team shall be used for emergency rescue in the event of an emergency. "Non-Entry Rescue" will be the mode of rescue to be conducted whenever possible.

### External Rescue Team

In the event an external rescue team is required, the following emergency contacts should be made:

Organization Name	Location	Contact Person/Number
911		

The Entry Supervisor or Program Administrator will notify the emergency response personnel of the hazards that the team has encountered when contacting them to perform rescue services.

### Rescue and Emergency Services

The City has taken every precaution to assure safety in confined space entries by the use of self-rescue and non-entry rescue. Even with the most prudent pre-planning employee training and the best safety procedures in place, there may be times when an entry rescue is needed. The following procedures are established for implementing an emergency entry rescue.

### Non-Entry Rescue

To facilitate non-entry rescue, retrieval systems or similar methods shall be used whenever an Authorized Entrant enters a confined space unless the retrieval equipment would increase the overall risk of entry or would not contribute to the rescue of the Entrant. Retrieval systems shall meet the following requirements:

1. Each Authorized Entrant shall use a full-body harness with a retrieval line attached.
2. The other end of the line shall be attached to a mechanical device or fixed point outside the confined space. A mechanical device shall be onsite to retrieve personnel from vertical type confined spaces more than five (5) feet deep.

### Material Safety Data Sheets (MSDS)

If an injured Entrant is exposed to a substance for which a Material Safety Data Sheet (MSDS) or similar written information is required to be kept at the worksite, the written information shall be made available to the emergency response personnel for treatment purposes.

## **Contractors**

### **Duty to Notify Contractor(s) of Confined Space Program**

Contractors who conduct work at or for the City are expected to comply with the state/federal regulations pertaining to "permit required confined spaces procedures". When the City arranges to have employees of another employer (contractor) perform work that involves permit space entry, the Program Administrator or Entry Supervisor shall meet with the contractor, before any work begins, to:

1. Inform the contractor that the workplace contains "permit spaces" and that entry is allowed ONLY through compliance with the confined space program meeting the regulation requirements,
2. Review and document that requests for contractor entry from contractors are complete,
3. Advise the contractor of the elements, identified hazards and the department's experience with the space that make the space in question a permit space,
4. Advise the contractor of all precautions or procedures that the department has implemented for the protection of employees or contractors,
5. Coordinate entry operations with the contractor when both department personnel and contractor personnel will be working in or near permit spaces,
6. Debrief the contractor at the conclusion of the entry operations regarding the permit space program that was followed and any issues encountered,
7. Document any hazards or incidents that occurred during each entry operation, Forward related documents to the Safety Coordinator for compliance record keeping.

Each contractor who is retained to perform permit space entry operations must:

- Obtain all available information regarding permit space hazards and entry operations from the utility,
- Coordinate entry operations with the department, when both department personnel and contractor personnel will be working in or near permit spaces,
- Inform the department of the permit space program that the contractor will follow and of any hazards confronted or created in permit spaces, either through a debriefing or during the entry operation.

If a contractor does not follow the CSP and permit procedures, the Entry Supervisor or Program Administrator shall prohibit the contractor from conducting work in the space.

### **Training and Communication**

The Safety Coordinator is responsible for facilitating CSP training and maintaining all training records to meet regulation compliance. Training will be completed through classroom and hands-on evaluation to demonstrate a basic understanding of all procedures.

Employees shall receive appropriate training before serving as Attendants, Entrants, or Entry Supervisor. Appropriate training is also required for employees authorizing permits.

Training for the members of the rescue team occurs initially and at least annually thereafter. Refresher training shall be conducted whenever an employee's duties change, when hazards in the confined space change, or whenever an evaluation of the confined space entry program identifies inadequacies in the employee's knowledge.

The employer shall provide training in basic first aid and adult cardiopulmonary resuscitation for all Authorized Entrants and Attendants.

The Program Administrator shall ensure that all affected employees participate in a training program.

Once all affected employees have been trained, new employees will be trained at the time of initial employment and annually thereafter if their position responsibilities include entering confined spaces.

The training plan will contain at least the following for each affected employee:

- 1) The location of a copy of the Permit Required Confined Spaces written Program,
- 2) The appropriate procedures for specific responsibilities when working in confined spaces,
- 3) An explanation of the engineering and work controls in place to protect affected employees,
- 4) An explanation of the basis for PPE selection types and the proper use, location, removal, handling, and disposal methods.

### **Training Records**

Training records are completed for each employee upon completion of training. These documents will be kept for at least **(3) three years**.

The training records include:

- The dates of the training sessions; and
- The contents or a summary of the training sessions; and
- The names of the trainer; and
- The names, job titles, and signatures of all persons attending the training sessions; and
- The completed quizzes of all persons attending the training sessions.

The Safety Coordinator shall maintain the inventory of permit required confined spaces. When a new space is identified in the workplace or an existing confined space changes, the *Confined Space Hazard Inventory Form* will be updated.

### **Training for specific positions:**

#### **The Entry Supervisor**

Training is conducted for those personnel authorizing permits or in charge of work to be conducted. Supervisors and authorized employees can terminate entry permits at any time and may also serve as an Attendant or Entrant if the job requires.

Personnel who authorize entry permits will be trained to perform the following duties:

1. Evaluate a space and complete the permit to ensure hazards within the confined space are controlled,
2. Ensure that appropriate procedures, practices, and equipment are in place, before allowing entry. Authorizing the permit will signify this condition.
3. Cancel the permit, order evacuation of the space, and have it secured whenever unacceptable conditions are encountered.
4. Cancel the permit and have the space returned to normal service once the

- authorized work has been completed,
5. Prohibit unauthorized personnel from entering the space.

**NOTE:** The Entry Supervisor is permitted to perform the duties of the Entrant, however, it is recommended as a matter of best practice that the Entry Supervisor should not perform the functions and duties of the Entrant position.

The Entry Supervisor evaluates the space during entry (by personal observation or reported information) to assure conditions are consistent with the terms of the permit.

### **The Entrant**

Training is conducted to convey the knowledge and recognition of the hazards they may encounter in permit spaces including, recognition of the signs and symptoms of exposure and understanding the consequences of exposure to these hazards.

Training will include the following:

1. The methods and importance of maintaining contact (communication) with the Attendant,
2. Entrants are instructed to immediately notify the Attendant if they feel or see there is an unsafe condition in the space or they must evacuate the space for any reason,
3. The proper use of protective equipment needed for safe entry and exit (e.g. retrieval lines, respirators, and clothing),
4. The proper use and knowledge of external barriers necessary (e.g. barricades, cones, etc.),
5. The need to immediately exit the permit space if the Attendant orders evacuation when an automatic alarm on a monitoring device is activated or the entrants believe or see that they are in danger.

### **The Attendant**

Training will include the following:

1. The method used to keep an accurate count of entrants,
2. Recognition of the hazards encountered in confined spaces,
3. Communication techniques used in confined space work,
4. Appropriate rescue procedures such as methods of summoning help and assisting the rescue team.

Duties:

- Keep an accurate count of the number of workers in the confined space,
- Limit entrants in the confined space to those people identified on the permit,
- Monitor the situation both inside and outside the space for hazards and any conditions which may require evacuation of the space,
- Keep in continuous and effective contact with those employees inside the space,
- Order evacuation of the space as necessary,
- Know how to use emergency equipment and be familiar with practices to assist with rescue without entering the space,

- Never leave the workstation unless properly relieved or unless all entrants are out of the space,
- Contact the Supervisor in charge or the Program Administrator if problems arise,
- Initiate and summon emergency services if necessary.

Attendants are authorized to:

- Prohibit unauthorized personnel from entering the confined space. This includes warning them away from the space, as well as asking them to exit the space, if they have entered,
- Order entrants or unauthorized personnel out of the confined space at will,
- Order an evacuation due to any of the following:
  - A condition arises that is not allowed by permit,
  - A behavioral change is noticed in a worker,
  - A potential hazard occurs outside the confined space that will affect workers in that space,
  - An uncontrolled hazard is detected in the confined space,
  - The Attendant is not able to carry out the duties assigned.

### **Plan Evaluation and Review**

The Program Administrator or his/her designee, in conjunction with the Regional Safety Coordinator shall review the Confined Space Program annually to determine its effectiveness.



# CONFINED SPACE ENTRY PERMIT

## VENTILATION

Employees **shall not enter** a confined space if a hazardous atmosphere exists. If at any time, the LEL exceeds the Permissible Levels, the employee shall **immediately** evacuate the confined space. Forced air ventilation is used to maintain oxygen at a safe level and prevent a hazardous concentration of flammable gasses and vapors. The air supply for forced air shall be from a clean source and shall not increase hazards. (i.e. vehicle exhaust)

Air monitor equipment tested and calibrated before use

Meter Tester Signature: \_\_\_\_\_ Meter Serial # \_\_\_\_\_

	Atmospheric Readings <u>Before</u> Entry	Atmospheric Permissible Levels <u>During</u> Entry
Time	_____ am pm	
Oxygen (O <sub>2</sub> )	_____ %	20.8% however not out of ranges <u>&lt; 19.5%</u> <u>&gt; 23.5%</u>
Explosive	_____ %LEL	< 10%
Hydrogen Sulfide	_____ ppm	< 10 ppm
Carbon Monoxide	_____ ppm	< 35 ppm
Other	_____	

AIR SAMPLING: Clean Air (Entrance sealed): \_\_\_\_\_ Entrance Opening: \_\_\_\_\_

SAMPLING DISTANCE: Test at 4ft intervals during descent

## RECORD OF AIR MONITORING RESULTS AND HAZARD CONTROL

## DATE

TIMED INTERVALS FOR TESTING	TIME	LOCATION OF SPACE	OXYGEN 19.5-23.5%	EXPLOSIVE <10% LEL	HYDROGEN SULFIDE <10% PPM*	CARBON MONOXIDE <35%	HAZARD ELIMINATION AND CONTROL	SUPERVISOR and ENTRANT INITIALS
Initial test								
15 min later								
30 min later								
60 min later								
60 min later								
60 min later								
60 min later								
60 min later								
60 min later								
60 min later								

\*The term "PPM" means parts per million.

## COMMENTS:

I (authorized employee) verify the above Permit is accurately completed.  
Written instructions and safety procedures have been received and are understood by team members.

Entry Permit Completed By: \_\_\_\_\_ Job Title \_\_\_\_\_  
(signature)

Supervisor \_\_\_\_\_ Time Started \_\_\_\_\_  
(signature)

Supervisor \_\_\_\_\_ Time Completed \_\_\_\_\_  
(signature)

Permit Expires at \_\_\_\_:\_\_\_\_ (am pm) on \_\_\_\_/\_\_\_\_/\_\_\_\_

# HAZARD ASSESSMENT FORM - CONFINED SPACE

EMPLOYER NAME:	DATE:
LOCATION OF SPACE:	ASSESSMENT #:
POINT OF ACCESS:	
REASON FOR ENTRY:	
DURATION OF ENTRY:	
FREQUENCY OF ENTRY:	
COMPLETED BY NAME:	JOB TITLE :

### CONFINED SPACE DETERMINATION

ACCORDING TO THE OSHA/DCOMM A CONFINED SPACE MEANS AN AREA IS;

- |   |     |     |
|---|-----|-----|
| 1) The space is large enough and so configured that an employee can enter with whole body and perform assigned work, <b>AND</b> | — Y | — N |
| 2) The space has limited or restrictive means for entry or exit, <b>AND</b>   | — Y | — N |
| 3) The space is not designed for continuous employee occupancy.   | — Y | — N |

**PERMIT REQUIRED CONFINED SPACE ---"ONE OR MORE" OF THE FOLLOWING**       YES     NO

- 1) Contains or has the potential to contain a hazardous atmosphere;
- 2) Contains a material that has the potential for engulfment;
- 3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or a floor that slopes downward and tapers to a smaller cross-section; or
- 4) Contains any other recognized serious safety or health hazard.

### DESCRIPTION OF CONFINED SPACE

<input type="checkbox"/> Pit	<input type="checkbox"/> Shaft	<input type="checkbox"/> Tunnel	<input type="checkbox"/> Boiler	<input type="checkbox"/> Tank	<input type="checkbox"/> Pipe
<input type="checkbox"/> Manhole	<input type="checkbox"/> Mechanical Space	<input type="checkbox"/> Vault	<input type="checkbox"/> Crawl Space	<input type="checkbox"/> Other	

### MAJOR HAZARDS

<input type="checkbox"/> Chemical	<input type="checkbox"/> Oxygen Deficiency	<input type="checkbox"/> Oxygen Enriched	<input type="checkbox"/> Combustible Gas	<input type="checkbox"/> Toxic Gas
<input type="checkbox"/> Steam	<input type="checkbox"/> Engulfment	<input type="checkbox"/> Entrapment	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Electrical
<input type="checkbox"/> Slip/Trip/ Fall	<input type="checkbox"/> IDHL	<input type="checkbox"/> Limited Space	<input type="checkbox"/> Temperature H C	<input type="checkbox"/> Bacterial
<input type="checkbox"/> Access/Egress	<input type="checkbox"/> Lighting	<input type="checkbox"/> Vertical Space	<input type="checkbox"/> Noise	<input type="checkbox"/> NONE
<input type="checkbox"/> Other: _____				

### MINIMAL PERSONAL PROTECTIVE EQUIPMENT (PPE) REQUIRED FOR ENTRY

<input type="checkbox"/> Respirator	<input type="checkbox"/> Clothing	<input type="checkbox"/> Rescue Equipment	<input type="checkbox"/> Tripod/Hoist Davit	<input type="checkbox"/> Lifelines
<input type="checkbox"/> Hearing Protection		<input type="checkbox"/> Foot Protection	<input type="checkbox"/> Head Protection	<input type="checkbox"/> Eye Protection
<input type="checkbox"/> Harness	<input type="checkbox"/> Hand Protection	<input type="checkbox"/> Fall Equipment	<input type="checkbox"/> Face Protection	<input type="checkbox"/> Other

### ENTRY REQUIREMENTS

<input type="checkbox"/> Pre-entry and Rescue Briefing	<input type="checkbox"/> Air Monitoring	<input type="checkbox"/> Ventilation	<input type="checkbox"/> External Barricades/Tape
<input type="checkbox"/> Hot Work Procedures	<input type="checkbox"/> Lighting	<input type="checkbox"/> Purge/Flush/Drain/Clean	
<input type="checkbox"/> Electric Procedures (GFCI)	<input type="checkbox"/> Rescue Equipment	<input type="checkbox"/> Communication Devices	
<input type="checkbox"/> Fall Protection	<input type="checkbox"/> LOTO procedures	<input type="checkbox"/> Traffic Control Procedures	
<input type="checkbox"/> Other: _____			

### COMMENTS:

---



---

# PERMIT REQUIRED CONFINED SPACES PROGRAM

## HOT WORK PERMIT

This permit is required in addition to the Entry Permit prior to doing work, which may provide sources of ignition in a confined space.

Nature of work to be done

Equipment, which is a source of ignition and must be in the confined space

Type of ventilation used to remove fumes or vapors from Hot Work:

**IS FIRE WATCH REQUIRED?** YES to any of the questions indicates that a qualified fire watch is required.

YES	NO	NA	
			Are combustible materials in building construction closer than 35 feet to the point of operation?
			Are combustibles more than 35 feet away but would be easily ignited by sparks?
			Are wall or floor openings within a 35 foot radius exposing combustible material in adjacent areas, including concealed spaces in floors or walls?
			Are combustible materials adjacent to the other side of metal partitions, walls, ceilings, or roofs which could be ignited by conduction or radiation?
			Does the work necessitate disabling a fire protection, suppression, or alarm system?

YES	NO	
		Confined Space Isolated
		Confined Space Purged or Ventilated
		Gas Tests Completed
		Could Hot Work be Done Outside

I certify that I have verified the procedures and have briefed the crew on the proper practices and hazards of performing "Hot Work" in confined spaces.

Permit Completed By: \_\_\_\_\_ Job Title \_\_\_\_\_

(Entry Supervisor signature) \_\_\_\_\_

Permit Expires at \_\_\_\_:\_\_\_\_ (am pm) on \_\_\_\_/\_\_\_\_/\_\_\_\_

## **HOT WORKS FIRE WATCH PROCEDURES**

**DEFINITION:** Hot Work is any temporary operation involving open flames or equipment producing heat or spark.

**FIRE WATCH (at work site) if required:**

- Fire watcher is to be present 30 minutes prior to combustible clean-up, during, and after for 30 minutes after operation to ensure that no smoldering fires exist. Fire watcher is to search for any smoldering or flaming ignition and extinguish any such sources.
- Fire watcher is to be supplied with hose and/or fire extinguishers of proper size and type and be properly trained in use of same.
- Fire watcher is to be trained in emergency procedures and activating the fire alarm.
- The permit applicant or their representative is to protect all combustibles from hot work ignition sources. This includes sealing of floor and wall penetrations.
- Fire watcher is to stop hot work if any of the safety precautions cannot be met.
- Fire watcher is to locate the nearest fire alarm pull station before hot work begins and pull the alarm immediately if an emergency occurs.
- Fire watcher is to have access to a telephone to dial 9-1-1 to report emergencies.

**LOCATION** \_\_\_\_\_

**DATE** \_\_\_\_\_

**FIRE WATCHER INITIALS:** \_\_\_\_\_

**TRAINER** \_\_\_\_\_

# PERMIT REQUIRED CONFINED SPACES

## EQUIPMENT LIST

### A. Air Monitoring Equipment

Name	I.D.#	Purpose / Location Stored	Calibration Date	Inspection Date
1.			Before each use	Before each use
2.				
3.				
4.				

### B. Ventilators/Blowers

Name	I.D.#	Purpose / Location Stored
3.		
4.		

### C. Communication Devices

Name	I.D.#	Purpose / Location Stored
1. N/A		Verbal - Vocal commands only
2.		
3.		
4.		

### D. Retrieval/Emergency Rescue Equipment

Name	I.D.#	Purpose / Location Stored
1.		
2.		
3.		
4.		

**PERMIT REQUIRED CONFINED SPACES**  
**CERTIFICATION FOR NON-PERMIT REQUIRED**  
**CONFINED SPACE**

**Space Location**

_____ _____ _____
-------------------------

Evidence that no potential or actual confined space hazards exist in this space (now or in the future)

_____ _____ _____
-------------------------

**(Attach previous permits or other pertinent documentation to this form.)**

I certify the above evidence is accurate and appropriate personnel have been notified of the non-permit status of this space.

**Program Administrator**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Entry Supervisor**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **SAMPLE CONTRACTOR LANGUAGE**

Sample Contract Language for Independent Contractors  
Drafted by Ellen A. Longfellow, LMCIT Loss Control Attorney

1. To follow confined space and other laws

*"The Contractor agrees to comply with all laws, ordinances, rules and regulations of the State of Wisconsin, the United States of America, EMPLOYER NAME, and all other public agencies."*

2. Indemnification provisions

*"The Contractor shall hold the EMPLOYER NAME harmless and agrees to defend and indemnify the EMPLOYER NAME for any claims, damages, expenses or lawsuits related to its work under this contract."*

3. Insurance provisions

*The Contractor shall have worker's compensation (or proof that this is not needed), general liability, property, automobile, and professional liability insurance (if applicable). The EMPLOYER NAME shall be named as additional insured under the Contractor's general liability coverage for any services provided under this contract. The Contractor shall provide a certificate of insurance showing the existence of the insurance required under this contract.*

*NOTE: The amount of insurance required depends upon the nature of the contract.*

# TRAINING ATTENDANCE ROSTER

**INSTRUCTOR:**

**COMMUNITY:**

**DATE:**

**TRAINING SUBJECT:**

**TRAINING SUMMARY:** See Attached

The employees listed have satisfactorily participated and completed training per regulation company requirements.

	PRINT FULL NAME	DEPARTMENT	JOB TITLE	EMPLOYEE SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				



## Confined Space Hazard Inventory Form

*Municipality/Utility Name*

<b>Assessment Number</b>	<b>Space Name</b> e.g. Water Valve	<b>Location</b> e.g. First Street	<b>Confined Space</b> Yes/No	<b>Permit Required Confined Space</b> Yes/No	<b>Alternative Entry Procedure</b> Yes/No
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					

MEUW © 2010



**HAZARD COMMUNICATION PROGRAM**  
**OSHA 1910.1200**  
**DEPARTMENT OF COMMERCE 32.15**

Approved by:

The Safety Committee on: 04/01/2011

City Council on: 00/00/0000

Safety Committee Annual Review - Revised on: 00/00/00

<b>Employer Name:</b>	<b>City of Sturgeon Bay</b>	
<b>Program Name:</b>	<b>Hazard Communication</b>	
<b>Prepared by:</b>	<b>Chris Schlechta, MEUW, Regional Safety Coordinator</b>	<b>Date: 2/15/2011</b>
<b>Revised by:</b>	<b>Chris Schlechta, MEUW, Regional Safety Coordinator</b>	<b>Date:</b>
<b>Plan Administrator:</b>	<b>Stephanie Reinhardt</b>	
<b>Alternate Plan Administrator:</b>	<b>Department Head</b>	

# TABLE OF CONTENTS

<b>Purpose</b> .....	4
<b>Plan Administration</b> .....	4
<b>Definitions</b> .....	5
<b>Employer Responsibilities</b> .....	7
<b>Employee Responsibilities</b> .....	7
<b>Methods of Compliance</b> .....	8
Hazard Determination.....	8
Chemical Inventory.....	8
Personal Protective Equipment (PPE).....	8
Labels and Signs.....	8
Manufacturer Labels.....	8
Container Labeling.....	9
Secondary Containers.....	9
Immediate Use.....	9
Unlabeled Portable Containers.....	9
Mixing Chemicals.....	10
Material Safety Data Sheet (MSDS).....	10
<b>Training and Communication</b> .....	10
<b>Non-Routine and Special Tasks</b> .....	11
<b>Contractors</b> .....	12
<b>Recordkeeping</b> .....	12
<b>Emergency Response Procedures for Hazardous Chemical Spills</b> .....	12
<b>Program Evaluation and Review</b> .....	12
<b>COMPLIANCE FORMS</b>	
Hazardous Chemical MSDS Binder Checklist.....	13
Chemical Inventory Form.....	14
Request Letter to Obtain MSDS.....	15
Training Attendance Roster.....	16

## **Preface**

This plan contains written procedures intended to comply with Wisconsin Department of Commerce (DCOMM) regulation 32.15 and OSHA regulation 1910.1200 Hazard Communication Program, also known as the Right-to-Know Law.

## **Purpose**

The City of Sturgeon Bay is committed to providing a safe and healthy work environment for employees. The Hazard Communication Program establishes, implements, and maintains effective procedures for employees to minimize or eliminate potential chemical exposures when performing job duties while using hazardous chemicals/substances.

In addition, this program serves to ensure that hazardous substances present in the work place are properly identified and labeled.

Hereafter, the City of Sturgeon Bay will be referred to as the "City".

## **Plan Administration**

The Plan Administrator or his/her designee is responsible for the implementation of the Hazard Communication Program and displaying the mandated Right-to-Know Law information for all employees.

Employees shall be trained in the hazards associated with chemicals used while performing their job duties and that they may be exposed to and how to comply with all procedures outlined in this program. The program includes the engineering controls such as the use of proper PPE and safe work practices set forth by federal and state regulations.

The Plan Administrator and Regional Safety Coordinator will review the plan annually for any changes and revise as necessary.

## Definitions

**Archived/retired** is a hazardous chemical that is no longer being used, requiring that the MSDS be catalogued and retained.

**Chemical** can be any element, chemical compound, or mixture of elements and/or compounds.

**Chemical Exposure** occurs when an employee is exposed through inhalation, ingestion, skin contact, or injection of a chemical that is a physical or health hazard.

**Chemical Name** is the scientific designation of a chemical.

**Common Name** is any designation or identification such as code name, code number, trade name, brand name, or generic name used to identify a chemical other than by its chemical name.

**Container** is any bag, barrel, bottle, box, can, cylinder, drum, or storage tank that contains a hazardous chemical. (Per OSHA regulations; pipes, or piping systems, engines, fuel tanks, or other operating systems in a vehicle that are not considered to be containers).

**Flammability** describes the flashpoint of a specific chemical warning advising of ignition hazards listed in each MSDS.

**Flashpoint** is the temperature at which the material gives off enough vapors to sustain ignition.

**Globally Harmonized System (GHS)** is a universal chemical hazard communication and container labeling system.

**Hazardous Chemical** is any substance that is a physical or health hazard.

**Hazardous Materials Information System (HMIS)** is a labeling program used for hazard communication regulation compliance. The program uses numerical and color codes to provide hazardous chemical levels for health and required PPE.

**Hazard Warning** is any words, pictures, symbols, or combination appearing on a chemical label warning that conveys specific health hazards.

**Health Hazard** is a chemical for which there is statistically major evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees.

**Immediate Use** means that a hazardous chemical will be under the control of and used only by the employee who transfers it from a labeled container and only within the work shift in which it is transferred.

**Label** is any written or printed material displayed on or affixed to containers of hazardous chemicals.

**Material Safety Data Sheet (MSDS)** is a written or printed material for each hazardous chemical in the workplace. Under the GHS system MSDS is referred to Safety Data Sheets (SDS).

**Mixture** is any combination of two or more chemicals, if the combination is not, in whole or in part, the result of a chemical reaction.

**Personal Protective Equipment (PPE)** is specific job personal protective equipment required to be worn by employees while performing work.

**Physical Hazard** is a chemical for which there is scientific evidence that it is a combustible liquid, compressed gas, explosive, flammable, oxidizer, unstable or water reactive.

**Produce** means to manufacture, process, formulate, blend, extract, generate, emit, or repackage.

**Work area** is a room or defined space in a workplace where hazardous chemicals are produced, used, or stored.

## **Employer Responsibilities**

- Ensure that the Hazard Communication program is available to all employees for review,
- Provide the Hazard Communication Right-to-Know Law information for employees by displaying the posters on bulletin boards,
- Comply with all procedures within this program and hold employees accountable for safe work practices when working with hazardous chemicals/substances,
- Ensure all employees comprehend the hazards associated with the chemicals/substances they use during their job tasks,
- Provide and maintain proper engineering controls such as PPE as required by the federal/state regulation.

## **Employee Responsibilities**

- Employees shall review the Right-to-Know Law information and request that their supervisor clarify anything that is not clear to them,
- Employees shall follow all guidelines and procedures of the Hazard Communication program,
- Employees shall wear proper PPE recommended on the MSDS for the specific chemical being used,
- Employees shall immediately report to a supervisor any chemical hazards that they observe,
- Employees shall request from a supervisor training or additional training if they do not comprehend the work practices, hazards, or any other chemical related issues to be used during their job duties.

## **Methods of Compliance**

### **Hazard Determination**

The hazardous chemical evaluation conducted by the specific manufacturer of the chemical(s) used at this facility is accepted as the hazard determination required by the Hazard Communication Standard.

### **Chemical Inventory**

The Department Head (or designee) is responsible for the development and maintenance of the hazardous chemical/substance master inventory and for obtaining the chemical information and the MSDS. When a new hazardous chemical/substance is introduced into the work place, the hazardous chemical/substance inventory shall be updated **before** employees use the chemical.

Chemical samples require a MSDS to be reviewed for hazards before using the chemical in the workplace. No chemicals are accepted without their respective MSDS.

Employees are encouraged to review the hazardous chemical inventory in the MSDS binder.

### **Personal Protective Equipment (PPE)**

PPE shall be provided to employees at no cost. All employees shall be trained in the use of proper PPE for the task/procedure to be performed. PPE shall be provided and worn in accordance with the manufacturer's recommended MSDS. Employees shall store, inspect, and dispose of PPE according to MSDS. All PPE defects shall be reported to immediate supervisor (refer to Personal Protective Equipment Program for additional requirements).

### **Labels and Signs**

Biohazard labels shall be affixed to all containers of regulated waste, refrigerators and any other type of container or equipment used to store, transport, or ship blood or other potentially infectious materials. Hazard container labels shall be fluorescent orange or orange-red and shall be affixed and used in accordance with OSHA/DCOMM regulations.

When a new hazardous chemical is introduced in the workplace, the department head or designee shall ensure the label/tag is legible and accurately displays the hazardous information.

### **Manufacturer Labels**

Department Head (or designee) is responsible for coordinating labeling activities to ensure that they are compliant with regulations.

Employees are responsible for evaluating hazardous chemical containers arriving in their work area to ensure that the label, tag, or markings are appropriate.

When a new hazardous chemical is introduced in the workplace, the Department Head (or designee) will immediately check for the proper label or tag. If the label is incorrect, the manufacturer must be contacted.

The manufacturer label shall:

1. Identify the hazardous chemical and the chemical identity that corresponds with the name used on the MSDS; and
2. Indicate the appropriate hazard warnings; and
3. Appear legible and be prominently displayed; and
4. List the manufacturer's name and address.

## **Container Labeling**

Chemical containers will be checked by the department managers/supervisors, and employees to confirm that chemical containers are properly labeled:

1. Labeled to list the name of the chemical and the manufacturer's name; and
2. Labeled to list the appropriate hazard warning and required PPE; and
3. Clearly labeled for contents.

The HMIS labels use letter and color codes to provide hazard levels for health, flammability, physical hazards, and required PPE. Labels must be completed and applied to the chemical container prior to handling the chemical.

Supervisors and employees are responsible for reviewing the chemical MSDS and performing HMIS labeling of all containers, including secondary containers. The HMIS label must contain the following information:

1. Name of chemical and manufacturer,
2. Number (0-4) indicating level of hazard for health, flammability and reactivity, and
3. PPE letter code (A-K and X).

The program administrator will be available to refer to corresponding MSDSs to assist in verifying label information and filling out HMIS labels for secondary containers.

HMIS labels must be used on all containers and can be obtained from a manager/supervisor.

## **Secondary Containers**

All secondary containers shall be **clearly marked/labeled** according to the OSHA standards.

The label shall identify the following:

1. The identity of the hazardous chemical and the chemical identity as listed on the MSDS;
2. Indicate the appropriate hazard warnings;
3. Appear legible and be prominently displayed.

## **Immediate Use**

Immediate use of a hazardous chemical is when an employee (initial user) transfers a chemical from a labeled container to a secondary portable container and is the sole user of the chemical. The employee shall return the chemical to its original labeled container or dispose of it according to the manufacturer's MSDS.

## **Unlabeled Portable Containers**

An unlabeled portable container, such as pails and buckets (secondary containers), should be used by only one employee and emptied at the end of each shift. If the secondary container is

used by multiple employees and/or its contents are not emptied at the end of the shift, the initial user shall be responsible for labeling the container according to manufacturer's MSDS.

### **Mixing Chemicals**

Producing or mixing of chemicals is not advised and requires supervisor approval.

### **Material Safety Data Sheet (MSDS)**

Manufacturer MSDS (material safety data sheets) are created to inform employees of potential chemical hazards associated with products that they use. A MSDS is written or printed material defining a chemical and listing the following components; chemical product and company identification, composition/information on ingredients, hazard identification, first aid measures, fire fighting measures, accidental release measures, handling and storage, exposure control/personal protection, physical and chemical properties, stability and reactivity, toxicological information, ecological information, disposal considerations, transport information, regulatory information, and other information.

The Department Head (or designee) is responsible to obtain and collect MSDSs for all hazardous chemicals purchased from chemical manufacturers, importers, and distributors, including retail stores.

The Department Head (or designee) shall update MSDSs to include new information as it is received. Employees shall notify a supervisor in the event a chemical is not listed in the MSDS binder.

If a chemical is not used anymore, it is referred to as Archived or Retired. Any archived/retired MSDSs shall be catalogued in the MSDS Archived/Retired binder and must be retained for 30 years after use is discontinued per OSHA/DCOMM regulation.

The Department Head, along with department managers/supervisors shall ensure that the MSDS binder is in an accessible location as listed below.

<b>MSDS BINDER LOCATIONS</b>		
<b>Department</b>	<b>Address</b>	<b>Location</b>
Administration	City Hall	TBD
Police	Police Department	TBD
Fire	Fire Department	TBD
Public Works	Public Works	TBD

### **Training and Communication**

Employees that work with or are potentially exposed to hazardous chemicals will receive initial training and any necessary re-training on the Hazard Communication Standard. New or transferred employees will receive the training and information prior to working with the chemical/substance.

The Regional Safety Coordinator is responsible for conducting training and maintaining all training records to meet regulatory compliance.

In the event a new hazard is introduced or a hazard changes, the Regional safety Coordinator shall review the MSDS with the employee prior to working with the chemical/substance.

Prior to starting work, each new employee will receive information and training on the following:

1. An overview of the Hazard Communication Standard requirements;
2. Chemicals present in their workplace operations;
3. Location and availability of the written program;
4. Physical and health effects of the hazardous chemicals, including hazards contained in unlabeled pipes;
5. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area;
6. PPE requirements and prevention methods to decrease chemical exposures through the use of work practices and engineering controls;
7. Methods taken to decrease or prevent exposure to chemicals;
8. How to obtain manufacture information and MSDS;
9. How to review, read, and understand MSDSs, manufacturer labels, and HMIS labels for appropriate hazard information;
10. The location of the MSDS binders.

Training records are completed for each employee upon completion of training. These documents will be kept for at least **(3) three years**.

The training records include:

- The dates of the training sessions,
- The contents or a summary of the training sessions,
- The name of the trainer,
- The names, job titles, and signatures of all persons attending the training sessions,
- The completed tests of all persons attending the training sessions, when applicable.

### **Non-Routine and Special Tasks**

Supervisors will review known physical and health hazards with employees who must do non-routine and special tasks. This review will generally occur at the time the work is scheduled, however, in an emergency the review will occur immediately before the work begins.

The review may include, but is not limited to:

1. Identification of the hazardous chemicals involved,
2. Methods of detecting the presence or release of the chemicals,
3. Specific physical and health hazards of the chemicals involved,
4. Appropriate safety protection measures such as work practices, emergency procedures, and proper protective equipment,
5. An opportunity for employees to review the MSDS for hazardous chemicals involved.

## **Contractors**

Contractors shall be qualified to perform specific work. Contractors working at the City of Sturgeon Bay will be advised of hazardous chemicals that they may encounter while performing required work. Contractors are required to notify the employer of any hazardous chemical(s) brought onto a worksite and provide an MSDS before any work begins.

Contractors will be required to have all chemical containers "clearly labeled" when bringing them into the workplace.

## **Recordkeeping**

All MSDS's will be kept for a period of **30 years** after use of the substance has been discontinued. The Department Head is required to document the date that the chemical was removed from the active MSDS binder, catalog it, file it in the Archived/Retired MSDS binder, and advise the Regional Safety Coordinator.

In the event that an employee experiences an occupational exposure to a hazardous chemical, the MSDS will become part of the employee's medical records.

## **Emergency Response Procedures for Hazardous Chemical Spills**

In the event of a hazardous chemical spill review the manufacturer's MSDS and follow the SPCC (spill prevention, countermeasure and containment plan).

## **Program Evaluation and Review**

The Program Administrator or his/her designee, in conjunction with the Regional Safety Coordinator shall review the Hazard Communication Program annually to determine its effectiveness and provide input for potential revisions.

Employees using hazardous chemicals will be asked for input regarding chemicals and work practice changes on an ongoing basis.

## Hazardous Chemical MSDS Binder Checklist

### CREATING/MANAGING THE "MSDS BINDER"

#### Step One:

- Complete a chemical sweep of the department.
- Dispose of all chemicals that are no longer used or outdated, complying with regulatory requirements.
- Enter the chemical information (listed in alphabetical order) in the appropriate fields on the HAZARDOUS CHEMICAL INVENTORY spreadsheet.

#### Step Two:

- Print out the CHEMICAL INVENTORY spreadsheet.
- Insert it as the first page in the MSDS binder.

#### Step Three:

- Save the Chemical Inventory spreadsheet to a disc.

#### Step Four:

- Organize the "ACTIVE" MSDS Binder (A-Z Tabs).
- Insert Chemicals by Common or Trade Name.
- Highlight **Chemical Name**, **First Aid**, and **PPE** sections for easy access.
- Place completed MSDS Binder in the location accessible to employees..

### **MSDS BINDER MAINTENANCE**

Update binders when a new chemical is inventoried or the manufacturer updates the MSDS.

### CREATING/MANAGING THE "ARCHIVED/RETIRED MSDS BINDER"

#### Step One:

- Organize the "Archived/Retired" MSDS binder in the same manner as the MSDS Binder is maintained. (A-Z tabs).

#### Step Two:

When a chemical is no longer used in the workplace:

- Remove the MSDS from the MSDS binder.
- Write the following in the upper right hand corner;

Discontinued product use on       /      /        
mm/dd/yyyy

Destruction date       /      /       (30 years from discontinued use date)  
mm/dd/yyyy

#### Step Three:

- Insert the MSDS (alphabetically) into the Archived/Retired binder.



# HAZARDOUS CHEMICALS REQUEST LETTER TO OBTAIN MSDS

## USE UTILITY LETTERHEAD

Date:

Name of Manufacturer  
Chemical Division/Hazard Communication Officer  
Address  
City, State, Zip

Dear Hazard Communication Officer:

The federal Hazard Communication Standard, 29 CFR 1910.1200, requires that employees have access to material safety data sheets (MSDS) for chemicals in the workplace.

We purchased the chemical(s) listed below from *(Name of Manufacturer)*.

Chemical Name	Trade Name	CASE #	Mfr. I.D.

Please forward this information either by fax **XXXXXXXXXXXX** or email **XXXXXXXXXXXX**.

It is very important that we receive this information as soon as possible. Please forward the MSDS within 10 days so that we may implement the use of your product.

If you have any questions concerning this matter, I can be reached at **XXXXXXXXXXXX** ~~phone number~~. Thank you in advance for your cooperation and prompt attention to this matter.

Respectfully,

Name & Title

# TRAINING ATTENDANCE ROSTER

**INSTRUCTOR:**

**COMMUNITY:**

**DATE:**

**TRAINING SUBJECT:**

**TRAINING SUMMARY:** See Attached

The employees listed have satisfactorily participated and completed training per regulation company requirements.

	PRINT FULL NAME	DEPARTMENT	JOB TITLE	EMPLOYEE SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				



# **EXCAVATION/TRENCHING PROGRAM**

**OSHA 1926.650-652**

**Subpart P**

**Department of Commerce 32.38**

Approved by:

The Safety Committee on: 05/04/2011

City Council on: 00/00/0000

Safety Committee Annual Review - Revised on: 00/00/00

<b>Employer Name:</b>	<b>City of Sturgeon Bay</b>	
<b>Program Name:</b>	<b>Excavation / Trenching Program</b>	
<b>Prepared by:</b>	<b>MEUW, Regional Safety Coordinator</b>	<b>Date: 3/25/2011</b>
<b>Revised by:</b>	<b>MEUW, Regional Safety Coordinator</b>	<b>Date:</b>
<b>Program Administrator:</b>	<b>Stephanie Reinhardt</b>	
<b>Alternate Administrator:</b>	<b>Department Head</b>	

## TABLE OF CONTENTS

Preface .....	5
Purpose .....	5
Plan Administration .....	5
Definitions .....	6
Employee Responsibilities .....	8
Employer Responsibilities .....	<b>Error! Bookmark not defined.</b>
Methods of Compliance .....	9
General Requirements .....	9
Personal Protective Equipment (PPE) .....	9
Competent Person Procedures .....	<b>Error! Bookmark not defined.</b>
Inspections .....	9
Soil Conditions and Types .....	<b>Error! Bookmark not defined.</b>
Soil Testing Methods .....	10
Visual Soil Test .....	10
Manual Soil Tests .....	11
Thumb Penetration Test .....	11
Dry Strength Test .....	11
Plasticity or Wet Thread Test .....	11
Spoils .....	11
Surface Crossing of Trenches .....	11
Ingress and Egress .....	12
Exposure to Vehicles .....	12
Exposure to Falling Loads .....	13
Guarding .....	<b>Error! Bookmark not defined.</b>
Night Guarding .....	<b>Error! Bookmark not defined.</b>
Solitary Employment .....	13
Warning Systems for Mobile Equipment .....	13
Hazardous Atmospheres and Confined Spaces .....	13
Testing for Atmospheric Contaminants .....	13
Standing Water and Water Accumulation .....	14
Benching, Sloping and Shielding Requirements .....	14
Sloping .....	15
Benching .....	14

Shielding (Trench Box) .....	15
Equipment.....	16
Training and Communication .....	17
Training Records .....	17
Program Evaluation and Review .....	17

**COMPLIANCE FORMS**

Excavation / Soil Analysis Checklist.....	18
Protective System Selection Diagram .....	19
Soil Classification.....	20
Department of Commerce Excavation Requirements.....	21
Excavation Equipment Inventory List .....	22
Training Attendance Roster .....	<b>Error! Bookmark not defined.</b>

## **Preface**

This Excavation/Trenching Program contains written procedures intended to comply with Wisconsin Department of Commerce (DCOMM) regulation 32.38 and OSHA regulation 1926.650-1926.652.

## **Purpose**

The City of Sturgeon Bay is committed to providing a safe and healthy work environment for employees. The Excavation/Trenching Program establishes, implements, and maintains effective procedures to safely deal with excavation safety issues while performing job duties.

Hereafter, The City of Sturgeon Bay will be referred to as the "City".

This program applies only to routine maintenance, inspection, and construction and does not apply to rescue operations conducted by the fire department. The fire department shall conform to *NFPA 1670: Standard on Operations and Training for Technical Search and Rescue Incidents*, 2004 Edition, Chapter 11: Trench and Excavation (and subsequent revisions).

## **Plan Administration**

The Plan Administrator or his/her designee (hereafter will be referred to Plan Administrator) is responsible for the implementation of the Excavation/Trenching Program, making the plan available to all employees, and required employee training, and that proper engineering controls are maintained.

The Plan Administrator and Regional Safety Coordinator will review the plan annually for any changes and revise as necessary.

## Definitions

**Aluminum Hydraulic Shoring** - a pre-engineered shoring system comprised of aluminum hydraulic cylinders (cross braces) used in conjunction with vertical rails (uprights) or horizontal rails (wales). Such system is designed specifically to support the sidewalls of an excavation and prevent Cave-ins

**Benching** (system) - a method of protecting employees from cave-ins by excavating the sides of an excavation to form one or a series of horizontal levels or steps, usually with vertical or near-vertical surfaces between levels

**Cave-in** - the separation of a mass of soil or rock material from the side of an excavation, or the loss of soil from under a trench shield or support system, and its sudden movement into the excavation, either by falling or sliding, in sufficient quantity so that it could entrap, bury, or otherwise injure/immobilize a person

**Competent person** - one who is capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them

**Cross braces** - the horizontal members of a shoring system installed perpendicular to the sides of the excavation, the ends of which bear against either uprights or wales

**Excavation** - any man-made cut, cavity, trench, or depression in an earth surface, formed by earth removal

**Faces or sides** - the vertical or inclined earth surfaces formed as a result of excavation work

**Failure** - the breakage, displacement, or permanent deformation of a structural member or connection so as to reduce its structural integrity and its supportive capabilities

**Hazardous atmosphere** - an atmosphere which by reason of being explosive, flammable, poisonous, corrosive, oxidizing, irritating, oxygen deficient, toxic, or otherwise harmful, may cause death, illness, or injury

**Kickout** - the accidental release or failure of a cross brace. Protective system" means a method of protecting employees from cave-ins, from material that could fall or roll from an excavation face or into an excavation, or from the collapse of adjacent structures. Protective systems include support systems, sloping and benching systems, shield systems, and other systems that provide the necessary protection

**Personal Protective Equipment (PPE)** – Personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.

**Ramp** - an inclined walking or working surface that is used to gain access to one point from another, and is constructed from earth or from structural materials such as steel or wood

**Sheeting** - the members of a shoring system that retain the earth in position and in turn are supported by other members of the shoring system

**Shield (system)** - a structure that is able to withstand the forces imposed on it by a cave-in and thereby protect employees within the structure. Shields can be permanent structures or can be designed to be portable and moved along as work progresses. Additionally, shields can be either pre-manufactured or job-built in accordance with 1926.652(c)(3) or (c)(4). Shields used in trenches are usually referred to as "trench boxes" or "trench shields"

**Shoring (system)** - a structure such as a metal hydraulic, mechanical or timber shoring system that supports the sides of an excavation and which is designed to prevent cave-ins

**Sloping (system)** - a method of protecting employees from cave-ins by excavating to form sides of an excavation that are inclined away from the excavation so as to prevent cave-ins. The angle of incline required to prevent a cave-in varies with differences in such factors as the soil type, environmental conditions of exposure, and application of surcharge loads

**Stable rock** - natural solid mineral material that can be excavated with vertical sides and will remain intact while exposed. Unstable rock is considered to be stable when the rock material on the side or sides of the excavation is secured against caving-in or movement by rock bolts or by another protective system that has been designed by a registered professional engineer

**Support system** - a structure such as underpinning, bracing, or shoring, which provides support to an adjacent structure, underground installation, or the sides of an excavation

**Tabulated data** - tables and charts approved by a registered professional engineer and used to design and construct a protective system

**Trench** - a narrow excavation (in relation to its length) made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench (measured at the bottom) is not greater than 15' (4.6 m). If forms or other structures are installed or constructed in an excavation so as to reduce the dimension measured from the forms or structure to the side of the excavation to 15' (4.6 m) or less (measured at the bottom of the excavation), the excavation is also considered to be a trench

**Uprights** - the vertical members of a trench shoring system placed in contact with the earth and usually positioned so that individual members do not contact each other. Uprights placed so that individual members are closely spaced, in contact with or interconnected to each other, are often called "sheeting"

**Wales** - horizontal members of a shoring system placed parallel to the excavation face whose sides bear against the vertical members of the shoring system or earth

## **Plan Administrator Responsibilities**

- Ensure that the Excavation Program is available to all employees for review,
- Comply with all program procedures and regulations and hold employees accountable for safe work practices when working in or around excavations,
- Ensure that all employees comprehend the hazards associated with excavations,
- Provide and maintain proper engineering controls such as PPE as required by State and Federal regulations,
- Provide all required job and safety training as required by State and Federal regulations,
- Conduct an annual review of the effectiveness of the Excavation Program and revise as needed,
- Ensure that an adequate number of employees are trained as a competent person and all regulatory requirements are followed.

## **Employee Responsibilities**

- Employees shall be familiar with and follow all excavation safety rules, guidelines, and procedures complying with all applicable State and Federal regulations, and adhere to proper excavation engineering controls in place,
- Employees shall use and maintain appropriate PPE (personal protective equipment) while performing excavation responsibilities,
- Employees shall immediately report to a Supervisor any excavation hazards that they observe,
- Employees shall request from a Supervisor training or additional training if they do not comprehend the work practices, hazards, or any other chemical related issues to be used during their job duties,
- Ensure that all competent person regulatory requirements are followed.

## **Competent Person Requirements**

Competent person designation shall be issued to persons by the employer after completing the training. Only a competent person shall be placed in charge of an excavation site.

At a minimum, the training shall include the following topics:

- Classifying soil type prior to work and as changing conditions warrant,
- The selection process for protective systems,
- Design and implementation of sloping and benching systems,
- Design and implementation of shoring and shielding systems,
- OSHA regulations regarding excavation safety,
- Safe work practices in and around excavations.

## **Methods of Compliance**

### **General Requirements**

All excavations shall be made in accordance with excavation rules, regulations, requirements, and guidelines set forth in OSHA, 29 CFR 1926.650, 651, 652 and DCOMM 32.38.

### **Personal Protective Equipment (PPE)**

Excavation sites required specific PPE dependent upon the hazards and all required PPE shall be worn and used. All employees shall be trained:

- When PPE is necessary,
- What PPE is necessary,
- How to properly put on, take off, adjust, and wear PPE,
- Limitations of the PPE,
- Proper care, maintenance, useful life, and disposal of PPE.

### **Location of Utilities**

The estimated location of utility and other underground installations that may be encountered during excavation work shall be determined before opening the excavation. When excavation operations approach the estimated location of underground installations, the exact location of the installation shall be determined by safe and acceptable means, usually by hand digging with an insulated shovel and use of suitable gloves.

At least three days prior to initiating an excavation, all employees shall contact Diggers Hotline at (800) 242-8511 or 811 to request locate of utilities per Wisconsin State Statute 182.0175.

## Inspections

The competent person shall conduct inspections:

- Daily and before the start of each shift,
- As dictated by the work being done in the excavation,
- After every rainstorm,
- After other events that could increase hazards, such as a snowstorm, windstorm, thaw, earthquake, dramatic change in weather, etc.,
- When fissures, tension cracks, sloughing, undercutting, water seepage, bulging at the bottom, or other similar conditions occur,
- When there is a change in the size, location, or placement of the spoil pile,
- When there is any indication of change or movement in adjacent structures.

NOTE: For excavations 4' or greater in depth, the *Excavation / Soil Analysis Form* shall be completed by the competent person.

## Soil Testing Methods

The competent person in charge of the excavation shall be responsible for determining whether the soil is Type A, B, or C.

**Type A** – Most stable: clay, silty clay, and hardpan (resists penetration). No soil is Type A if it is fissured, is subject to vibration of any type, has previously been disturbed, or has seeping water.

**Type B** – Medium stability: silt, sandy loam, medium clay and unstable dry rock; previously disturbed soils unless otherwise classified as Type C; soils that meet the requirements of Type A soil but are fissured or subject to vibration.

**Type C** – Least stable: gravel, loamy sand, soft clay, submerged soil or dense, heavy unstable rock, and soil from which water is freely seeping.

Layered geological strata (where soils are configured in layers) – The soil must be classified on the basis of the soil classification of the weakest soil layer. Each layer may be classified individually if a more stable layer lies below a less stable layer, i.e. where a Type C rests on top of stable rock.

The competent person shall use a visual test coupled with one or more manual tests.

Refer to *Soil Classification Form* for additional information.

## Visual Soil Test

In addition to checking the items on the *Excavation / Soil Analysis Form*, the competent person should perform a visual test to evaluate the conditions around the site. In a visual test, the entire excavation site is observed, including the soil adjacent to the site and the soil being excavated. The competent person also checks for any signs of vibration.

During the visual test, the competent person should check for crack-line openings along the failure zone that would indicate tension cracks, look for existing utilities that indicate that the soil has been

previously disturbed, and observe the open side of the excavation for indications of layered geologic structuring.

The competent person should also look for signs of bulging, boiling, or sloughing, as well as for signs of surface water seeping from the sides of the excavation or from the water table.

In addition, the area adjacent to the excavation should be checked for signs of foundations or other intrusions into the failure zone, and the competent person should check for potential movement of the spoil and the distance of the spoil pile from the edge of the excavation.

## **Manual Soil Tests**

### **Thumb Penetration Test**

Attempt to press the thumb firmly into the soil in question and if the thumb penetrates no further than the length of the nail, it is probably Type B. If the thumb penetrates the full length of the thumb, it is Type C. It should be noted that the thumb penetration test is the least accurate testing method.

### **Dry Strength Test**

Take a sample of dry soil, if it crumbles freely or with moderate pressure into individual grains it is considered granular (Type C). Dry soil that falls into clumps that subsequently break into smaller clumps (and the smaller clumps can only be broken with difficulty) it is probably clay in combination with gravel, sand, or silt (Type B).

### **Plasticity or Wet Thread Test**

Take a moist sample of the soil, mold it into a ball, and then attempt to roll it into a thin thread approximately 1/8 inch in diameter by two inches in length. If the soil sample does not break when held by one end, it may be considered Type B.

A pocket penetrometer, shear vane, or torvane shear may also be used to determine the unconfined compression strength of soils.

## **Spoils**

Temporary spoil shall be placed no closer than 2' from the surface edge of the excavation, measured from the nearest base edge of the spoil to the cut. This distance requirement ensures that loose rock or soil from the temporary spoil will not fall on employees in the excavation.

Spoil should be placed so that it channels rainwater and other run-off water away from the excavation. Spoil should be placed so that it cannot accidentally run, slide, or fall back into the excavation.

Spoil piles placed for an extended period of time should be placed some distance (based on site assessment) from the excavation so as to minimize added weight placed on the edges of the excavation.

## **Surface Crossing of Trenches**

Surface crossing of trenches should not be made unless absolutely necessary. However, if necessary, they are only permitted under the following conditions:

- Vehicle crossings must be designed by and installed under the supervision of a registered professional engineer,
- Barriers must be provided for remotely located excavations,
- Walkways or bridges must:
  - have a safety factor of 4,
  - have a minimum clear width of 20",
  - be fitted with standard rails when depth of trench exceeds 6',
  - extend a minimum of 24" past the surface edge of the trench.

## **Guarding**

A standard railing as specified in 29 CFR 1926.502 (b) or other approved guard or barricade shall be provided at or near the edge of an excavation as soon as possible, except where the installation of the safeguard will interfere with the excavation or other work.

Excavations left open and unattended overnight must be fenced and barricaded.

Refer to *Department of Commerce Excavation Requirements* attached at the end of this written program for additional information.

## **Night Guarding**

All excavations to which persons may be exposed at night shall be provided with yellow warning lights placed at un-barricaded points and along the exposed side where the excavation adjoins a public thoroughfare or sidewalk.

## **Access and Egress**

Trenches 4' or more in depth shall be provided with a means of egress such as a ladder or ramp.

Spacing between ladders or other means of egress must be such that a worker will not have to travel more than 25' laterally to the nearest means of egress.

Ladders must be secured and extend a minimum of 36" (3-4 rungs) above the landing.

Metal ladders should be used with caution, particularly when electric utilities are present.

Structural ramps for employees shall be designed by a competent person.

Structural ramps for equipment shall be designed by a competent person qualified in structural design, and shall be constructed in accordance with the design.

## **Exposure to Vehicles**

Employees exposed to vehicular traffic shall be provided with and shall wear reflective vests or other suitable garments made of retroreflective or high-visibility materials. Vests shall meet the requirements of DCOMM 32.39.

Trained flag persons, signs, signals, and barricades shall be used when necessary.

All excavations occurring on or near a roadway shall follow all work zone safety and traffic control guidelines as set forth by the Manual of Uniform Traffic Control Devices (MUTCD) and the applicable DOT regulations.

### **Exposure to Falling Loads**

All employees on an excavation site must wear hard hats. Employees are not permitted underneath loads handled by lifting or digging equipment. Employees are required to stand away from equipment that is being loaded or unloaded.

Equipment operators or truck drivers may remain in their equipment during loading and unloading if the equipment is properly equipped with a cab shield or adequate canopy.

### **Solitary Employment**

No person may work in any trench, shaft, tunnel, or caisson over 4' in depth without another person being present at the surface.

### **Warning Systems for Mobile Equipment**

The following steps should be taken to prevent vehicles from accidentally falling into the excavation:

- Barricades must be installed where necessary,
- Hand or mechanical signals must be used as required,
- Stop logs must be installed if there is danger of vehicles falling into the excavation,
- Soil should be graded away from the excavation; this will assist in vehicle control and channeling of run-off water,

### **Hazardous Atmospheres and Confined Spaces**

All excavations in which the employee's head breaks the ground plane shall have atmospheric testing conducted. Employees shall not be permitted to work in hazardous and/or toxic atmospheres. Such atmospheres include those with:

- Oxygen levels less than 19.5% or greater than 23.5%,
- A combustible gas concentration greater than 10% of the Lower Explosive Limit,
- Concentrations of hazardous substance that exceed those specified in the Threshold Limit Values for airborne contaminants established by the ACGIH,

Conditions that might warrant atmospheric testing would be if the excavation was made in a landfill area or if the excavation was crossed by, was adjacent to, or contained pipelines containing a hazardous material (for example, natural gas lines).

The frequency of testing should be increased if equipment is operating in or near the excavation, welding, cutting, or burning is being conducted in the excavation.

If hazardous atmospheres are located inside the excavation, the employee will use ventilation to control or eliminate the hazard. If control/elimination of the hazard is not possible the employee will not enter the excavation.

Some excavations qualify as confined spaces (i.e. when gas/sewer lines are exposed in a trench or a water main break where the excavation could fill with water). When this occurs, compliance with the City Confined Space Program is also required.

### **Standing Water and Water Accumulation**

Methods for controlling water accumulation must be provided when employees are working in an excavation. Methods of control may include, but are not limited to:

- Use of special support or shield systems approved by a registered professional engineer.
- Water removal equipment, such as well pointing, used and monitored by a competent person,
- Diversion ditches and dikes shall be used to prevent surface water from entering the excavation. Surface runoff shall be monitored,
- Safety harnesses and lifelines used in conjunction with the City written Fall Protection Program. Harnesses and lifelines need to be used when retrieval of employee may be needed in cases of emergency,
- Excavation must be carefully inspected by a competent person after each rain and before employees are permitted to re-enter the excavation.

NOTE: Employees shall be removed from the excavation during rainstorms.

### **Benching, Sloping, Shoring, and Shielding Requirements**

All excavations 4' or greater in depth shall be appropriately benched, shored, or sloped according to the procedures and requirements set forth in OSHA's Excavation standard, 29 CFR 1926.650, 651, 652 and DCOMM 32.38.

Excavations 20' deep or greater must have a protective system designed by a registered professional engineer.

Excavations under the base footing of a foundation or wall require a support system designed by a registered professional engineer.

Refer to the *Protective System Selection Diagram* located at the end of the written program for additional information.

### **Benching**

There are two basic types of benching; single and multiple, which can be used in conjunction with sloping.

In Type B, the vertical height of the benches must not exceed 4'. Benches must be below the maximum allowable slope for that soil type. In other words, a 10' deep excavation in Type B must be benched back 10' in each direction, with the maximum of a 45-degree angle.

Benching alone is not allowed in Type C.

## Sloping

Maximum allowable slopes for excavations less than 20' based on soil type and angle to the horizontal are as follows:

SOIL TYPE	HEIGHT RATIO	SLOPE ANGLE
Stable Rock	Vertical	90 degrees
Type A	¾:1	53 degrees
Type B	1:1	45 degrees
Type C	1 ½:1	34 degrees

A 10' deep excavation in Type B would have to be sloped to a 45-degree angle, or sloped 10' back in both directions. Total distance across a 10' deep excavation would be 20', plus the width of the bottom of the excavation itself. In Type C, the excavation would be sloped at a 34-degree angle or 15' back in both directions for at least 30' across, plus the width of the bottom of the excavation itself.

## Shoring

Shoring is used when the location or depth of the cut makes sloping back to the maximum allowable slope impractical. There are two basic types of shoring, timber and aluminum hydraulic.

Hydraulic shoring provides a critical safety advantage over timber shoring because workers do not have to enter the trench to install them. They are also light enough to be installed by one worker; they are gauge-regulated to ensure even distribution of pressure along the trench line; and they can be adapted easily to various trench depths and widths. However, if timber shoring is used, it must meet the requirements of 29 CFR 1926.650, .651, and .652.

All shoring shall be installed from the top down and removed from the bottom up. Hydraulic shoring shall be checked at least once per shift for leaking hoses and/or cylinders, broken connections, cracked nipples, bent bases, and any other damaged or defective parts. The top cylinder of hydraulic shoring shall be no more than 18 inches below the top of the excavation.

The bottom of the cylinder shall be no higher than four feet from the bottom of the excavation. (Two feet of trench wall may be exposed beneath the bottom of the rail or plywood sheeting, if used).

Wales are installed no more than two feet from the top, no more than four feet from the bottom, and no more than four feet apart, vertically.

Hydraulic shores must be installed in accordance with 29 CFR 1926.652 App. D Table D – 1.1 and Table D – 1.2 in Type B.

Hydraulic shores must be installed with sheeting in accordance with 29 CFR 1926.652 App. D Table D – 1.3 in Type C.

## **Shielding (Trench Box)**

Shielding is used when the location or depth of the cut makes sloping back to the maximum allowable slope impractical. However, if shielding is used; it must meet the requirements of 29 CFR 1926.650, 651, and 652 and DCOMM 32.38. Shielding is generally used in open areas, but they also may be used in combination with sloping and benching.

Shield systems shall be installed and removed in a manner that protects employees from cave-ins, structural collapses, or employee falling hazards. Shield systems shall not be subjected to loads exceeding those which the system was designed to withstand. Shields shall be installed in a manner to restrict lateral or other hazardous movement of the shield in the event of the application of sudden lateral loads.

Any modifications to the shielding must be approved by the manufacturer.

Employees shall be protected from the hazard of cave-ins when entering or exiting the areas protected by shields. Employees shall use a ladder to enter and exit the shield.

Employees may not remain in the shield while it is being installed, removed, or moved vertically.

Tabulated data must be on each job site where the trench shield is used.

Excavated earth material to a level not greater than 2' below the bottom of a shield shall be permitted, but only if the shield is:

- Designed to resist the forces calculated for the full depth of the excavation,
- There are no indications while the excavation is open of a possible loss of soil from behind or below the bottom of the shield.

## **Equipment**

All excavation equipment shall be used in a proper and safe manner and maintained according to the manufacturer's recommendations. Materials and equipment for protective systems shall be free from damage or defects that may impair their proper function.

Materials and equipment used for excavation activities shall be free of defects or damage that might impair its proper function. If damage is found, a competent person must inspect the equipment to determine if it is acceptable for use. If the competent person cannot assure the material or equipment is able to support the intended loads or otherwise suitable for safe use, then such material or equipment shall be removed from service, and shall be evaluated and approved by a registered professional engineer before being returned to service.

## **Training and Communication**

The Plan Administrator will ensure that all affected employees participate in Excavation/Trenching Program training program upon hire and as needed thereafter, or when procedural changes take place. New or transferred employees shall receive the training prior to working in or around excavations.

The Regional Safety Coordinator is responsible for conducting training and maintaining all training records to meet regulatory compliance.

The training program will contain at least the following for each affected employee:

- The location of the PPE program that is available to employees,
- Applicable OSHA and DCOMM regulations,
- Affected employee responsibilities,
- Identify work place hazards that require the use of PPE according to the Hazard Assessment,
- Instruction regarding the effectiveness and limitations of PPE,
- The inspection, use, maintenance and storage of PPE in accordance with established practices, training, and applicable safety regulations.

## **Training Records**

Training records are completed for each employee upon completion of training. These documents will be kept for at least **(3) three years**.

The training documentation shall include:

- The dates of the training sessions,
- The contents or a summary of the training sessions,
- The name of the trainer,
- The names, job titles, and signatures of all persons attending the training sessions,
- The completed tests of all persons attending the training sessions, when applicable.

In addition, all PPE documentation records, such as job briefing checklists and hazard assessments shall be retained for at least (3) three years.

## **Program Evaluation and Review**

The Plan Administrator or his/her designee, in conjunction with the Regional Safety Coordinator shall review the Excavation/Trenching Program annually to determine its effectiveness and provide input for potential revisions.

## Excavation / Soil Analysis Form

Site Location \_\_\_\_\_

Competent Person \_\_\_\_\_

Depth of Trench \_\_\_\_\_ Width \_\_\_\_\_

Time of Sample \_\_\_\_\_  AM  PM

Visual Test	
Particle Type:	<input type="checkbox"/> Fine Grained ( <i>cohesive</i> ) <input type="checkbox"/> Granular ( <i>sand/silt or gravel</i> )
Water Conditions	<input type="checkbox"/> Wet <input type="checkbox"/> Dry <input type="checkbox"/> Seeping Water <input type="checkbox"/> Surface Water <input type="checkbox"/> Submerged

Visual Inspection	Manual Test
Previously Disturbed Soils <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Cohesive <input type="checkbox"/> Non-Cohesive
Surface Encumbrances <input type="checkbox"/> Yes <input type="checkbox"/> No <i>List</i>	<input type="checkbox"/> Granular <input type="checkbox"/> Cohesive <i>Crumbles Easily    Broken w/Difficulty</i>
Layered Soils <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Wet Shake</b>
Layered Soils Dipping into Excavation <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Water Comes to Surface <i>Granular</i>
Excavation Exposed to Vibration <input type="checkbox"/> Yes <input type="checkbox"/> No <i>List</i>	<input type="checkbox"/> Surface Remains Dry <i>Clay material</i>
Crack-like Openings or Sprawling <input type="checkbox"/> Yes <input type="checkbox"/> No	
Overhead Electric Lines <input type="checkbox"/> Yes <input type="checkbox"/> No	

Thumb Test and Final Soil Classification
<input type="checkbox"/> Type A – Soil indented by thumb with very great effort. <input type="checkbox"/> Type B – Soil indented by thumb with some effort. <input type="checkbox"/> Type C – Soil easily penetrated several inches by thumb with little or no effort. <p style="text-align: center;">If soil is submerged, seeping water, subjected to surface water, run-off, exposed to waiting</p>

Protective System Required
<input type="checkbox"/> Trench Shield (Box) <input type="checkbox"/> Sloping <input type="checkbox"/> Other _____ <p style="text-align: center;">Specify angle _____</p>

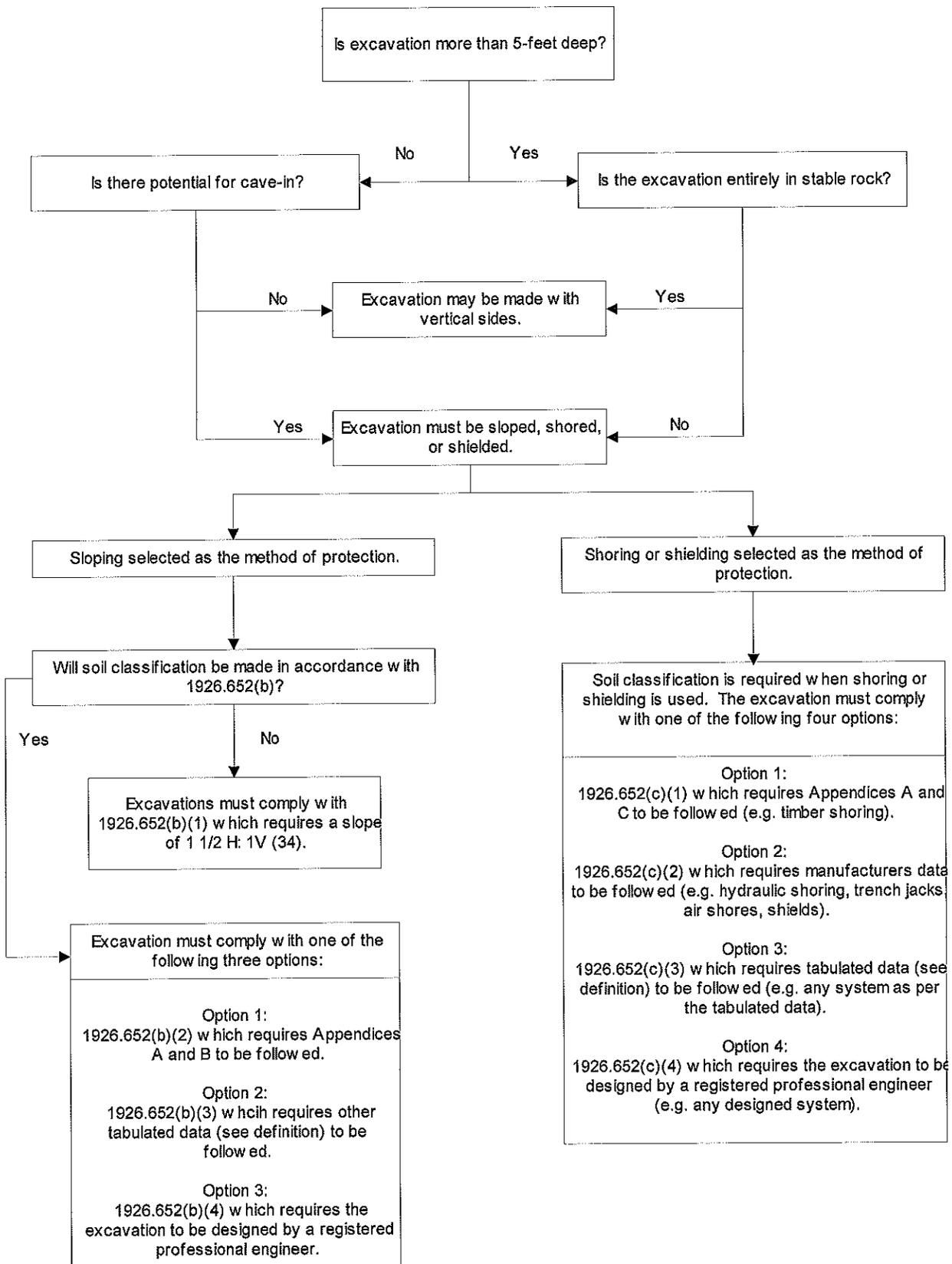
Is a ladder within 25 feet of all workers	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Does the ladder extend 3 feet above the trench or protective system	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is excavated material stored 2 feet or more from edge of excavation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is excavation to be left open overnight*	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

\*If left overnight then fence and lighted barricades are needed as well as a new inspection before entry

Additional Inspection(s): Date(s) / Time(s) \_\_\_\_\_

Competent Person \_\_\_\_\_  
(Signature)

## Protective System Selection Diagram



## Soil Classification Form

- "Stable Rock" refers to natural solid mineral matter which can be excavated with vertical sides and remain intact while exposed.
- "Type A soil" is cohesive with an unconfined compressive strength of 1.5 tons per square foot. Type A soils include clay, silty clay, sandy clay, clay loam, caliche, hardpan, and sometimes silty clay loam and sandy clay loam. No soil should be classified as Type A if it is fissured; subject to vibration from traffic, pile driving, or similar effects; previously disturbed; or part of a slope, layered system where the slope is four horizontal to one vertical or greater.
- "Type B soil" is cohesive soil with an unconfined compressive strength greater than .5 but less than 1.5. Type B soils include granular cohesion less soils like angular gravel, silt, silt loam, sandy loam, and sometimes silty clay loam and sandy clay loam; previously disturbed soils that are not Type C; fissured soils and soils subject to vibration that would otherwise be classified as Type A; dry rock that is not stable; and material that is part of a slope, layered system where the layers dip on a slope less steep than four horizontal to one vertical.
- "Type C soil" is cohesive soil with an unconfined compressive strength of .5 or less. Type C soils include granular soils such as gravel, sand, and loamy sand; submerged soil; soil from which water is freely seeping; submerged rock that is not stable; or material in a sloped, layered system where the layers dip into the excavation at a slope of four horizontal to one vertical or steeper.

### Allowable Slopes

TABLE 1: MAXIMUM ALLOWABLE SLOPES	
Stable Rock	Vertical ( 90 degrees )
Type A	¾ to 1 ( 53 degrees )
Type B	1 to 1 ( 45 degrees )
Type C	1- ½ : 1 ( 34 degrees )

TABLE 2: SLOPING REQUIREMENTS FOR LAYERED SOILS			
Layered Soil Type	Type A Layer	Type B Layer	Type C Layer
B over A	¾ : 1	1 : 1	
C over A	¾ : 1		1 ½ : 1
C over B		1 : 1	1 ½ : 1
A over B	1 : 1	1 : 1	
A over C	1 ½ : 1		1 ½ : 1
B over C		1 ½ : 1	1 ½ : 1

There are a number of exceptions or special cases to these general sloping and benching guidelines, which will be utilized if the conditions meet the exception requirements. The exceptions and conditions are outlined below:

- In Type A soil, simple slope excavations which are open 24 hours or less (short term) and which are 12' high or less in depth may have a maximum allowable slope of ½ horizontal to 1 vertical.
- In Type A soil, all excavations 8' or less in depth which have unsupported vertically sided lower portions must have a maximum vertical side of 3 ½ feet.
- In Type B soil, all excavations 20' or less which have vertically sided lower portions shall be shielded or supported to a height at least 18 inches above the top of the vertical side.
- In Type C soil, all excavations 20' or less which have vertically sided lower portions shall be shielded or supported to a height at least 18 inches above the top of the vertical side.

When an excavation contains layers of different types of soils, the general sloping requirements do not apply.

**The excavation must be sloped according to Table 2 in the Appendix.**

## **Department of Commerce Excavation Requirements**

**The Department of Commerce (DCOMM) has specific excavation requirements, 32.38 that are in addition to OSHA regulations 29 CFR 1926.651.**

(1) **GUARDING.** A standard railing as specified in 29 CFR 1926.502 (b) or other approved guard or barricade shall be provided at or near the edge of an excavation as soon as possible, except where the installation of the safeguard will interfere with the excavation or other work.

(2) **NIGHT GUARDING.** All excavations to which persons may be exposed at night shall be provided with yellow warning lights placed at unbarricaded points and along the exposed side where the excavation adjoins a public thoroughfare or sidewalk.

(3) **SOLITARY EMPLOYMENT.** No person may work in any trench, shaft, tunnel, caisson or appurtenance over 4 feet in depth without another person being present at the surface.

History: Cr. Register, February, 1999, No. 518, eff. 3-1-99; CR 04-009: am. (1)  
Register August 2004 No. 584, eff. 9-1-04.

**Excavation Equipment Inventory List**

\*See separate equipment listing following the Excavation Program detailing pictures and tabulated data.

Equipment Name	Manufacturer	Size	S/N
[REDACTED]			



# TRAINING ATTENDANCE ROSTER

**INSTRUCTOR:**

**COMMUNITY:**

**DATE:**

**TRAINING SUBJECT:**

**TRAINING SUMMARY:** See Attached

The employees listed have satisfactorily participated and completed training per regulation company requirements.

	PRINT FULL NAME	DEPARTMENT	JOB TITLE	EMPLOYEE SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				



# **PERSONAL PROTECTIVE EQUIPMENT (PPE) PROGRAM**

**OSHA 1910.132  
DEPARTMENT OF COMMERCE 32.15**

Approved by:

The Safety Committee on: 04/01/2011

City Council on: 00/00/00

Safety Committee Annual Review - Revised on: 00/00/00

<b>Employer Name:</b>	<b>City of Sturgeon Bay</b>
-----------------------	-----------------------------

<b>Program Name:</b>	<b>Personal Protective Equipment (PPE)</b>	
<b>Prepared by:</b>	<b>MEUW, Regional Safety Coordinator</b>	<b>Date: 01/10/2011</b>
<b>Revised by:</b>	<b>MEUW, Regional Safety Coordinator</b>	<b>Date:</b>
<b>Plan Administrator:</b>	<b>Stephanie Reinhardt</b>	
<b>Alternate Plan Administrator:</b>	<b>Department Head</b>	

## **TABLE OF CONTENTS**

Preface .....	4
Purpose .....	4
Program Administration .....	4
Employee Responsibilities .....	5
Employer Responsibilities .....	5
Methods of Compliance .....	6
Hazard Assessment.....	6
PPE Selection Criteria .....	6
ANSI Approved PPE .....	6
Proper Fit.....	6
Non-Routine Jobs .....	6
Respirators .....	7
Hearing Protectors.....	7
General Maintenance and Care .....	7
Inspection of PPE .....	7
Disposal of PPE.....	7
Cleaning and Sanitation of PPE .....	7
Storage of PPE.....	7
Other PPE Considerations .....	7
Training and Communication .....	8
Training Records .....	8
Program Evaluation and Review .....	9
PPE INSPECTION CHECKLIST .....	10
PPE Personal Protective Equipment Hazard Assessment .....	12
TRAINING ATTENDANCE ROSTER.....	16

## **Preface**

This program contains written procedures intended to comply with Wisconsin Department of Commerce (DCOMM) regulation 32.15 and OSHA regulation 1910.132, Personal Protective Equipment (PPE) program.

## **Purpose**

The City of Sturgeon Bay is committed to providing a safe and healthy work environment for employees. The purpose of this Personal Protective Equipment (PPE) Program is to minimize or eliminate hazards where affected employees may face a risk of potential injury. This program establishes, implements, and maintains effective procedures to provide safety equipment to employees to prevent workplace injuries while performing job duties.

Hereafter, the City of Sturgeon Bay will be referred to as the "City".

## **Program Administration**

The Program Administrator or his/her designee is responsible for the implementation of the PPE program, making the program available to all employees, employee safety training, and that proper equipment is provided where required by regulation. The Program Administrator and Regional Safety Coordinator will review the program annually for any job duties or risk exposures change and revise as necessary.

## **Employee Responsibilities**

- Inspect, use, and maintain PPE in accordance with established practices, job specific training, and applicable regulations,
- Contact immediate supervisor or his/her designee in the event PPE questions, problems, or availability arise,
- Clean and properly store PPE,
- Use only functioning equipment,
- Dispose of damaged, defective, soiled, or single use PPE in the proper manner,
- Use single use PPE only once.

## **Employer Responsibilities**

- Develop engineering controls, where feasible, to control workplace hazards,
- Provide a written PPE program along with procedural training for affected employees,
- Select and supply the proper PPE based on the hazards of the specific job,
- Inspect PPE on a regular basis ensuring proper care, function, and maintenance according to manufacturer's recommendations,
- Verify affected employees properly use, clean, inspect, and store PPE,
- Provide a clean, convenient, and sanitary work location for storage of PPE,
- Continually evaluate work area conditions and the degree of employee exposure to workplace hazards for the job.

## **Methods of Compliance**

### **Hazard Assessment**

PPE shall be selected according to the Hazard Assessment (*see PPE Hazard Assessment form*) of work place hazards. Hazards that may require the use of PPE include, but may not be limited to:

- 1) Environmental conditions, such as temperature extremes, noise, harmful dusts vapors, mists, and gases,
- 2) Employee exposure to irritating, sensitizing, toxic, and corrosive substances,
- 3) Employee exposure to physical hazards, such as falling, flying, rolling, or moving objects, puncturing or penetrating objects, and exposed energized electrical conductors.

Employee exposure to disease causing agents including blood borne pathogens.

### **PPE Selection Criteria**

The following factors will be evaluated and considered when selecting suitable PPE:

- 1) Nature and severity of the hazard,
- 2) Portion of the body exposed to the hazard and needing protection,
- 3) Nature of the work to be performed,
- 4) Duration of time that PPE must be worn,
- 5) Comfort, proper fitting and worker acceptance.

References used to select suitable PPE shall include but may not be limited to:

- 1) OSHA safety and health regulations,
- 2) DCOMM 32,
- 3) Material safety data sheets (MSDSs),
- 4) PPE recommendations by tool and equipment manufacturers,
- 5) Selection charts and guidelines provided by PPE manufacturers.

### **ANSI Approved PPE**

PPE selected and used by employees will meet or exceed the following ANSI standards:

- Eye and Face Protectors Z87.1-1989,
- Hard-hats Z89.1-1997, Z89.1 – 2009,
- Protective Footwear Z41-1991.

### **Proper Fit**

To ensure proper fit, comfort, and employee acceptance, each employee will be provided with suitable PPE when required.

### **Non-Routine Jobs**

PPE required for non-routine jobs will be determined by the Hazard Assessment. Refer to PPE Hazard Assessment form. Employees will be informed of hazards that require the use of PPE during pre-job briefings.

## **Respirators**

Respirators will be selected, inspected, used, sanitized, and stored in accordance with the Respiratory Protective Program.

## **Hearing Protectors**

Hearing protectors will be selected, inspected, used, sanitized, and stored in accordance with the Hearing Conservation Program.

## **General Maintenance and Care**

PPE shall be inspected, sanitized, and stored in accordance with applicable OSHA/DCOMM regulations and manufacturer's instructions.

## **Inspection of PPE**

Employees shall inspect PPE before each use. Damaged, defective, or soiled PPE shall not be used.

## **Disposal of PPE**

Damaged, defective, soiled, or single use PPE shall be disposed of appropriately.

## **Cleaning and Sanitation of PPE**

PPE shall be cleaned and sanitized as necessary to ensure comfort, effectiveness, and safe use.

## **Storage of PPE**

PPE shall be stored in accordance with safety regulations and manufacturers recommendations and stored in such a manner so as to prevent physical, chemical, and environmental damage.

## **Other PPE Considerations**

### **Police Department**

Refer to department policy DGO 207.

All issued body armor shall be inspected annually for proper fit and condition. Body armor shall be replaced no greater than 5 years from date vest is placed into service or sooner; if damaged in the line of duty or inspection reveals excessive wear and tear that no longer permits the vest to be considered service-worthy as determined by the NIJ specifications at the time of issuance.

### **Fire Department**

All structural firefighting turnout gear issued to fire department personnel shall conform to the current NFPA/ANSI/ATSM specifications at the time of purchase. All structural firefighting

turnout gear (jacket, pants, boots, gloves, helmet, and eyewear [shield/goggles] ) shall follow the requirements set forth by NFPA 1851 and any subsequent revisions.

## **Department of Public Works**

See AFSCME, AFL-CIO Local 1658 collective bargaining agreement for provisions above and beyond those set forth by state and federal safety regulations relative to the purchase/re-imbursement of safety toe work boots and prescription safety eyewear.

## **Training and Communication**

The Program Administrator shall ensure that all affected employees, identified in the PPE Hazard Assessment, are properly trained before performing specific job duties. Additional training is required when new safety hazards are identified, procedural deficiencies are identified, or when requested by an employee.

The Safety Coordinator is responsible for maintaining all training records to meet regulatory compliance. Training will be completed through classroom, hands-on, and written testing to demonstrate a basic understanding of all procedures. Training documentation includes the Training Roster with a summary of the topics covered and any additional supporting documentation.

The training program will contain at least the following for each affected employee:

1. The location of the PPE program that is available to employees,
2. Applicable OSHA and DCOMM regulations,
3. Affected employee responsibilities,
4. Identify work place hazards that require the use of PPE according to the Hazard Assessment,
5. Instruction regarding the effectiveness and limitations of PPE,
6. The inspection, use, maintenance and storage of PPE in accordance with established practices, training, and applicable safety regulations.

## **Training Records**

Appropriate training documentation is completed for each session upon completion. Training documentation should be kept for at least **(3) three years**.

The training documentation shall include:

- The dates of the training session,
- The lesson plan of the training session,
- The name of the instructor,
- The names, job titles, and signatures of all employees attending the training session,
- The completed tests, if applicable, of all employees attending the training session.

In addition, all PPE documentation records, such as job briefing checklists and hazard assessments shall be retained for at least (3) three years.

## **Program Evaluation and Review**

The Program Administrator or their designee, in conjunction with the Alternate Administrator and the Safety Coordinator shall review the Personal Protective Equipment Program annually to determine its effectiveness and provide input for potential revisions.

## PPE INSPECTION CHECKLIST

Item To Be Inspected	Satisfactory		IF No Describe Corrective Actions Taken
	Yes	No	
<b>Gloves</b>			
1) Used by employees where hand hazards exist			
2) Gloves worn by employees suitable for hazard			
3) Free of damage or defects, and in clean/sanitary condition			
4) Properly fitted and worn			
5) Stored in clean location when not in use			
6) Proper disposal of damaged or defective gloves			
<b>Protective Clothing</b>			
7) Used by employees where hand hazards exist			
8) Protective clothing worn by employees suitable for hazard			
9) Free of damage or defects, and in clean/sanitary condition			
10) Properly fitted and worn			
11) Stored in clean location when not in use			
12) Proper disposal of single use or damaged protective clothing			
<b>Protective Footwear</b>			
13) Used by employees where foot hazards exist			
14) Protective footwear worn by employees suitable for hazard			
15) Free of damage or defects, and in clean/sanitary condition			
16) Properly fitted and worn			
17) Stored in clean location when not in use			
18) Proper disposal of damaged or defective or single use footwear			
<b>Hard-Hats</b>			
19) Hard-hats worn by employees where head hazards exist			
20) Free of damage or defects, and in clean/sanitary condition			
21) Properly fitted and worn			
22) Stored in clean location when not in use			
23) Suspension system is good condition.			
<b>Hearing Protectors</b>			
24) Worn by employees where noise hazards exist			

25) Hearing protectors used by employees suitable for hazard			
26) Free of damage or defects, and in clean/sanitary condition			
27) Properly fitted and worn			
28) Stored in clean location when not in use			
29) Proper disposal of single use or damaged hearing protectors			
<b>Face/Eye Protectors</b>			
30) Worn by employees where eye/face hazards exist			
31) Eye/face protectors used by employees suitable for hazard			
32) Free of damage or defects, and in clean/sanitary condition			
33) Properly fitted and worn			
34) Stored in clean location when not in use			
35) Proper disposal of single use or damaged eye/face protectors			
<b>Respirators</b>			
36) Worn by employees where respiratory hazards exists			
37) Respirators used by employees suitable for hazard			
38) Free of damage or defects, and in clean/sanitary condition			
39) Properly fitted and worn			
40) Stored in clean location when not in use			
41) Proper disposal of single use or damaged respirators			

**Comments and Specific Recommendations**

---



---



---



---



---



---



---



---

**PERSON COMPLETING JOB BRIEFING CHECKLIST:**

## City of Sturgeon Bay

### PPE Personal Protective Equipment Hazard Assessment

<b>Department:</b>	
<b>Department Manager:</b>	
<b>Safety Coordinator:</b> <i>MEUW Regional Safety Coordinator</i>	
<b>Created Date:</b>	<b>Revised Date:</b>

#### HEAD HAZARDS

Task that can cause head injuries include:

Type of Hazard	Applicable	Description of Hazard / Required PPE
<b><i>Chemical</i></b>		
		<i>PPE:</i>
<b><i>Electric</i></b>		
		<i>PPE:</i>
<b><i>Impact/Puncture</i></b>		
		<i>PPE:</i>
<b><i>Thermal</i></b>		
		<i>PPE:</i>

#### FACE/EYE HAZARDS

Tasks that can cause eye hazards include: Working with hazardous chemicals, using mowing equipment, using snow blowing equipment, using power tools of any kind.

Type of Hazard	Applicable	Description of Hazard / Required PPE
<b><i>BBP/Biological</i></b>		
		<i>PPE:</i>
<b><i>Chemical</i></b>		
		<i>PPE:</i>
<b><i>Electric</i></b>		
		<i>PPE:</i>
<b><i>Impact/Puncture</i></b>		
		<i>PPE:</i>
<b><i>Light/Radiation</i></b>		
		<i>PPE:</i>

<b>Thermal</b>		
		<i>PPE:</i>

## HAND HAZARDS



Tasks that can cause hand injuries include:

Type of Hazard	Applicable	Description of Hazard / Required PPE
<b>BBP/Biological</b>		
		<i>PPE:</i>
<b>Chemical</b>		
		<i>PPE:</i>
<b>Compression/ Crush</b>		
		<i>PPE:</i>
<b>Electric</b>		
		<i>PPE:</i>
<b>Impact/Puncture</b>		
		<i>PPE:</i>
<b>Light/Radiation</b>		
		<i>PPE:</i>
<b>Thermal</b>		
		<i>PPE:</i>
<b>Vibration</b>		
		<i>PPE:</i>
<b>Wet Conditions</b>		
		<i>PPE:</i>

## FOOT HAZARDS



Tasks that can cause foot injuries include:

Type of Hazard	Applicable	Description of Hazard / Required PPE
<b>BBP/Biological</b>		
		<i>PPE:</i>
<b>Chemical</b>		

		PPE:
<b>Compression/ Crush</b>		
		PPE:
<b>Electric</b>		
		PPE:
<b>Impact/Puncture</b>		
		PPE:
<b>Light/Radiation</b>		
		PPE:
<b>Thermal</b>		
		PPE:
<b>Vibration</b>		
		PPE:
<b>Wet Conditions</b>		
		PPE:

## BODY HAZARDS

Tasks that can cause body injuries include:

Type of Hazard	Applicable	Description of Hazard / Required PPE
<b>BBP/Biological</b>		
		PPE:
<b>Chemical</b>		
		PPE:
<b>Compression/ Crush</b>		
		PPE:
<b>Electric</b>		
		PPE:
<b>Impact/Puncture</b>		
		PPE:
<b>Light/Radiation</b>		
		PPE:
<b>Thermal</b>		
		PPE:
<b>Vibration</b>		
		PPE:

<b>Wet Conditions</b>		
		<i>PPE:</i>

**ADDITIONAL HAZARDS**

Type of Hazard	Applicable	Description of Hazard / Required PPE
<b>Sounds</b>		
		<i>PPE:</i>
<b>Respiratory</b>		
		<i>PPE:</i>
<b>Traffic/Work Zone</b>		
		<i>PPE:</i>

**Assessment Certified By:**

\_\_\_\_\_ **Date** \_\_\_\_\_

**Assessment Approved By:**

\_\_\_\_\_ **Date** \_\_\_\_\_

# TRAINING ATTENDANCE ROSTER

**INSTRUCTOR:**

**COMMUNITY:**

**DATE:**

**TRAINING SUBJECT:**

**TRAINING SUMMARY:** See Attached

The employees listed have satisfactorily participated and completed training per regulation company requirements.

	PRINT FULL NAME	DEPARTMENT	JOB TITLE	EMPLOYEE SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				



**Exposure Control Plan**  
**Bloodborne Pathogens**  
**(BBP)**

**OSHA 1910.1030**  
**DEPARTMENT OF COMMERCE 32.15**

Approved by:

The Safety Committee on: 07/08/2011  
Safety Committee Annual Review - Revised on: 00/00/00

<b>Employer Name:</b>	<b>City of Sturgeon Bay</b>	
<b>Program Name:</b>	<b>Exposure Control Plan (Bloodborne Pathogens - BBP)</b>	
<b>Prepared by:</b>	<b>Chris Schlechta, MEUW, Regional Safety Coordinator</b>	<b>Date: 05/05/2011</b>
<b>Revised by:</b>	<b>Chris Schlechta, MEUW, Regional Safety Coordinator</b>	<b>Date:</b>
<b>Plan Administrator:</b>	<b>Stephanie Reinhardt</b>	
<b>Alternate Plan Administrator:</b>	<b>Department Head</b>	

# TABLE OF CONTENTS

CHECK PAGE NUMBERS FOR ACCURACY AFTER CUSTOMIZING PROGRAM

<b>Preface</b> .....	<b>4</b>
<b>Purpose</b> .....	<b>4</b>
<b>Plan Administration</b> .....	<b>4</b>
<b>Definitions</b> .....	<b>5</b>
<b>Plan Administrator Responsibilities</b> .....	<b>7</b>
<b>Employee Responsibilities</b> .....	<b>7</b>
<b>Methods of Compliance</b> .....	<b>8</b>
Exposure Determination.....	8
Universal Precautions .....	8
Engineering Controls .....	8
Personal Protective Equipment (PPE).....	8
<b>Labels and Signs</b> .....	<b>9</b>
<b>Clean-up Procedures</b> .....	<b>9</b>
Authorized Clean-Up Personnel .....	9
Cleaning .....	9
Self Clean-up.....	9
Hand Sanitation.....	9
Eye Washing.....	10
Laundering.....	10
Garbage Cans .....	10
Puncture Resistant Container (sharps container).....	10
Broken Glass .....	10
Vehicles .....	10
Regulated Waste .....	11
<b>Medical Requirements</b> .....	<b>12</b>
Hepatitis B Vaccination .....	12
<b>Medical Records</b> .....	13
<b>Training and Communication</b> .....	13
Training Records .....	14
<b>Exposure Incident Identification/Investigation</b> .....	<b>14</b>
<b>Post-exposure Evaluation and Follow-up</b> .....	<b>14</b>
<b>Plan Evaluation and Review</b> .....	<b>15</b>
<b>Forms</b>	
JOB OCCUPATIONAL EXPOSURE ASSESSMENT FORM.....	16
HEPATITIS B VACCINE EMPLOYEE RECORD .....	17
EXPOSURE/BBP INCIDENT FORM .....	18
EMPLOYEE EXPOSURE/BBP MEDICAL REPORT .....	19
BBP FOLLOW UP PROCEDURE CHECKLIST .....	20
SELF CLEAN-UP PROCEDURES: .....	21
TRAINING ATTENDANCE ROSTER .....	22

## **Preface**

This Exposure Control Plan contains written procedures intended to comply with Wisconsin Department of Commerce (DCOMM) regulation 32.15 and OSHA regulation 1910.146.

## **Purpose**

The City of Sturgeon Bay is committed to providing a safe and healthy work environment for employees. The Exposure Control Plan establishes, implements and maintains effective procedures to minimize or eliminate potential employee exposure to bloodborne pathogens.

Hereafter, the City of Sturgeon Bay will be referred to as the "City".

The City of Sturgeon Bay Fire Department personnel shall follow the department's Bloodborne Pathogen / Exposure Control Plan, which supersedes this written program.

## **Plan Administration**

The Plan Administrator or his/her designee (herein referred to as Plan Administrator) is responsible for the implementation of the Exposure Control Plan, making the plan available to all employees with collateral and at risk exposure determination, required employee training, and that proper engineering controls are maintained.

The Plan Administrator and Regional Safety Coordinator will review the plan annually for any changes and revise as necessary.

## **Definitions**

**AIDS** - a chronic, life-threatening condition caused by the human immunodeficiency virus (HIV)

**Biohazard Label** - a label affixed to containers of regulated waste. The label must be orange-red in color with the biohazard symbol and the word biohazard on the lower part of the label

**Blood** - defined as human blood, human blood components, and products made from human blood

**Bloodborne Pathogen (BBP)** - a pathogenic (disease producing) microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV)

**Bodily Fluids** - blood, vomit, amniotic fluid, saliva, and any body fluid that is visibly contaminated with blood

**Contaminated** - term used to define the reasonably anticipated presence of Bloodborne Pathogens on an item or surface

**Decontamination** - use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal

**DCOMM** - Wisconsin Department of Commerce

**Engineering Controls** - are the controls that isolate or remove the bloodborne pathogen hazard from the workplace

**Exposure Control Plan (ECP)** - a written plan to prevent, control, mitigate potential exposures

**Hand Washing Facilities** - a facility that provides an adequate supply of running potable water, soap, single use towels, medicated towelettes, or hot air drying machines

**Hepatitis B Virus (HBV)** - a serious liver infection caused by the hepatitis B virus (HBV)

**Hepatitis C Virus (HCV)** - an infection caused by a virus that attacks the liver and leads to inflammation

**HIV** - Human Immunodeficiency Virus

**Medical Professional** - a person who is licensed and legally permitted to perform Hepatitis B vaccinations, post exposure evaluations, and follow up care

**Occupational Exposure** - an incident where bodily fluids or OPIM make contact with a route of entry to the body. Route of entry may include eye, mouth, other mucus membrane, broken skin, or blood to blood or blood to OPIM contact resulting from an employees' duties

**Other Potentially Infectious Materials (OPIM)** - any tissue or organ (other than intact skin) from a human (living or dead)

**Pathogen** - a bacteria or virus capable of causing infection or disease

**Personal Protective Equipment (PPE)** - specialized clothing or equipment worn by an Employee for protection against a hazard

**NOTE:** General work clothes (i.e., uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard is NOT considered to be personal protective equipment. Personal protective equipment may include, but is not limited to, gloves, gowns, laboratory coats, face shields, masks, eye protection equipment, mouthpieces, resuscitation bags, pocket masks, or other ventilation devices.

**Secondary Containment** - a container of rigid materials that is coated and leak proof and labeled BIOHAZARD and is used for disposal of red biohazard bags containing hazardous materials

**Universal Precautions** - an approach to infection control. According to the concept of universal precautions, all human blood, bodily fluids and OPIM are treated as potentially infectious for HIV, HBV, and other bloodborne pathogens

**Work Practice Controls** - controls that reduce the likelihood of exposure by altering the manner in which the task is performed

## **Plan Administrator Responsibilities**

- Communication of bloodborne pathogen hazards to employees,
- A written ECP along with procedural training for affected employees and ECP awareness training for non-affected employees,
- Conduct an annual review of the effectiveness of the ECP and revise as needed,
- Provide retention of medical records for the duration of employment plus 30 years,
- As a preventive control, the Hepatitis B vaccine series will be provided at no cost to affected employees who may have potential occupational exposure,
- At no cost to employees, appropriate PPE and provisions for proper PPE disposal supplies,
- An appropriate written procedure for cleaning and methods of disinfection,
- All equipment and work surfaces will be cleaned and disinfected immediately after contact with blood, bodily fluids or OPIM. All equipment used for clean-up shall be removed and disposed of according to procedure,
- Appropriate labels showing the universal biohazard symbol will be displayed on biohazard bags and secondary containers,
- Provide clean and sanitary worksites.

## **Employee Responsibilities**

- Gloves must be worn whenever there is the potential for the hands to come in bare-skin contact with blood, bodily fluids, or OPIM,
- Gloves will be replaced as soon as possible when they are visibly soiled, torn, or punctured as they may no longer provide a barrier to contamination,
- Employees are to use proper glove removal technique when removing gloves,
- Employees shall wash their hands immediately after removing protective gloves or other PPE following hand contact with blood, bodily fluids or OPIM. If working away from a facility with a water supply, disinfecting towelettes or hand sanitizer should be used and then hands washed with soap and water as soon as possible,
- Masks, eye protection, or face shields will be worn if there is a potential for splashes, spray, or spatters of blood, bodily fluids or OPIM due to the potential hazard to eyes, nose, or mouth,
- All procedures involving blood, bodily fluids or OPIM will be performed in such a way as to minimize splashing or spraying,

- Resuscitation procedures will be performed with mouthpieces, pocket masks, or other barrier devices,
- Any contaminated clothing, material, or equipment will be bagged into a biohazard bag and then placed into a secondary container at the location where it was soiled. Disposal shall be done while wearing protective gloves and other appropriate PPE to prevent exposure during handling and sorting and then they will be placed into the bag.

## **Methods of Compliance**

### **Exposure Determination**

Employees determined to be potentially exposed or have been exposed to blood, bodily fluids or OPIM are mandated to comply with the ECP procedures and practices. Job positions with potential exposure to blood borne pathogens will be placed into one of these categories:

**RISK EXPOSURE** - Exposure potential HIGH according to regular/daily job duties involving medical emergency services.

**COLLATERAL EXPOSURE** - Exposure potential POSSIBLE according to occasional collateral job duties involving the administration of first aid, assisting an injured individual and/or potential contact with human waste/blood.

**NO EXPOSURE** - Exposure potential is LOW according to job duties and is anticipated To be non-existent.

A Job Occupational Exposure Assessment form is to be completed by the Regional Safety Coordinator to determine employee exposure risk.

### **Universal Precautions**

Universal precautions are methods of exposure control in which blood, bodily fluids and other potentially infectious material (OPIM) are always treated as if they were known to be infected with bloodborne pathogens. The following procedures will be followed to protect employees from exposure:

### **Engineering Controls**

Engineering and work practice controls are used to prevent or minimize exposure to employees where occupational exposure remains after implementation of these controls where PPE must also be used.

### **Personal Protective Equipment (PPE)**

PPE shall be provided to employees at no cost to them. All employees shall be trained in the use of proper PPE for the task/procedure to be performed and shall treat all bloodborne pathogens as if infectious.

## **Labels and Signs**

Biohazard labels shall be affixed to all containers of regulated waste, refrigerators and any other type of container or equipment used to store, transport, or ship blood, bodily fluids and OPIM. Labels shall be fluorescent orange or orange-red and shall be used in accordance with OSHA/DCOMM regulations.

## **Clean-up Procedures**

### **Authorized Clean-Up Personnel**

Authorized employees will be trained annually on the hazards of bloodborne pathogens and clean-up procedures. These employees will clean-up bloodborne pathogen incidents using proper PPE and procedures.

### **Cleaning**

Worksites shall be properly cleaned in the event of a contamination. Equipment, materials, and working surfaces shall be cleaned and decontaminated thoroughly following universal precaution methods.

Designated employees will decontaminate all work areas with an approved disinfectant solution or a solution of 1:10 bleach to water and decontaminate the area by spraying the area completely and then wiping clean with a paper towel, wiping in an inward motion to avoid further spreading of potential contamination. Cleaning may be done with approved cleaning towelettes if the spill is minor. All cleaning materials shall be disposed of following proper disposal methods, placing debris into a red biohazard bag and then placing the bag into a secondary container.

### **Self Clean-up**

Employees who are the source of bloodborne pathogens may do a self-clean-up, if able, as there is no risk exposure to their own bodily fluids. Clean up procedures are as follows:

- 1) Cover the spill with the paper towels,
- 2) Pick up solidified matter and place in biohazard bag,
- 3) Do initial wipe up with water soaked paper towels,
- 4) Clean area with towelettes (pre-packaged with disinfectant solution), wiping the soiled area carefully,
- 5) Dry area with paper towels,
- 6) Place all contaminated clean-up materials (wipes, paper toweling etc.) in a red biohazard bag,
- 7) Collect filled biohazard bag, close it, and place it in a specially marked biohazard secondary storage container and advise a supervisor for proper disposal procedures,
- 8) Advise a supervisor that the BBP kit needs to be refilled with products.

### **Hand Sanitation**

Hand cleansing facilities for employees will be provided in facilities to sanitize any exposed skin, after PPE is removed. If an incident occurs where no plumbing is available, appropriate

antiseptic hand cleaners will be provided. It is recommended that hand-washing with soap and water be done as soon as possible, in addition to antiseptic hand cleaners, as a preventive measure.

### **Eye Washing**

If mucous membrane exposure has occurred, membranes must be flushed immediately (or as soon as possible) with water following contact.

### **Laundering**

Contaminated laundry/clothing that is saturated, dripping or flaking shall be handled as little as possible and PPE gloves must be worn to avoid contamination. Any contaminated clothing shall be removed as soon as feasible and disposed of in a biohazard bag immediately and then placed into a secondary container. Immediately clean the skin using proper procedures. If contaminated clothing is to be saved, advise a supervisor, and contact Sturgeon Bay Fire Department for further instructions as soon as possible to be decontaminated and cleaned and returned to the employee. Contaminated items should not be taken home for laundering or be placed in the general garbage.

Employees shall file an incident report listing item(s) that have been contaminated and whether the item(s) have been damaged and need to be replaced or cleaned.

### **Garbage Cans**

All bins, pails, cans and similar receptacles for reuse which have a reasonable likelihood for becoming contaminated with bloodborne pathogens will be inspected and sanitized immediately or as soon as feasible upon visible contamination.

### **Puncture Resistant Container (sharps container)**

Puncture resistant containers hold any sharp object that has the potential to expose employee to blood borne pathogens and shall be sealable, puncture resistant and shall be clearly marked.

### **Broken Glass**

Contaminated broken glassware or other sharp objects shall be picked up using mechanical means such as a broom/brush and dust pan.

### **Vehicles**

In the event of blood, bodily fluids and/or other potential infectious material (OPIM) in a City vehicle, authorized employees or the source individual will remove all items deemed to have been contaminated and place them in a secondary container to minimize the potential contamination of the driver's compartment. If the driver's compartment becomes contaminated, a designated employee shall clean-up the area using proper cleaning procedures (if the source individual cannot perform self-clean up procedures). If there is a bloodborne pathogen incident exposure (see exposure incident identification definition on page 14) it must be documented and reported to immediate supervisor using the Exposure Incident Form.

It is recommended that vehicles driven by employees at risk of exposure be supplied with Bloodborne Pathogen kits (similar to first aid kits) for immediate access to cleaning supplies. It

is also recommended that each kit have a Self Clean-Up procedure sheet to ensure proper steps are followed.

### **Regulated Waste**

Regulated waste that is **not** dripping, pourable, and/or flaking and in small quantities on paper towel or other disposable cleaning paper products, shall be placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded and closed prior to removal to prevent spillage or protrusion of contents during handling and place in the garbage.

Regulated waste that **is** dripping, pourable, and/or flaking shall be placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded and closed prior to removal to prevent spillage or protrusion of contents during handling and taken to the Fire Department for proper disposal.

## **Medical Requirements**

Hepatitis B vaccinations (HBV) will be available to all employees with potential occupational exposure, incident evaluation, post exposure, and medical follow up for any employee with an occupational exposure incident.

Should an employee experience an exposure, notify a supervisor immediately. Incident reports shall be completed and the employee will be provided medical care in accordance with the City's worker's compensation carrier.

Upon a reported exposure, a medical professional will conduct a confidential medical evaluation and testing immediately.

Post exposure medical evaluation may include;

- Laboratory testing under the supervision of a licensed physician examining the employees blood samples,
- Documentation of the exposure route and the circumstances of the exposure,
- Permission for the source individual to be tested to determine the presence of HIV and/or HBV infection,
- Test results will be made available to the exposed employee and the employee will be informed of applicable laws and regulations concerning disclosure of the identity and infectious nature of the source individual,
- Follow up procedures will include antibody or antigen testing, counseling, illness reporting, and safe and effective post exposure treatment to meet standard medical practices.

The Plan Administrator will provide a copy of this Exposure Control Plan to the evaluating physician. In addition, upon request, the employer shall provide a job description of the affected employee's occupational duties as they relate to occupational exposure.

All post-exposure records shall comply with OSHA 1910.1030(f) (5).

## **Hepatitis B Vaccination**

For all affected employees, the City shall provide, at no cost to employee, specific training addressing the safety, benefits, effectiveness, methods of administration, and availability of the Hepatitis B vaccine. Hepatitis B vaccines shall be administered by a qualified medical professional. All affected employees shall complete a *Hepatitis B Vaccination form*.

If an employee chooses to decline the offered vaccine, they shall be advised of the risks of acquiring Hepatitis B and can choose to be vaccinated at a later date.

## **Medical Records**

Medical records are maintained for each employee with an occupational exposure in accordance with OSHA 1910.1030 (h) (1). These records shall be maintained for the **duration of employment plus 30 years**.

An accurate record will be kept for each affected employee regarding their Hepatitis B status.

Records regarding HBV vaccinations or declinations will be maintained in the employee's medical records. The records shall be maintained in a confidential file and remain separate from all other personnel files.

## **Training and Communication**

The Plan Administrator will ensure that all employees participate in BBP training upon hire for affected employees, as needed thereafter, or when procedural changes take place.

The Regional Safety Coordinator is responsible for conducting training and maintaining all training records to meet regulatory compliance.

The training plan will contain at least the following for each affected employee:

- 1) The location of a copy of this ECP is available to employees,
- 2) The appropriate methods for recognizing tasks and activities that may involve exposure to blood, bodily fluids or OPIM,
- 3) A general explanation of the exposure control methods, engineering and work controls, and practice controls of bloodborne diseases,
- 4) An explanation of the basis for PPE selection types and the proper use, location, removal, handling, decontamination, and/or disposal methods,
- 5) An explanation of hazard labels and color coding for contaminated waste materials,
- 6) Information on the Hepatitis B vaccine, including its efficacy, safety, and the benefits of being vaccinated,
- 7) Procedures to follow if an exposure occur, including; supervisor reporting methods, medical evaluations, and medical follow up.

## **Training Records**

Training records are completed for each employee upon completion of training. These documents will be kept for at least **(3) three years**.

The training records include:

- The dates of the training sessions; and
- The contents or a summary of the training sessions; and
- The name of the trainer; and
- The names, job titles, and signatures of all persons attending the training sessions; and
- The completed tests of all persons attending the training sessions, when applicable.

## **Exposure Incident Identification/Investigation**

An exposure incident is defined as contact with blood, bodily fluids and/or OPIM on an employee's non-intact skin, eye, mouth, other mucous membrane or by piercing the skin or mucous membrane through such events as needle sticks.

## **Post-exposure Evaluation and Follow-up**

Following a report of an exposure incident, the employer shall make immediately available to the exposed employee a confidential medical evaluation and follow-up, including at least the following elements:

- 1) Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred;
- 2) Identification and documentation of the source individual, unless the employer can establish that identification is infeasible or prohibited by state or local law;
- 3) The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the employer shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the results documented.
- 4) When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
- 5) Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
- 6) Collection and testing of blood for HBV and HIV serological status;
- 7) The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained.

8) If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the sample shall be preserved for at least 90 days. If, within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.

9) Post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service;

10) Counseling; and

11) Evaluation of reported illnesses.

If an employee experiences an exposure incident, the employer shall comply with OSHA 1910.1030 (f) (4) *Information Provided to the Healthcare Professional*.

All exposure incidents will be reviewed and investigated by the Plan Administrator (or his/her designee) and the Regional Safety Coordinator to determine the root cause. Corrective actions will be developed in an attempt to prevent future incident. All investigation and medical records shall be kept confidential.

## **Plan Evaluation and Review**

The Plan Administrator in conjunction with the Regional Safety Coordinator shall review the Exposure Control Plan annually to determine its effectiveness and provide input for potential revisions.



\_\_\_\_\_

**HEPATITIS B VACCINE EMPLOYEE RECORD**

\_\_\_\_\_

Employee Name (Please Print): \_\_\_\_\_

Employee Job Title: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

**HEPATITIS B VACCINE  
DECLINATION**

*I understand that due to my potential occupational exposure to blood or other potentially infectious materials I may be exposed hepatitis B virus (HBV) infection. I have been properly trained to recognize potential risks associated with my job duties and understand that I shall use the appropriate personal protective equipment. Because of my potential exposure risks, I have been given the opportunity to be vaccinated with hepatitis B vaccine at no charge to myself.*

*I understand the risks associated with the hepatitis B virus (HBV) however, I decline hepatitis B vaccination at this time.*

*I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B which is a serious disease. If I continue to have occupational exposure to blood or other potentially infectious materials and I want to receive the hepatitis B virus (HBV) vaccination, I understand that I can receive the vaccination series at no charge to myself.*

Employee Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

\*\*\*\*\*

**HEPATITIS B VACCINATION  
EMPLOYEE RECORD**

The following vaccination records have been confirmed;

\_\_\_\_ Recombivax-HB Vaccine                      or                      \_\_\_ Enerix-B Vaccine

- Inoculation 1    Date: \_\_\_\_\_
- Inoculation 2    Date: \_\_\_\_\_
- Inoculation 3    Date: \_\_\_\_\_
- Titer Test        Date: \_\_\_\_\_

- Given at: \_\_\_\_\_
- Given at: \_\_\_\_\_
- Given at: \_\_\_\_\_
- Given at: \_\_\_\_\_

## EXPOSURE/BBP INCIDENT FORM

*In the event of an exposure incident complete this CONFIDENTIAL form. All of the information provided is intended to assist with emergency care for this event and to evaluate the control methods used and also to prevent other potential employee exposures.*

Employee Name \_\_\_\_\_ Title \_\_\_\_\_ Dept \_\_\_\_\_

Incident Date \_\_\_\_\_ Time \_\_\_\_\_

Location of Incident \_\_\_\_\_

Specific Description of the Incident and Circumstances out of which Exposure Occurred:

---

---

---

*Incident:*

- Cut
- Exposure
- Body Fluids
- Infectious Material
- Other \_\_\_\_\_

*Injury type:*

- Abrasion
- Laceration
- Puncture
- Mucous Membrane
- Other \_\_\_\_\_

*Body Part Injured:*

- Finger
- Hand
- Arm
- Eye
- Other \_\_\_\_\_

*PPE/personal protective equipment used:*

- Gloves
- Goggles
- Gown
- Face Mask/shield
- Other \_\_\_\_\_

Identity of Source Individual if Known: \_\_\_\_\_

Medical Treatment Facility \_\_\_\_\_

Corrective Actions to Prevent Reoccurrence?

---

---

---

Employee Signature \_\_\_\_\_

Report Prepared By \_\_\_\_\_

## EMPLOYEE EXPOSURE/BBP MEDICAL REPORT

To be completed by exposed employee prior to a health care evaluation.

### INITIAL APPLICABLE SECTIONS:

- \_\_\_\_\_ I believe that I was exposure to blood, bodily fluids and/or OPIM. I wish to request the source individual be tested for the presence of HIV or Hepatitis B.
- \_\_\_\_\_ I understand that the information linking the source individual's identity and blood test results is protected as confidential under state law and that I may not disclose the identity of the source individual to any other person except for the purpose of having this test performed.
- \_\_\_\_\_ I understand that I may have a blood sample taken on myself at this time. The sample can be tested for HIV at this time or it can be held by the lab as determined by a medical professional.

Employee Name (PRINT): \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# **BBP FOLLOW UP PROCEDURE CHECKLIST**

## **PHASE I: EXPOSURE REPORTING**

Employee reports exposure incident to their Supervisor.

- The employee will be requested to complete the Exposure/BBP Incident Report and the Employee Exposure Medical Report.
- The employee will be directed to a Health Care Professional and the following must be provided to the Health Care Professional:
  - Copy of Exposure Control Plan/BBP written program;
  - Copy of the employee's standard job description;
  - Injury/Incident Report;
  - Employee Exposure Medical Follow-up Report;
  - Employee's Hepatitis B vaccination status.

## **PHASE II: THE HEALTH CARE PROFESSIONAL WILL PERFORM THE FOLLOWING**

- Evaluate exposure incident;
- Arrange for testing of exposed employee and source (if known and consent obtained) to determine HIV, HCV, and HBV infectivity;
- Subsequent testing, if needed;
- Notify exposed employee of testing results. Provide the employee with the source individual's test results, if laws permit;
- Counseling, if needed;
- Post-exposure prophylaxis (prevention measure), if medically indicated;
- Provide (health care professional's) written opinion to the employer including documentation that the exposed employee was informed of evaluation results and either the need or no need for further medical follow.

## **PHASE III: THE PLAN ADMINISTRATOR WILL ENSURE THE FOLLOWING:**

- The Health Care Professional provides written opinion to the exposed employee within 15 days of the completed evaluation. *Refer to OSHA Standard 102.13 (2) (a).*

**Laminate this and insert into BBP Kits**

### **SELF CLEAN-UP PROCEDURES:**

- 1) Cover the spill with the paper towels,
- 2) Pick up solidified matter and place in biohazard bag,
- 3) Do initial wipe up with water soaked paper towels,
- 4) Clean area with towelettes (pre-packaged with disinfectant solution), wiping the soiled area carefully,
- 5) Dry area with paper towels,
- 6) Place all contaminated clean-up materials (wipes, paper toweling etc.) in a red biohazard bag,
- 7) Collect filled biohazard bag, close it, and place it in a specially marked biohazard secondary storage container and advise a supervisor for proper disposal procedures,
- 8) Advise a supervisor that the BBP kit needs to be refilled with products.

# TRAINING ATTENDANCE ROSTER

**INSTRUCTOR:**

**COMMUNITY:**

**DATE:**

**TRAINING SUBJECT:**

**TRAINING SUMMARY:** See Attached

The employees listed have satisfactorily participated and completed training per regulation company requirements.

---

	PRINT FULL NAME	DEPARTMENT	JOB TITLE	EMPLOYEE SIGNATURE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				

## ORDINANCE NO. \_\_\_\_\_

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: Section 1.167 of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby created as follows:

**1.167 Bicycle and pedestrian advisory board.**

- (1) *Created.* The bicycle and pedestrian advisory board of the City of Sturgeon Bay is hereby created.
- (2) *Purpose.* The purposes and tasks of the bicycle and pedestrian advisory board are to provide a group of interested and qualified citizens to assist in implementing the various bicycling and pedestrian related plans, goals, and policies of the city; to assist in the necessary future planning and budgeting for bicycle and pedestrian facilities; and to promote bicycling and walking as modes of travel and recreation.
- (3) *Membership; officers.* Members of the bicycle and pedestrian advisory board will be appointed by the mayor, subject to confirmation by the common council. The board will consist of 7 members as follows:
  - (a) One member from the parking & traffic committee. This member shall serve a one year term and may be reappointed.
  - (b) One member who shall be the community development director, park & recreation superintendent or city engineer. This member shall serve a one year term and may be reappointed.
  - (c) Five members who shall be citizens. Citizens members shall be drawn from the following constituencies, if available:
    1. Public health officials.
    2. School district representatives.
    3. Representatives of local bicycling or pedestrian related organizations.
    4. Owners or employees of bicycle related businesses.

The citizen members shall serve a term of three years except that of the initial members so appointed, one member shall serve a term of one year and two members shall serve a term of two years. Thereafter, the term for each citizen member shall be three years. Members may be reappointed.

- (d) *Officers.* The member appointed from the parking & traffic committee shall serve as the chairperson. The board shall elect a vice-chairperson.

(4) *Duties.* The bicycle and pedestrian advisory board shall act in an advisory capacity. The board shall make recommendations to the parking & traffic committee. It may also make recommendations to the parks and recreation committee and plan commission as necessary. The board shall have the following duties:

- (a) Review existing plans related to biking and pedestrian modes of transportation and recreation and prioritize implementation measures. Advise and assist the city regarding the details of plans, goals, policies, and activities relating to such plans.
- (b) Develop funding ideas for implementation of improvements.
- (c) Advise the parking & traffic committee, the park and recreation board, and city staff regarding matters concerning bicycling and pedestrian facilities.
- (d) Pursue grants and other related bicycle and pedestrian facility enhancement funding.
- (e) Develop and/or provide educational materials including safety, promotion of the benefits of biking/walking, and marketing.
- (f) Review requirements for gaining recognition for the city's efforts in providing bicycle and pedestrian transportation and recreation facilities (e.g. Bicycle Friendly Community, etc.) and recommend steps for the city to qualify for such recognition or status, if appropriate.
- (g) Other tasks as needed or delegated to it by the parking & traffic committee or common council as related to the board's stated purpose in subsection (2).

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

---

Thad Birmingham  
Mayor

Attest:

---

Stephanie L. Reinhardt  
City Clerk

## EXECUTIVE SUMMARY

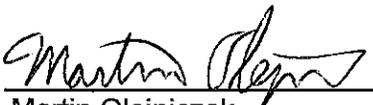
**Title:** Ordinance to Create Bicycle & Pedestrian Advisory Board

**Background:** The Council recently approved the creation of the Bicycle and Pedestrian Advisory Board. To formally create the board, an ordinance amendment in Chapter 1 (general government) of the municipal code is necessary. The proposed ordinance adds section 1.167 to the code and contains the parameters that were approved by the Council, including purpose, membership, and duties of the new board. The format is patterned after other sections of the code for existing boards and commissions, such as the local arts board.

**Fiscal Impact:** Like most other boards, the members would not receive financial compensation. Thus, the fiscal impact will be negligible.

**Options for Council Action:** The Council can approve, modify, or reject the proposed ordinance. If approved, the Mayor can then appoint the members. If rejected, no further action would be needed and the board would not be formally created. Bike and pedestrian issues would be addressed on an ad hoc basis.

**Recommendation:** Approve the ordinance.

Prepared by:  10-13-11  
Martin Olejniczak Date  
Community Development Director

Reviewed by:  10-13-11  
Steve McNeil Date  
City Administrator

## RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Community Protection and Services Committee, hereby recommend to create Section 10.12 of the City of Sturgeon Bay municipal code to read as follows and suspend the rules to pass the first and second reading at the October 18, 2011 Common Council meeting:

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: Section 10.12 of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby created to read as follows:

**10.12 Firearms in Public Buildings**

- (1) Pursuant to Wis. Stats. §943.13(1m)(c)4., no person shall enter or remain in any part of a building owned, occupied or controlled by the State or local governmental unit if the State or local governmental unit has notified the person not to enter or remain in the building while carrying a firearm or a specific type of firearm .
- (2) Signs meeting the requirements of §943.13(2)(bm)1 shall be erected at all entrances to all buildings owned, occupied or under the control of the City of Sturgeon Bay providing notice that no person is to enter or remain in any such building while carrying a firearm.
- (3) Nothing in this subsection shall be construed to apply to prohibit a peace officer or military personnel armed in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building. Notwithstanding Wis. Stats. §939.22(22), for purposes of this paragraph, peace officer does not include a commission warden who is not a State certified commission warden.
- (4) Nothing in this subsection shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. §941.23 or 941.235.

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

---

Thad Birmingham

Attest:

---

Stephanie L. Reinhardt, City Clerk

Respectfully submitted,  
COMMUNITY PROTECTION AND SERVICES COMMITTEE  
By: John Lodi, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: October 13, 2011.

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN  
AS FOLLOWS:

SECTION 1: Section 10.12 of the Municipal Code of the City of Sturgeon Bay, Wisconsin is hereby created to read as follows:

**10.12 Firearms in Public Buildings**

- (1) Pursuant to Wis. Stats. §943.13(1m)(c)4., no person shall enter or remain in any part of a building owned, occupied or controlled by the State or local governmental unit if the State or local governmental unit has notified the person not to enter or remain in the building while carrying a firearm or a specific type of firearm .
- (2) Signs meeting the requirements of §943.13(2)(bm)1 shall be erected at all entrances to all buildings owned, occupied or under the control of the City of Sturgeon Bay providing notice that no person is to enter or remain in any such building while carrying a firearm.
- (3) Nothing in this subsection shall be construed to apply to prohibit a peace officer or military personnel armed in the line of duty or any person duly authorized by the Chief of Police to possess a firearm in any public building. Notwithstanding Wis. Stats. §939.22(22), for purposes of this paragraph, peace officer does not include a commission warden who is not a State certified commission warden.
- (4) Nothing in this subsection shall be construed to authorize the carrying of any firearm or dangerous weapon contrary to Wis. Stats. §941.23 or 941.235.

SECTION 2: This ordinance shall take effect on the day after its publication.

Approved:

\_\_\_\_\_  
Thad Birmingham

Attest:

\_\_\_\_\_  
Stephanie L. Reinhardt, City Clerk

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Zoning Board of Appeals, hereby recommend amending the public hearing notice requirements for variances in the zoning code and the ZBA Rules of Procedures to be as follows:

A. Notice of Hearing. Notice of the time, date and place of the hearing of an appeal or application shall be given in the following manner:

(1) To the appellant or applicant in writing by first class mail or by personal service and to the Zoning Administrator or officer appealed from, not less than 10 days prior to the date of the hearing.

(2) Except as otherwise required under the Municipal Code or State Statutes, in every case involving a variance, the City shall mail a copy of the hearing notice to the fee owners of record, as follows:

(a) Front yard variances - To the all abutting property owners on each side of the applicant's property on the same side of the street and to the property owners directly across the street.

(b) Side yard variances - To the all abutting property owners abutting the side yard on which the variance is requested.

(c) Rear yard variances - To the all abutting property owners of any portion of the required rear yard area of the applicant's lot.

(d) All other variances (lot size, lot width, etc.) - To all abutting property owners within 300' of the applicant's property including property owners on the opposite side of the street if within 300'.

Respectfully submitted:  
Zoning Board of Appeals  
By: James Goodwin, Acting Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Date: September 26, 2011

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

## EXECUTIVE SUMMARY

**Title:** Notice Requirements for Zoning Variance Public Hearings

**Background:** Under state statutes, publishing a hearing notice in the newspaper is the only public notice that is required for hearings involving the zoning code. Sturgeon Bay, similar to many other communities, goes beyond that by requiring the posting of a public hearing notification sign on the subject property and by mailing copies of the hearing notice to nearby property owners. These notice requirements are contained in the zoning code and also in the Zoning Board of Appeals Rules of Procedure.

Currently, the rules of procedure notice requirements do not match the notice requirements in the zoning code. The discrepancy is for front, side, and rear yard variances. The Rules of Procedure require that only the abutting property owner(s) receive formal notice of the public hearing. The zoning code requires notice to all property owners within 300 feet for all variances, including yard variances. Whenever there is an inconsistency between the zoning code and rules of procedure, the zoning code controls, so currently all owners within 300 feet are receiving a copy of the public hearing notice for such variances.

The Zoning Board of Appeals wants consistency between the rules of procedure and the zoning code. They reviewed three alternatives: 1) keep the current rules of procedure and amend the zoning code to match, 2) amend the rules of procedure to match the current zoning code, and 3) require more notification than the current rules of procedure, but less than the current zoning code. The Board recommended the third option, which involves amending both the rules of procedure and amending the zoning code.

The Board reasoned that for yard variances the potential impact is to the abutting property owners. They felt that all abutting owners should receive notice, not just those abutting the property line from which the yard variance is requested. In addition, the Board felt that property owners across the street should receive notice of front yard variances, not just those on the same side of the street. However, the Board agreed that notifying all owners within 300 feet was not necessary. Rarely do owners, other than abutters, testify at the hearing. They felt that the other owners would still become aware of the hearing by the public hearing notification sign that is posted on the subject property.

It is noted that the only types of variances that would be impacted by the ZBA's proposal are the front, side, and rear yard variances. All other variances would still follow the 300-foot rule.

**Fiscal Impact:** A comparison of the number of notice mailings under the current and proposed rules for the last several variances is attached. Based upon the fewer mailings under the proposal, the City would save about \$11.79 in postage for each variance. Annual postage saving is estimated at about \$50.00. There also would be a savings in the amount of staff time to compile the notification list and prepare the mailings.

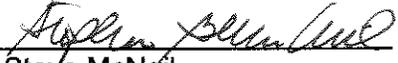
**Options for Council Action:** The Council can approve the recommendation and make the change to the Rules of Procedure. It also would need to refer the zoning code change to the Plan Commission in order to start the process for formally amending the zoning code.

The Council can reject recommendation. No further action is needed.

The Council can come up with its own alternative for public hearing notification and make the necessary changes to the rules of procedure and/or zoning code.

**Recommendation:** Approve the recommendation and refer the proposed zoning code amendment to the Plan Commission for review and recommendation.

Prepared by:  10-13-11  
Martin Olejniczak Date  
Community Development Director

Reviewed by:  10-13-11  
Steve McNeil Date  
City Administrator

**ZBA PUBLIC HEARING NOTICES  
NUMBER OF MAILINGS**

This chart shows the number of mailings to surrounding property owners for the last five public hearings for variances from the required street yard, side yard, or rear yard. This list is believed to be representative.

	<u>Zoning Code - 300 feet</u>	<u>Postage Cost</u>	<u>Current Rules of Procedure</u>	<u>Postage Cost</u>	<u>Proposal by ZBA</u>	<u>Postage Cost</u>
24 S. Baraboo	19	\$8.36	2	\$0.88	2	\$0.88
11 N 17th Dr.	24	\$10.56	3	\$1.32	3	\$1.32
458 N 5th Place	30	\$13.20	1 (corner lot)	\$0.44	5	\$2.20
805 N. 4th Ave.	46	\$20.24	1	\$0.44	3	\$1.32
821 Ebbtide Pl.	30	\$13.20	1	\$0.44	3	\$1.32
<b>Average</b>	<b>30</b>	<b>\$13.20</b>	<b>2</b>	<b>\$0.88</b>	<b>3</b>	<b>\$1.41</b>

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend approval of the Final Planned Unit Development for a community based residential facility (CBRF) known as The Sanctuary at Deer Run Village, subject to the attached PUD requirements and conditions.

Respectfully submitted:  
CITY PLAN COMMISSION  
By: Dan Wiegand, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Date: October 6, 2011

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ORDINANCE NO. \_\_\_\_\_

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: The following described property is hereby rezoned from Two-Family Residential (R-3) to Planned Unit Development (PUD) and shall be subject to the site plan and requirements incorporated herein:

Lot 1 and Outlot 1 of Certified Survey Map 2576, recorded in Volume 15, Page 242.

SECTION 2: The following requirements and conditions are placed upon the property described within the legal description.

**A. Underlying zoning:** The underlying zoning district shall be R-3 Single-Family Residential. The zoning requirements of the underlying district shall apply, except as otherwise indicated under the PUD requirements shown below or in the approved final PUD site plan.

**B. Permitted uses:**

- 1. The community based residential facility (CBRF) depicted on the final PUD plan is permitted.
- 2. Storage buildings, provided the storage buildings shall be accessory to residential buildings within Deer Run Village PUD and not used for commercial storage for the general public. Construction of the storage buildings shall not commence until the Deer Run apartment building approved under PUD ordinance #1250-0310 is commenced.
- 3. Other permitted and conditional uses shall conform to the underlying zoning district.

**C. Height and area requirements:** The requirements of the underlying R-3 district shall apply except as follows:

- 1. Impervious Surface: The impervious surfaces on the lot shall not exceed 70% of the lot area.

**D. Parking:** The parking area shall be consistent with the final PUD site plan. Any additional parking, if needed in the future, shall comply with the design requirements of the zoning code.

**E. Miscellaneous:**

- 1. Future Street. The access drive to Clay Banks Road shall be designed to be a future public street. It shall remain under private ownership, but shall be dedicated to the City upon written request from the City. It shall be constructed to the west line of the property.
- 2. On-site detention areas may be removed at the discretion of the city engineer if off-site drainage or detention facilities are constructed that can accept and manage the stormwater.
- 3. The driveway from Clay Banks Road serving the storage buildings shall be eliminated, at the request of the city, at the time that alternative access to the storage buildings is provided in a future phase of the Deer Run development.
- 4. The water main serving this building shall be extended to connect with the existing

water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.

5. A development agreement shall be entered into between the property owner and City regarding future street improvements

SECTION 3: This ordinance shall take effect on the day after its publication.

Approved:

---

Thad Birmingham  
Mayor

Attest:

---

Stephanie Reinhardt  
City Clerk



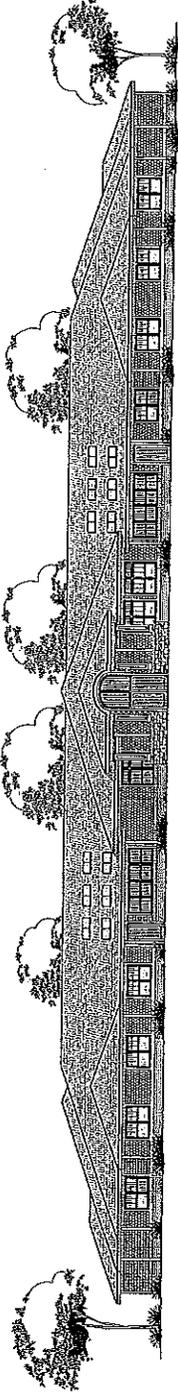


REVISIONS

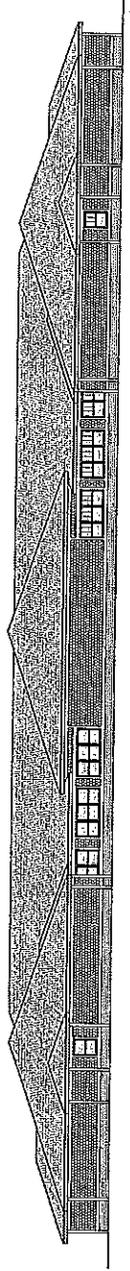
DEER RUN - BUILDING 2

ISAKSEN Architects  
ISAKSEN ARCHITECTS, L.L.C.  
115 SOUTH MADISON AVENUE  
STURGEON BAY, WISCONSIN 54235  
PHONE: 920-743-9759 FAX: 920-743-9762  
EMAIL: OFFICE@ISAKSENARCHITECTS.COM

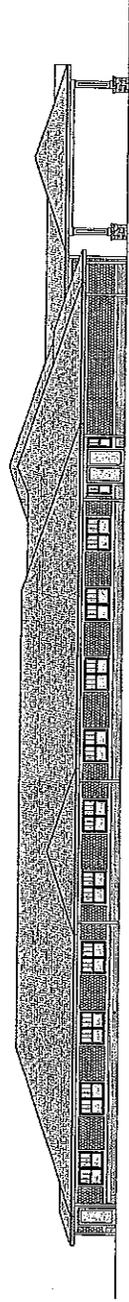
CLAY PARKS, RP, AND GIVISON RP  
STURGEON BAY, WISCONSIN 54235  
OWNER: ENTER VENTUS, LLC



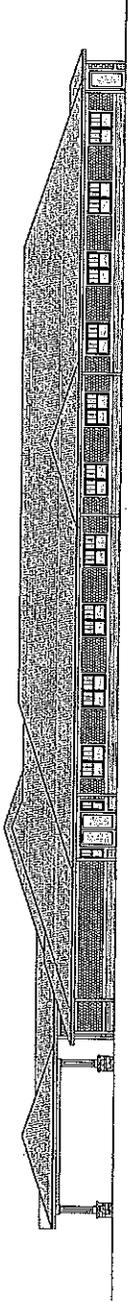
SOUTH ELEVATION  
SCALE 1/8"=1'-0"



NORTH ELEVATION  
SCALE 1/8"=1'-0"

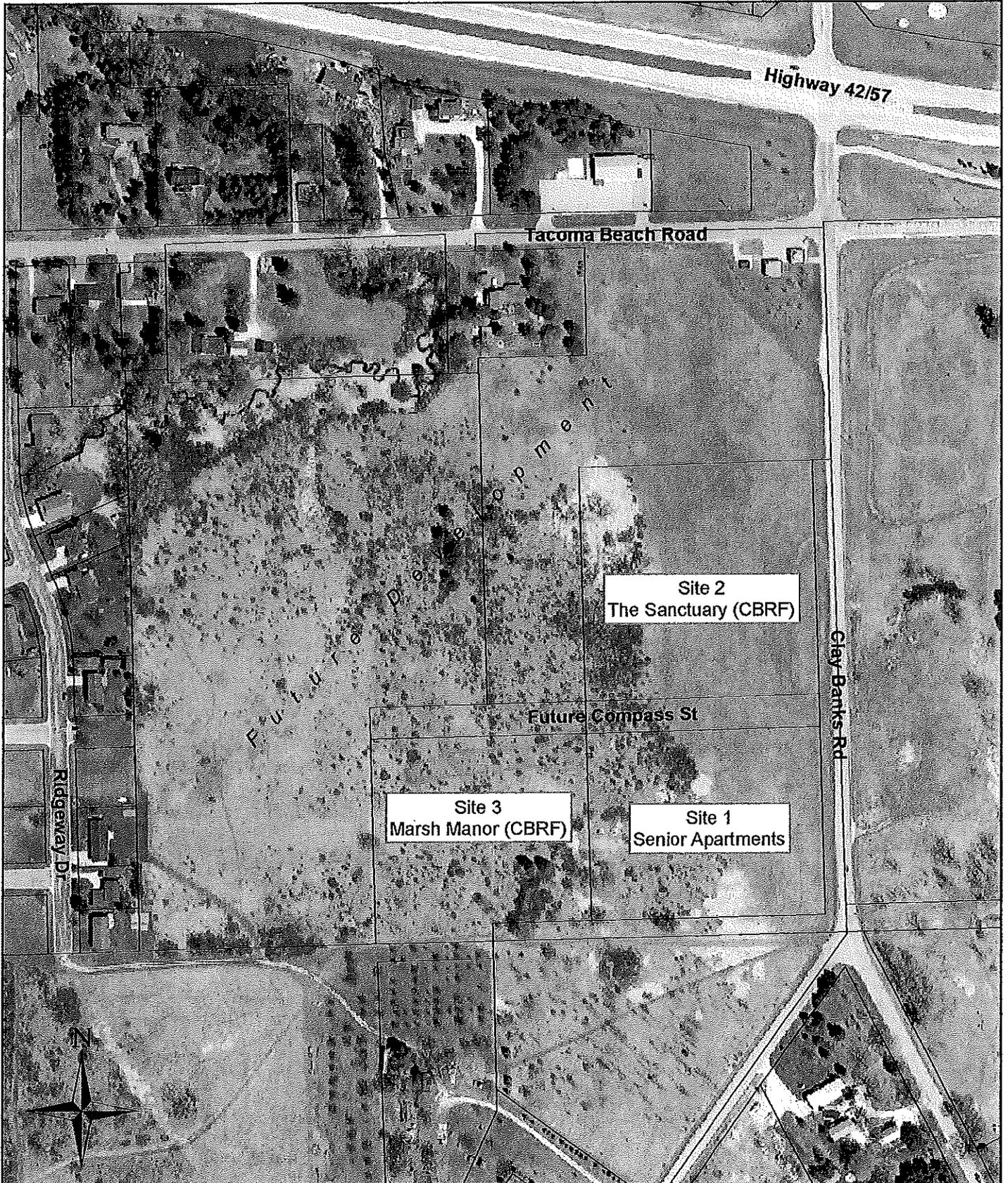


WEST ELEVATION  
SCALE 1/8"=1'-0"

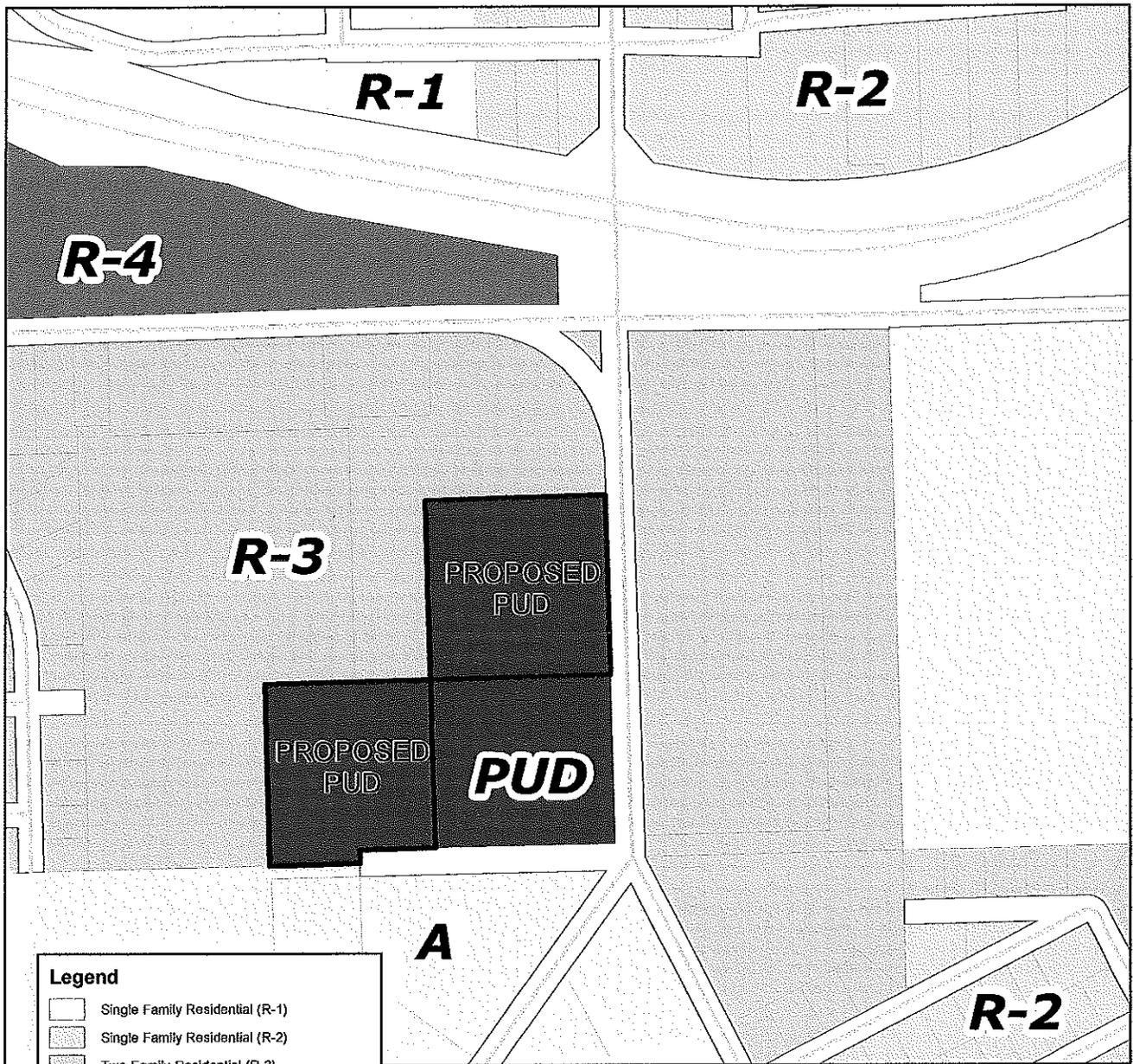


EAST ELEVATION  
SCALE 1/8"=1'-0"

# Location Map - Deer Run Village PUD



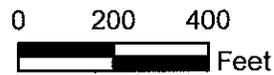
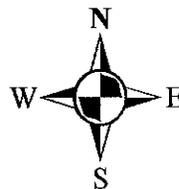
Note: Air photo is from May 2009.



**Legend**

- Single Family Residential (R-1)
- Single Family Residential (R-2)
- Two-Family Residential (R-3)
- Multiple-Family Residential (R-4)
- Manufactured Home Court Residential (R-M)
- General Commercial (C-1)
- Central Business District (C-2)
- Commercial / Light Manufacturing (C-3)
- Office / Business District (C-4)
- Mixed Residential-Commercial (C-5)
- Light Industrial (I-1)
- Light Industrial (Industrial Park) (I-1A)
- Heavy Industrial (I-2)
- Heavy Industrial (Industrial Park) (I-2A)
- Agricultural (A)
- Conservancy (CON)
- Planned Unit Development (PUD)

October 13, 2011



## Executive Summary

### Final PUD – Deer Run Phase 2 – The Sanctuary at Deer Run Village (CBRF)

**Petition:** The final planned unit development (PUD) is for The Sanctuary at Deer Run Village (Bruce Tully, agent), which is part of the Deer Run senior housing development. This phase of the project involves a 36-unit community-based residential facility (CBRF) for specialized memory care, along with storage buildings for the residents of Deer Run. The proposed development is situated on a 4.36-acre parcel of land to the north of the Phase 1 apartment building. The subject site is located on the west side of Clay Banks Road (County Highway U) on land being purchased from Roen Salvage Company.

The preliminary PUD for this project was approved last year. The final PUD requires approval of the Council after recommendation from the Plan Commission. If the final PUD is approved, the PUD zoning ordinance requires 1st and 2nd readings before the Council.

**Comprehensive Plan:** The Future Land Use Map of the Sturgeon Bay Comprehensive Plan identifies this subject area for residential use. Other plan recommendations pertaining to this site include the need for a future park somewhere in the general region. Clay Banks Road is planned to be a collector street and is identified as a future bike route. The assisted living facility is a special type of residential use that is not discussed in the Comprehensive Plan. Since CBRF's are allowed in all residential zoning districts under state law (depending upon size) and are typically scattered throughout most communities, the proposal is not in conflict with the Comprehensive Plan.

**PUD Zoning Issues:** The following is a summary of the final PUD issues.

Underlying Zoning. The PUD would retain the R-3 district as the underlying zoning district. The R-3 district allows the CBRF as a conditional use. The proposed building and parking area meet all of the setbacks and other criteria of the R-3 district. The PUD is being used because this project is functionally tied to the overall Deer Run PUD via shared access, utilities, building design and layout, and landscaping; and it is part of the overall development of the 35-acre Deer Run project. In addition, the PUD is needed because the storage units are proposed to be used by all residents of Deer Run, including the residents of Building #1 (apartments). Since these accessory buildings are not on the same parcel, the PUD is necessary.

The storage units are intended to serve the needs of residents of Building #1 of Deer Run and future phases of Deer Run. Since Building #1 has not commenced construction yet, there is a possibility that the Sanctuary at Deer Run Village would be constructed first. In that instance, it would be inappropriate and unnecessary that the storage units be constructed. A restriction should be included in the PUD ordinance that the storage units cannot be constructed until the apartment building is under construction.

Residential Density. The overall density is 8.27 units per acre. There is no specific maximum density for CBRF's. The maximum density for multiple-family dwellings is 12.4 units per acre.

Building Design. The building was designed by Isaksen Architects. The floor plan and building elevations are included in the PUD submittal. The building is a one-story U-shaped building. It is designed in two wings that are mirror images. The roof design and

building materials match the Phase 1 apartment building to tie the overall development together. The building complies with all zoning requirements.

Engineering Plans. Plans for the final PUD were developed by Trapezium Consulting Group. These include grading, stormwater management, utilities, landscaping, and general site layout. The plans conform to the approved preliminary PUD and the zoning requirements. As required by the Plan Commission, the driveway access for the storage units has been separated from the driveway/parking for the CBRF. A portion of the parking area was also removed, which was also required by approved preliminary PUD.

A condition of the approved preliminary PUD required looping of the water main serving Deer Run. The plans to loop the water main still need to be developed and submitted to Sturgeon Bay Utilities for approval prior to commencing construction. SBU operations manager Cliff White has informed the City that the looping is needed when the second Deer Run building is constructed regardless of which specific building that is. Therefore, his suggestion is to amend the conditions of the PUD to apply the looping requirement to the second building rather than to a specific building.

Off-Site Improvements. A proposed development agreement regarding needed traffic and pedestrian improvements for the overall Deer Run development was approved by the Council. Once the agreement is formally signed, this issue will be resolved.

**PUD Zoning Ordinance:** If the final PUD is approved, the PUD zoning ordinance needs to be adopted by the Council. The proposed ordinance containing the PUD parameters was developed by staff to match the approved development.

**Fiscal Impact:** The improved value of the project site is expected to be in excess of \$2 Million. At the current tax rate (City portion only), it would generate over \$12,800.00 in City tax dollars annually. The cost of extending utilities will be borne by the developer.

**Plan Commission Action:** The Plan Commission unanimously recommended approval of the final PUD with the following conditions:

1. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
2. A development agreement shall be entered into between the property owner and City regarding future street improvements.

**Recommendation:** Approval of the final PUD with the Plan Commission's conditions.

Prepared by: Martin Olejniczak  
Martin Olejniczak, Community Devel. Dir.

Oct 12, 2011  
Date

Reviewed by: Tony Depies  
Tony Depies, City Engineer

10-13-11  
Date

Reviewed by: Steve McNeil  
Steve McNeil, City Administrator

10-13-11  
Date

**Planned Unit Development  
The Sanctuary at Deer Run Village**

**PUD Requirements/Conditions**

**A. Underlying zoning:** The underlying zoning district shall be R-3 Single-Family Residential. The zoning requirements of the underlying district shall apply, except as otherwise indicated under the PUD requirements shown below or in the approved final PUD site plan.

**B. Permitted uses:**

1. The community based residential facility (CBRF) depicted on the final PUD plan is permitted.
2. Storage buildings, provided the storage buildings shall be accessory to residential buildings within Deer Run Village PUD and not used for commercial storage for the general public. Construction of the storage buildings shall not commence until the Deer Run apartment building approved under PUD ordinance #1250-0310 is commenced.
3. Other permitted and conditional uses shall conform to the underlying zoning district.

**C. Height and area requirements:** The requirements of the underlying R-3 district shall apply except as follows:

1. Impervious Surface: The impervious surfaces on the lot shall not exceed 70% of the lot area.

**D. Parking:** The parking area shall be consistent with the final PUD site plan. Any additional parking, if needed in the future, shall comply with the design requirements of the zoning code.

**E. Miscellaneous:**

1. Future Street. The access drive to Clay Banks Road shall be designed to be a future public street. It shall remain under private ownership, but shall be dedicated to the City upon written request from the City. It shall be constructed to the west line of the property.
2. On-site detention areas may be removed at the discretion of the City Engineer if off-site drainage or detention facilities are constructed that can accept and manage the stormwater.
3. The driveway from Clay Banks Road serving the storage buildings shall be eliminated, at the request of the city, at the time that alternative access to the storage buildings is provided in a future phase of the Deer Run development.
4. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
5. A development agreement shall be entered into between the property owner and City regarding future street improvements

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the City Plan Commission, hereby recommend approval of the Final Planned Unit Development for a community based residential facility (CBRF), known as Marsh Manor at Deer Run Village, subject to the attached PUD requirements and conditions:

Respectfully submitted:  
CITY PLAN COMMISSION  
By: Dan Wiegand, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Date: October 6, 2011

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ORDINANCE NO. \_\_\_\_\_

THE COMMON COUNCIL OF THE CITY OF STURGEON BAY, WISCONSIN DO ORDAIN AS FOLLOWS:

SECTION 1: The following described property is hereby rezoned from Two-Family Residential (R-3) to Planned Unit Development (PUD) and shall be subject to the site plan and requirements incorporated herein:

Lot 1 of Certified Survey Map 2619, recorded in Volume 15, Page 348.

SECTION 2: The following requirements and conditions are placed upon the property described within the legal description.

**A. Underlying zoning:** The underlying zoning district shall be R-3 Single-Family Residential. The zoning requirements of the underlying district shall apply, except as otherwise indicated under the PUD requirements shown below or in the approved final PUD site plan.

**B. Permitted uses:**

- 1. The community based residential facility (CBRF) depicted on the final PUD plan is permitted.
- 2. Other permitted and conditional uses shall conform to the underlying zoning district.

**C. Height and area requirements:** The requirements of the underlying R-3 district shall apply except as follows:

- 1. Impervious Surface: The impervious surfaces on the lot shall not exceed 70% of the lot area.

**D. Parking:** The parking area shall be consistent with the final PUD site plan. Any additional parking, if needed in the future, shall comply with the design requirements of the zoning code.

**E. Miscellaneous:**

- 1. Future Street. The access drive to Clay Banks Road shall be designed to be a future public street. It shall remain under private ownership, but shall be dedicated to the City upon written request from the City. It shall be constructed to the west line of the property.
- 2. On-site detention areas may be removed at the discretion of the city engineer if off-site drainage or detention facilities are constructed that can accept and manage the stormwater.
- 3. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
- 4. A development agreement shall be entered into between the property owner and City regarding future street improvements.

SECTION 3: This ordinance shall take effect on the day after its publication.

Approved:

---

Thad Birmingham  
Mayor

Attest:

---

Stephanie Reinhardt  
City Clerk

 THE TRAZIUM CONSULTING GROUP, LLC ENVIRONMENTAL ENGINEERING CIVIL DESIGN	<b>SITE PLAN</b> MARSH MANOR AT DEER RUN VILLAGE STURGEON BAY, WISCONSIN	 WISCONSIN PROFESSIONAL ENGINEER MICHAEL A. BRADY LICENSE NO. 10000	SHEET NO. <b>2</b> OF <b>9</b>
--	--	--	--------------------------------



CALL	SYM	SITE PLAN NOTES
⊕	⊕	DUMPSTER LOCATION
⊕	⊕	LAND AND WALKING SPACES WITH PROPOSED PLANNING SECTION 2024 OF DEZ/MS 4171-2023

**ASSISTED LIVING PROJECT INFORMATION**

**PROPOSED USE:** ASSISTED LIVING FACILITY

**ZONING DISTRICT:** R-3 (EXISTING)  
 PLANNED UNIT DEVELOPMENT (PROPOSED)

**GROSS SITE AREA:** 3.64 ACRES  
**NET SITE AREA:** 3.39 ACRES  
**PROJECT DENSITY (GROSS):** 10.0 UNITS/ACRE  
**PROJECT DENSITY (NET):** 6.78 UNITS/ACRE

**UNIT COUNT:** 23 UNITS

**BUILDING COVERAGE:** 25,500 SF  
 • TOTAL 26,800 SF (11.27% NET SITE COVERAGE)

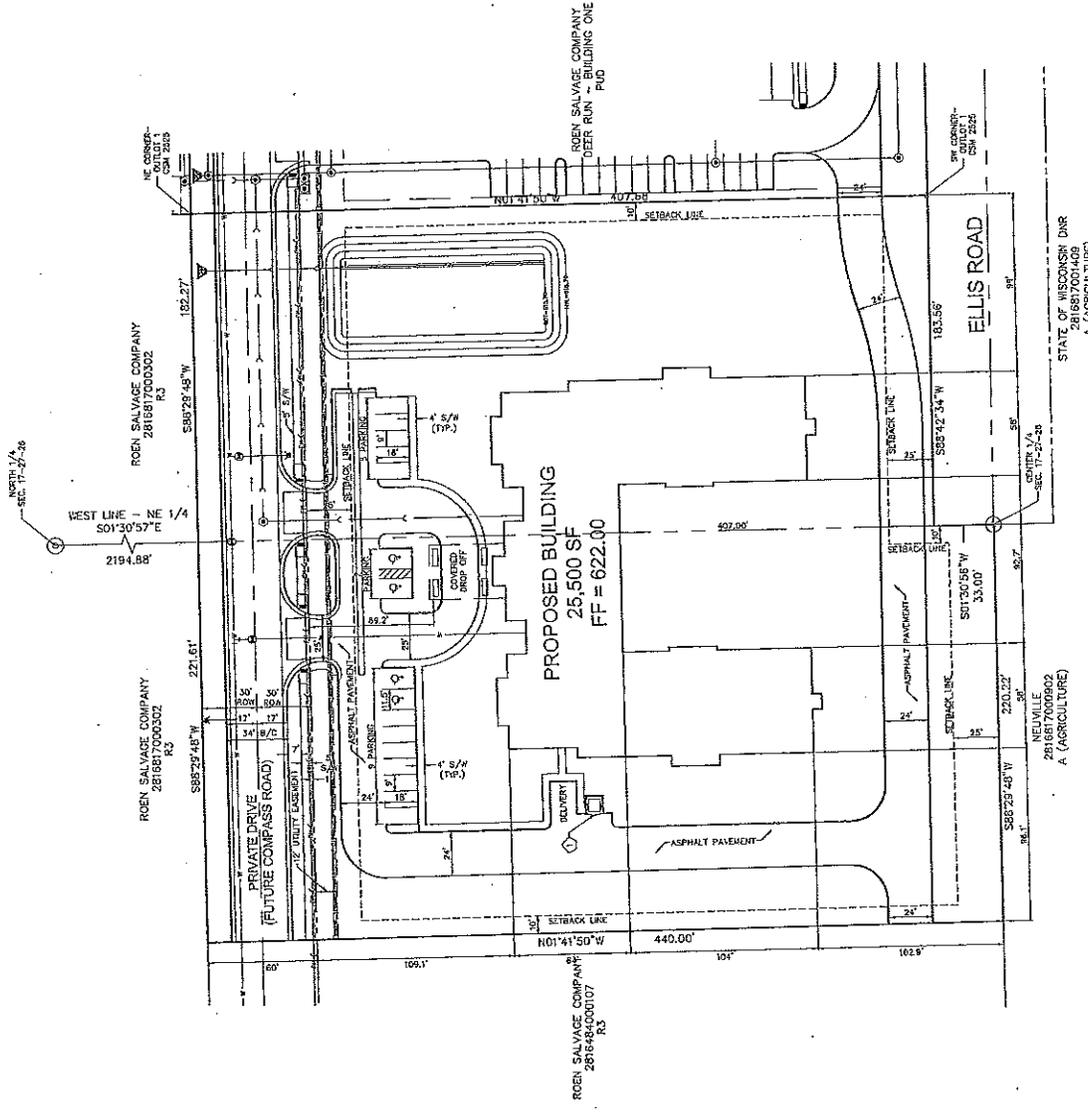
**BUILDING FLOOR AREA:** 25,500 SF  
 • TOTAL 25,500 SF

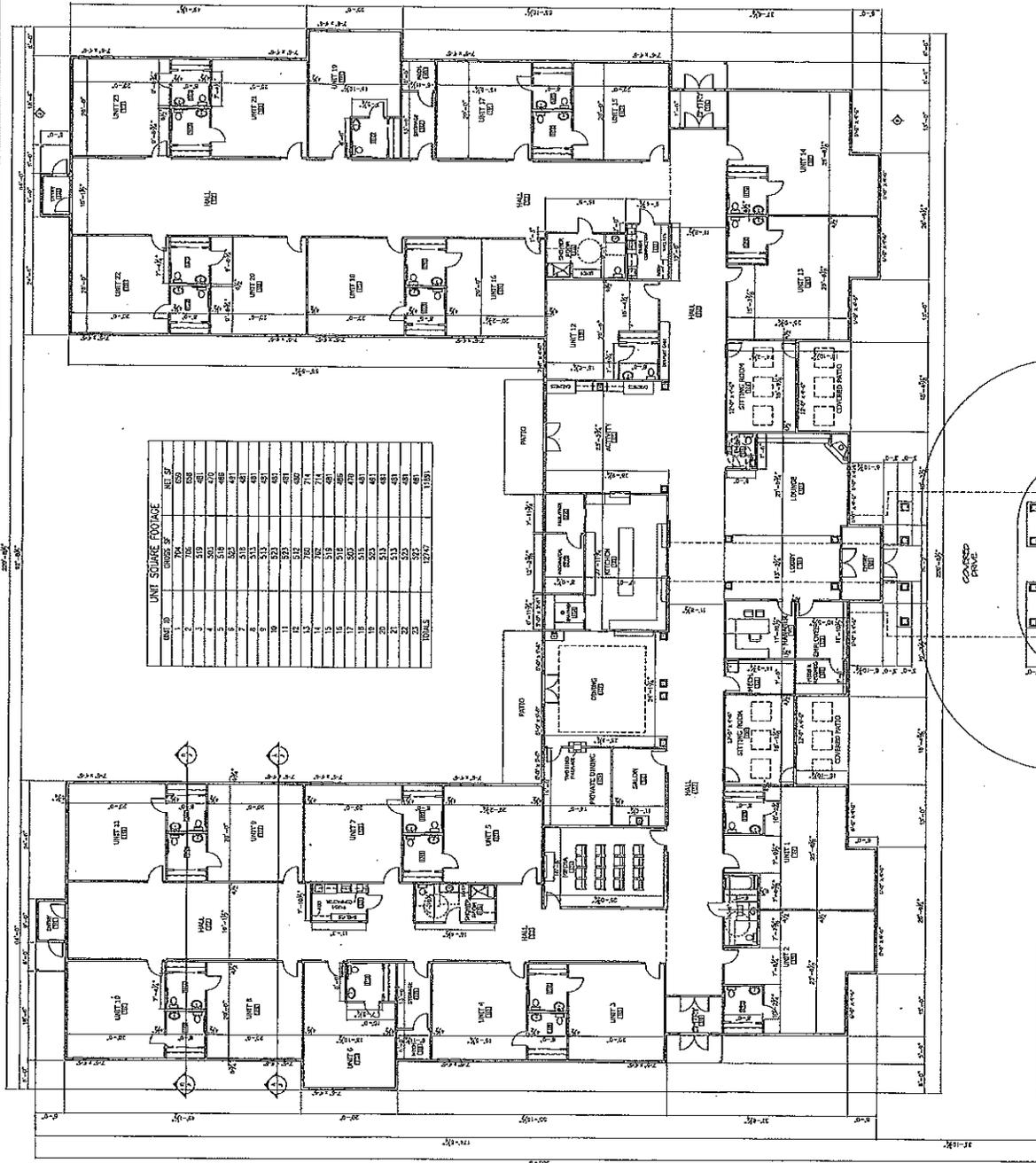
**BUILDING HEIGHT:** 25 FEET

**PARKING SPACES:** 4  
 • SURFACE PARKING SPACES: 12  
 • TOTAL 16

**IMPERVIOUS SURFACE COVERAGE:** 62,198 SF (42%)

**NOTE:**  
 1. ANY WORK OUTSIDE THE PROPERTY LINE SHALL BE CONSIDERED OFFSITE.





UNIT SQUARE FOOTAGE

UNIT NO	GROSS SF	NET SF
1	704	659
2	704	659
3	503	470
4	518	489
5	552	521
6	533	501
7	533	501
8	533	501
9	533	501
10	533	501
11	792	714
12	533	501
13	533	501
14	533	501
15	533	501
16	533	501
17	503	470
18	533	501
19	533	501
20	533	501
21	533	501
22	533	501
23	533	501
TOTAL	12740	12071

FLOOR PLAN SCALE: 1/8" = 1'-0"



## Executive Summary

### Final PUD – Deer Run Building #3 – Marsh Manor at Deer Run Village (CBRF)

**Petition:** The final planned unit development (PUD) is for Marsh Manor at Deer Run Village (Bruce Tully, agent), which is part of the Deer Run senior housing development. This phase involves a 23-unit community-based residential facility (CBRF) for assisted living. The proposed development is located on a 3.94-acre parcel of land to the west of the planned apartment building. The parcel is being purchased from Roen Salvage Co.

The preliminary PUD for this project was approved this past summer. The final PUD requires approval of the Council after recommendation from the Plan Commission. If the final PUD is approved, the PUD zoning ordinance requires 1st and 2nd readings before the Council.

**Comprehensive Plan:** The Future Land Use Map of the Sturgeon Bay Comprehensive Plan identifies this subject area for residential use. Other plan recommendations pertaining to this site include the need for a future park somewhere in the general region. Clay Banks Road is planned to be a collector street and is identified as a future bike route. The assisted living facility is a special type of residential use that is not discussed in the Comprehensive Plan. Since CBRF's are allowed in all residential zoning districts under state law (depending upon size) and are typically scattered throughout most communities, the proposal is not in conflict with the Comprehensive Plan.

**PUD Zoning Issues:** The following is a summary of the final PUD issues.

Underlying Zoning. The PUD would retain the R-3 district as the underlying zoning district. The R-3 district allows the CBRF as a conditional use. The proposed building and parking area meet all of the setbacks and other criteria of the R-3 district, so technically a PUD is not necessary. But, the PUD zoning is being used because this project is functionally tied to other Deer Run phases via shared access, utilities, building design and layout, and landscaping; and it is consistent with the overall development concept plan for the overall 35-acre Deer Run site. If the PUD is approved as proposed, the CBRF would not need a separate conditional use permit in order to build.

Residential Density. The 23 units within the proposed CBRF equates to a net density of 6.8 units per acre. There is no specific density maximum for CBRF's, but the proposal would be one of the least dense CBRF projects in the City.

Building Design. The building was designed by Isaksen Architects. The floor plan and building elevations are included in the PUD submittal. The building is a one-story U-shaped building. The design is consistent with the other Deer Run buildings. The building complies with all zoning requirements.

Engineering Plans. Plans for the final PUD were developed by Trapezium Consulting Group. These include grading, stormwater management, utilities, landscaping, and general site layout. The plans conform to the approved preliminary PUD and the zoning requirements. The access and utilities follows the previously approved plans for the first phase of Deer Run with access to the site from Clay Banks Road via future Compass Street and sewer and water service coming from existing Compass Street to the west.

It is noted that a condition of the approved preliminary PUD called for looping of the water main serving Deer Run. The plans to loop the water main still need to be developed and submitted to Sturgeon Bay Utilities for approval prior to commencing construction. SBU operations manager Cliff White has informed the City that the looping is needed when the second Deer Run building is constructed regardless of which specific building that is. Therefore, his suggestion is to amend the conditions of the PUD to apply the looping requirement to the second building rather than to a specific building. This provides some flexibility while still ensuring the looping is accomplished.

Off-Site Improvements. A proposed development agreement regarding needed traffic and pedestrian improvements for the overall Deer Run development was approved by the Council. Once the agreement is formally signed, this issue will be resolved.

**PUD Zoning Ordinance:** If the final PUD is approved, the PUD zoning ordinance needs to be adopted by the Council. The proposed ordinance containing the PUD parameters was developed by staff to match the approved development, including conditions.

**Fiscal Impact:** The final improved value of the project site is unknown. Based upon estimated construction costs of \$2.8 Million, however, the assessed value is expected to be in excess of \$2 Million. At the current tax rate (City portion only), it would generate over \$12,000 in City tax dollars annually. The cost of extending utilities and street construction will be borne by the developer.

**Plan Commission Action:** The Plan Commission unanimously recommended approval of the final PUD with the following conditions:

1. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
2. A development agreement shall be entered into between the property owner and City regarding future street improvements.

**Recommendation:** Approval of the final PUD with the Plan Commission's conditions.

Prepared by: Martin Olejniczak 10-13-11  
Martin Olejniczak, Date  
Community Development Director

Reviewed by: Tony Depies \_\_\_\_\_  
Tony Depies, Date  
City Engineer

Reviewed by: Steve McNeil 10-13-11  
Steve McNeil, Date  
City Administrator

**Planned Unit Development  
Marsh Manor at Deer Run Village**

**PUD Requirements/Conditions**

**A. Underlying zoning:** The underlying zoning district shall be R-3 Single-Family Residential. The zoning requirements of the underlying district shall apply, except as otherwise indicated under the PUD requirements shown below or in the approved final PUD site plan.

**B. Permitted uses:**

1. The community based residential facility (CBRF) depicted on the final PUD plan is permitted.
2. Other permitted and conditional uses shall conform to the underlying zoning district.

**C. Height and area requirements:** The requirements of the underlying R-3 district shall apply except as follows:

1. Impervious Surface: The impervious surfaces on the lot shall not exceed 70% of the lot area.

**D. Parking:** The parking area shall be consistent with the final PUD site plan. Any additional parking, if needed in the future, shall comply with the design requirements of the zoning code.

**E. Miscellaneous:**

1. Future Street. The access drive to Clay Banks Road shall be designed to be a future public street. It shall remain under private ownership, but shall be dedicated to the City upon written request from the City. It shall be constructed to the west line of the property.
2. On-site detention areas may be removed at the discretion of the City Engineer if off-site drainage or detention facilities are constructed that can accept and manage the stormwater.
3. The water main serving this building shall be extended to connect with the existing water main running along Tacoma Beach Road at the time that the second building within the overall Deer Run Village PUD is constructed, regardless of which specific building is constructed second.
4. A development agreement shall be entered into between the property owner and City regarding future street improvements

RECOMMENDATION

TO THE HONORABLE MAYOR AND COMMON COUNCIL:

We, the Finance/Purchasing & Building Committee, hereby recommend to accept the proposal from Town of Sevastopol for fire protection with the following changes, subject to approval by the City Attorney.

Removing paragraph 3A from the agreement: Previous year Town of Sevastopol actual fire cost plus one-half mil per thousand of new construction completed during the year as annually certified by the State of Wisconsin; or

And the following change to paragraph 3B from the agreement: Previous year Town of Sevastopol actual fire cost plus percentage increase equal to: Current year Sturgeon Bay Fire Department budgeted operating expense over the previous year Sturgeon Bay Fire Department budgeted operating expense.

In determining the calculation, the Sturgeon Bay Fire Department budgeted operating expense includes all costs related to existing personnel, commodities and contractual line items but excludes capital budget items, employee share of health insurance contributions, and excluding retirement payouts for sick leave carry over.

The percentage increase calculation above will be capped at five 3.5 percent per year. Any percentage increase over five 3.5 percent will be banked for application in subsequent years that fall under the five 3.5 percent cap.

Respectfully submitted,  
FINANCE/PURCHASING & BUILDING  
COMMITTEE  
By: James Abeyta, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: October 11, 2011

\*\*\*\*\*

Introduced by \_\_\_\_\_.

Moved by Alderperson \_\_\_\_\_ seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**AMENDMENT OF  
FIRE PROTECTION SERVICE AGREEMENT  
City of Sturgeon Bay/Town of Sevastopol**

**THIS AGREEMENT**, made as an Amendment to the Fire Protection Service Agreement between the City of Sturgeon Bay and the Town of Sevastopol which was entered in 2006, amends and extends the term of such Agreement.

The City of Sturgeon Bay, hereinafter known as "City", and the Town of Sevastopol, hereinafter known as "Town", located in Door County, Wisconsin, both wish to continue the Fire Protection Service Agreement as amended herein and to extend the term of such Agreement as provided herein;

**NOW, THEREFORE**, based upon the mutual agreement of the City of Sturgeon Bay and the Town of Sevastopol, it is hereby agreed as follows:

1. Term. The existing Fire Protection Service Agreement shall continue through December 31, 2012 subject to the revised provisions herein. There shall be no continuation of such agreement beyond December 31, 2011 at midnight, except upon prior written agreement of the parties.

2. Fee. The fee to be paid by the Town of Sevastopol for fire protection services for 2012 will be based upon the 2011 Town of Sevastopol actual fire protection cost plus a percentage equal to the 2012 Sturgeon Bay Fire Department budgeted operating expense over the 2011 Sturgeon Bay Fire Department budgeted operating expense.

In determining this calculation, the Sturgeon Bay Fire Department budgeted operating expense includes all costs related to personnel as included in the 2011 budget, commodities and contractual line items but excludes capital budget items, employee share of health insurance contributions, and excluding retirement payments for sick leave carryover.

The percentage increase for 2012 shall be capped at 3.5 percent above the 2011 actual costs.

3. Remaining Items Unchanged. The remaining provisions of the Fire Protection Service Agreement between the City of Sturgeon Bay and Town of Sevastopol as agreed in 2006 will remain intact for the 2012 service year.

IN WITNESS WHEREOF the City of Sturgeon Bay and the Town of Sevastopol, by their authorized representatives, have caused this Amendment to be signed and sealed by their respective officers.

CITY OF STURGEON BAY

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Thad Birmingham, Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Stephanie Reinhardt, Clerk

TOWN OF SEVASTOPOL

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Leo Zipperer, Chairman

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Linda Wait, Clerk

F:\Clients\S\Sturgeon Bay-City\Fire Dept\fire protection agreement-sevastopol 10-13-11.doc

October 2, 2011

Mr. Steve McNeil, City Administrator  
City of Sturgeon Bay  
421 Michigan Street  
Sturgeon Bay, WI 54235

Dear Steve,

The Town of Sevastopol is actively reviewing future fire protection services and requirements. To assist us in the process we are seeking consulting services to accomplish the following:

- A. Enter into a new a multi-year fire protection agreement with Sturgeon Bay and,
- B. Research the feasibility of our taking a more active and direct approach in providing fire protection for Sevastopol.

To position ourselves to proceed and satisfy the "Term" condition in our existing agreement, we hereby notify Sturgeon Bay that we are terminating our fire protection services agreement and focus on creating a mutually acceptable multi-year agreement beyond 2012. Although the existing agreement takes us through the 2012 year, we are proposing minor changes to take effect January 1, 2012 which will reduce our exposure to inordinate cost increases.

We offer for your consideration and approval the following changes for the 2012 year: Remove paragraph 3.A and determine costs as per paragraph 3.B and limit the personnel portion of the calculation to only those fire department members presently on staff. We also propose limiting the percentage cost increase currently capped at 5% to 3.5%.

The Town of Sevastopol is pleased with the fire protection provided by Sturgeon Bay but with budget concerns and escalating costs, we would be remiss by not reviewing our fire protection plans going forward. Thank you for considering our proposed changes; we look forward to working together in confirming a mutually acceptable agreement.

Please acknowledge your acceptance of our proposed changes by signing in the appropriate space below.

Sincerely,

Tom Girman,  
Fire Committee Chair

CITY OF STURGEON BAY

Accepted By: \_\_\_\_\_

Stephen McNeil, City Administrator

**FIRE PROTECTION SERVICE AGREEMENT**  
**City of Sturgeon Bay/Town of Sevastopol**

**THIS AGREEMENT** made and entered into in the year 2006 by and between the City of Sturgeon Bay, Door County, Wisconsin, hereinafter known as "City", and the Town of Sevastopol, Door County, Wisconsin, hereinafter known as "Town", both political subdivisions in the State of Wisconsin and County of Door.

**WHEREAS** the City of Sturgeon Bay, a Wisconsin municipality, located in Door County, Wisconsin, has in the past rendered fire protection service to and in the Town of Sevastopol, a township located in Door County, Wisconsin;

**AND WHEREAS** the City and Town desire to continue an arrangement for the provision of fire protection services by the City of Sturgeon Bay Fire Department to the Town of Sevastopol;

**NOW, THEREFORE**, based upon the mutual promises and covenants contained herein,

**IT IS HEREBY AGREED** between the City of Sturgeon Bay and the Town of Sevastopol as follows:

1. Term. During the term of this agreement, January 1, 2007, through December 31, 2011, the City of Sturgeon Bay shall provide fire protection services necessary for and to all properties located in the Town of Sevastopol. This term shall, unless either party gives notice to the other at least one year prior to the expiration of any current or extended term, thereafter automatically renew for successive terms of one year.

2. Service. The necessity for fire protection services provided hereunder shall be determined by the Sturgeon Bay fire chief or the person in charge of the Sturgeon Bay Fire Department at the time of a fire emergency, under the circumstances then and there existing as determined and appraised by him/her, so that all territory being serviced by the Sturgeon Bay Fire Department shall have proper and sufficient service.

3. Fee. The fee to be paid by the Town of Sevastopol for fire protection services for each year will be based upon the greater of the following two calculations.

- A. Previous year Town of Sevastopol actual fire cost plus one-half mil per thousand of new construction completed during the year as annually certified by the State of Wisconsin; or
- B. Previous year Town of Sevastopol actual fire cost plus percentage increase equal to: Current year Sturgeon Bay Fire Department budgeted operating expense over the previous year Sturgeon Bay Fire Department budgeted operating expense.

In determining this calculation, the Sturgeon Bay Fire Department budgeted operating expense includes all costs related to personnel, commodities and contractual line items but excludes capital budget items, employee share of health insurance contributions, and excluding retirement payouts for sick leave carryover.

The percentage increase under either calculation above will be capped at 5 percent per year. Any percentage increase over 5 percent will be banked for application in subsequent years that fall under the 5 percent cap.

4. Insurance. The City of Sturgeon Bay shall be responsible for obtaining and maintaining sufficient liability insurance on its fire equipment and on the personnel operating such equipment, thereby protecting the City of Sturgeon Bay and the Town of Sevastopol, for any and all liability that may result to said political subdivisions as a result of the performance of fire protection services. This provision is not intended to and does not provide a waiver of any lawful immunity or limitation of damages as provided by Wisconsin Statutes.

5. Application of Equipment and Personnel. In the event of an emergency being serviced by the City of Sturgeon Bay Fire Department, the Sturgeon Bay fire chief, or his designee at the time of such emergency, shall determine what equipment and manpower is to be utilized at such emergency and shall attempt, to the best of his ability, to give protection to all territory being serviced by the Sturgeon Bay Fire Department under the circumstances then and there existing as determined and appraised by him, so that all of the territory being serviced by the Sturgeon Bay Fire Department shall have proper and sufficient service. It is specifically understood by the parties hereto that the City of Sturgeon Bay has similar fire protection service agreements with other political subdivisions in the vicinity of the City of Sturgeon Bay.

This Agreement is entered as an intergovernmental agreement pursuant to 66.0301, Wis. Stats.

IN WITNESS WHEREOF the City of Sturgeon Bay and the Town of Sevastopol, by their authorized representatives, have caused this Agreement to be signed and sealed by their respective officers.

CITY OF STURGEON BAY

Dated: 6/5/06

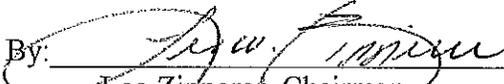
By: Dennis D. McIntosh  
Dennis D. McIntosh, Mayor

Dated: 6/5/06

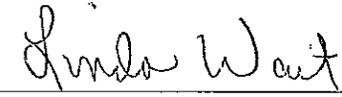
By: Stephanie L. Reinhardt  
Stephanie Reinhardt, Clerk

TOWN OF SEVASTOPOL

Dated: June 26, 2006

By:   
Leo Zipperer, Chairman

Dated: June 26, 2006

By:   
Linda Wait, Clerk