

It is expected that a Quorum of the Personnel Committee, Administration Committee, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
August 1, 2011
6:45 PM
or immediately following the Administration Committee

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. [July 18, 2011](#)
- D. ACTION ITEMS
 - 1. [Change Order – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Sanitary Sewer Rehabilitation; Contract E145-11-01A; Terra Engineering & Construction Corporation; ADD: \\$37,875.50 \(Change Order No. 2\)](#)
 - 2. [Change Order – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Sanitary Manhole Lining; Contract E145-11-01C; Infrastructure Technologies, Inc.; ADD: \\$1,545.00 \(Change Order No. 1\)](#)
 - 3. [Change Order – ACC Planned Service; Contract No. 2011-01; Public Protection Facility HVAC Equipment Replacement; \(Riederer Engineering LLC Project No. 100927\); ADD: \\$3,913.00 \(Change Order No. 2\)](#)
 - 4. [Payment – Sam Sommers Concrete; Contract Unit No. 2011-02; New Street Construction – Concrete Curb and Gutter/Concrete Walk; \\$16,465.27 \(Payment No. 2\)](#)
 - 5. [Request to Consider Ordinance Allowing Bicycles to be Ridden on Sidewalks \(Ald. Sevenich\)](#)
- E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
July 18, 2011
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 7:18 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Klein, Taylor, Sevenich, Langdon, Krueger, Zelinski, Englebert, Benner

ALSO PRESENT: CA/HRD Captain, Acting PC Brunn, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, LD Lenz, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. [July 5, 2011](#)

Moved by Ald. Langdon, seconded by Ald. Krueger to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. [Street Use Application – Otto Grunski Runski; Saturday, August 13, 2011; 7:00 AM – 11:00 AM; \(City of Menasha Parks and Recreation Department\)](#)

All appropriate departments have approved the application. PRD Tungate will check on markings on the street for the race.

Moved by Ald. Sevenich, seconded by Ald. Langdon to recommend approval to Common Council.

Motion carried on voice vote.

2. [Street Use Application – New Wheelers Weekend Bike Race; Sunday, August 14, 2011; 8:00 AM – 6:00 PM; \(02 Cycling\)](#)

All appropriate departments have approved the application. The time of the event extends beyond the six hour time limit.

Moved by Ald. Klein, seconded by Ald. Englebert to recommend approval to Common Council allowing the time to extend beyond the six hours for safety reasons.

Motion carried on voice vote.

3. [Street Use Application – Labor Day Parade; Monday, September 5, 2011; 9:30 AM – 11:30 AM; \(Fox Valley Area Labor Council\)](#)

All appropriate departments have approved the application.

Moved by Ald. Sevenich, seconded by Ald. Krueger to recommend approval to Common Council.

Motion carried on voice vote.

4. [Street Use Application – 18th Annual St. Joe’s 5K Run/Walk; Saturday, October 15, 2011; 8:45 AM – 10:30 AM; \(Pacesetter’s Fox Cities\)](#)

All appropriate departments have approved the application.

Moved by Ald. Krueger, seconded by Ald. Zelinski to recommend approval to Common Council.

Motion carried on voice vote.

5. [Street Use Application – Sun Runner “Cruise In”; Thursday, August 18, 2011; 4:00 PM – 10:00 PM; \(MAC\)](#)

All appropriate departments have approved the application. The Park and Recreation Board has also approved the application.

Moved by Ald. Krueger, seconded by Ald. Langdon to recommend approval to Common Council.

Motion carried on voice vote.

6. [Resolution R-31-11; A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703, Wisconsin Statutes](#)

DPW Radtke explained this resolution is declaring the City’s intent to levy special assessments for improvements minus the sidewalks within Ribblesdale Subdivision and a portion of Woodland Hills Subdivision.

Moved by Ald. Sevenich, seconded by Ald. Langdon to recommend approval to Common Council.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Krueger, seconded by Ald. Langdon to adjourn at 7:27 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk



Memorandum

DATE: July 28, 2011

TO: Menasha Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Change Order No. 2 for City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Contract E145-11-01A; Terra Engineering & Construction Corporation; ADD \$37,875.50

At the July 18th Council meeting a deduct change order was approved on this contract in the amount of \$51,989.50. That change order was necessary due to land interest concerns on the City's part (no apparent sewer easement). I had indicated that the City would pursue adding other needed sewer work to maximize the benefit of the Clean Water Fund low interest loan.

Change Order No. 2 involves lining of additional deteriorated sanitary sewer lines and the lining of an additional manhole in poor condition. These improvements will minimize the existing leaks in these facilities as well as strengthen the pipe sections and manhole. This is a cost effective procedure due to the savings realized with the reduced flows to the treatment plant. I recommend approval of the change order as submitted.

Enclosure

CHANGE ORDER NO. CO-1451101A-02 DATE July 27, 2011

KAEMPFER & ASSOCIATES, INC. PROJECT: WW COLL. SYSTEM REHAB. IMPR'S PHASE 4
Consulting Engineers
Post Office Box 150 OWNER: CITY OF MENASHA
650 East Jackson Street 140 Main Street
Oconto Falls, WI 54154 Menasha, WI 54952

OWNER'S PROJECT NO.: E145-11-01A ENGINEER'S PROJECT NO.: E145-10.09

CONTRACTOR: TERRA ENGINEERING & CONSTRUCTION CONTRACT DATE: June 1, 2011
COMPLETION DATE: December 28, 2011
ADDRESS: 2201 Wondron Road
Madison, WI 53718-6795

CONTRACT: E145-11-01A

You are directed to make the changes noted below in the above contract and this Change Order becomes a part of your contract, subject to all the conditions thereof;

NATURE OF CHANGE: Add CIPP total lining work, sanitary lateral sealing work, and grout for the following sewer segments: Chute Street MH 201-MH 104, and Manitowoc Street MH 483-MH 469. Add sanitary manhole grouting work at 18 manholes.

ADDITIONAL NUMBER OF CONTRACT DAYS PROVIDED BY THIS CHANGE ORDER: 0 DAYS
Enclosures: Drawing Nos. P104, P105, and P121; and Change Order Summary Table.

The changes result in the following adjustment of Contract Price:

Contract Price Prior to this Change Order	<u>\$476,651.00</u>
Net (Increase/ Decrease) Resulting from this Change Order	<u>\$ 37,875.50</u>
Current Price, including this Change Order	<u>\$514,526.50</u>

The above changes are approved:

FOR THE ENGINEER: By: Taryn S. Nall, P.E. Date: _____

FOR THE OWNER: By: Mark Radtke, P.E., Director of Public Works Date: _____

The above changes are accepted:

FOR THE CONTRACTOR: TERRA ENGINEERING & CONSTRUCTION
By: Randy Bieri, Project Manager Date: _____

SUMMARY TABLE

Add the following items:

Item No.	Description	Unit Price	Total Cost
21A	297 -lineal feet of 12-inch sanitary sewer CIPP lining on Chute Street between MH 201 and MH 104	\$33.50	\$9,949.50
22A	329 -lineal feet of 10-inch and 12-inch transition sanitary sewer CIPP lining on Manitowoc Street between MH 483 and MH 469	\$34.00	\$11,186.00
23A	10 -each pressure inject grouting lateral connection	\$683.00	\$6,830.00
24A	100 -gallons of pressure inject grout material for lateral connections, as specified in Article C2.19	\$10.00	\$1,000.00
25A	18 -each set-up for manhole grouting	\$95.00	\$1,710.00
26A	4 -each grout lifting hole	\$75.00	\$300.00
27A	2 -each grout barrel crack	\$300.00	\$600.00
28A	9 -each grout pipe connection	\$225.00	\$2,025.00
29A	19 -each grout barrel joint	\$225.00	\$4,275.00
	Total Additions for CO-1451101A-02		\$37,875.50



Memorandum

DATE: July 28, 2011

TO: Menasha Board of Public Works

FROM: Mark Radtke, Director of Public Works

RE: Change Order No. 1 for City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Contract E145-11-01C; Infrastructure Technologies, Inc.; ADD \$1,545.00

At the July 18th Council meeting a deduct change order was approved on Contract E145-11-01A in the amount of \$51,989.50. That change order was necessary due to land interest concerns on the City's part (no apparent sewer easement). I had indicated that the City would pursue adding other needed sewer work to maximize the benefit of the Clean Water Fund low interest loan. This contract (Contract E145-11-01C) involves manhole rehabilitation work and is also being funded through the Clean Water Fund program.

This change order involves concrete lining and rebuilding of the sewer channel of an additional deteriorated manhole. These improvements will minimize the existing leaks in this manhole and is a cost effective procedure due to the savings realized with the reduced flows to the treatment plant. I recommend approval of the change order as submitted.

Enclosure

CHANGE ORDER NO. CO-1451101C-01 DATE July 27, 2011

KAEMPFER & ASSOCIATES, INC. PROJECT: WW COLL. SYSTEM REHAB. IMPR'S PHASE 4
Consulting Engineers
Post Office Box 150 OWNER: CITY OF MENASHA
650 East Jackson Street 140 Main Street
Oconto Falls, WI 54154 Menasha, WI 54952

OWNER'S PROJECT NO.: E145-11-01C ENGINEER'S PROJECT NO.: E145-10.09

CONTRACTOR: INFRASTRUCTURE CONTRACT DATE: June 1, 2011
TECHNOLOGIES, INC. COMPLETION DATE: December 28, 2011
ADDRESS: 6268 Oak Run Road
Rhineland, WI 54501

CONTRACT: E145-11-01C

You are directed to make the changes noted below in the above contract and this Change Order becomes a part of your contract, subject to all the conditions thereof;

NATURE OF CHANGE: Add sanitary manhole concrete lining at MH 944.

ADDITIONAL NUMBER OF CONTRACT DAYS PROVIDED BY THIS CHANGE ORDER: 0 DAYS
Enclosures: Change Order Summary Table.

The changes result in the following adjustment of Contract Price:

Contract Price Prior to this Change Order	<u>\$40,825.00</u>
Net (Increase/ Decrease) Resulting from this Change Order	<u>\$ 1,545.00</u>
Current Price, including this Change Order	<u>\$42,370.00</u>

The above changes are approved:

FOR THE ENGINEER: By: Taryn S. Nall, P.E. Date: _____

FOR THE OWNER: By: Mark Radtke, P.E., Director of Public Works Date: _____

The above changes are accepted:

FOR THE CONTRACTOR: INFRASTRUCTURE TECHNOLOGIES, INC.

By: Matt Huston, Project Manager Date: _____

SUMMARY TABLE

Add the following items:

Item No.	Description	Unit Price	Total Cost
19C	6.5 -vertical feet of sanitary manhole concrete partial lining	\$170.00	\$1,105.00
20C	1 -each manhole flow channel construction to springline	\$440.00	\$440.00
	Total Additions for CO-1451101C-01		\$1,545.00



Memorandum

DATE: July 28, 2011

TO: Menasha Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Change Order No. 2 for Public Protection Facility HVAC Equipment Replacement; Contract 2011-01; ACC Planned Service; ADD \$3,913.00

Attached to this memo are the proposed change order, consultant engineer's recommendation and cost summary report for Change Order No. 2 involving the HVAC equipment upgrade at the Public Protection Facility. The changes are a result of specifying equipment using the new refrigerant R-410a in lieu of continuing with the use of R-22 which is being phased out of production. To continue the use of units using R-22 could jeopardize the City in the future if we were to need additional R-22 refrigerant with very limited or no source for such.

Prior to pursuing the change order, we asked our consultant why this wasn't foreseen in the project design. His reply explanation is attached, which indicates we couldn't exclusively specify one manufacturer's unit, and the piping requirements vary depending on the manufacturer. We further asked him to review the proposed pricing for the additional work. He has completed his review and has justified the costs for this work.

This project is being funded through a grant from the Energy Efficiency and Conservation Block Grant (EECBG) Program. Building Services Superintendent, Adam Alix, completed the attached cost summary report for this contract, including the additional costs with this proposed change order. Even with the additional cost for this change order, EECBG grant funds are sufficient to cover the project costs (including engineering) with a projected balance of grant funds in the amount of \$2,028.00. There are no other anticipated change orders for this project, as it is approaching completion.

I recommend approval of the change order as submitted.

Enclosure

M:\word\BPW memo re ACC Change Order #2 Unit 2011-01 7-28-11.docx

CHANGE ORDER

DATE: July 20, 2011

CHANGE ORDER NO: 2 (two)

Contractor: ACC Planned Service, Inc.

Contract No. 2011-01

Project: Public Protection Facility HVAC Equipment Upgrade

You are directed to make the changes noted below in the subject contract unit number.

To utilize existing piping from mechanical room to roof, the following changes need to be made:

1. Install EMM modules in units to set minimum capacity to maintain oil return
2. Add wire and transducer for 4-20 mA signal
3. Add liquid line Long Line Check Valve
4. Move both liquid line dryers to smaller H.G. line
5. Modify double viser at coil to use smaller line for minimum loads

This change is the outcome of a meeting that took place on site on July 19, 2011 with Engineer Tom Riederer; Carrier Rep Jamie Johnson; ACC - Paul Kreiling; and Adam Alix.

The changes result in the following adjustments:

	CONTRACT-TOTAL	LEAD TIME
Original Contract		
Prior to this Change Order	<u>\$115,487.00</u>	_____ Days
Adjustments per this Change Order	<u>\$3,913.00</u> (Add)	<u>10</u> Days
Current Contract Status	_____	_____ Days

Directed/Authorized
City of Menasha Department of Public Works

By: _____

Date: _____

Accepted

By: _____

Date: _____

-----Original Message-----

From: Riederer Engineering LLC [mailto:riedeng@new.rr.com]

Sent: Thursday, July 21, 2011 3:41 PM

To: Adam Alix

Subject: Menasha PPF Change order 2

We have reviewed ACC Planned Service's Change Order #2. This change order is for changes to the refrigeration piping and addition of capacity control circuit boards to the air conditioning condensing units. Both items result from the refrigerant manufacturer's (Carrier) review of the existing piping for suitability of use with the refrigerant change from R-22 to R-410a that is part of this project due to the recent phaseout of R-22. The equipment manufacturers use proprietary methods of doing these calculations, and it is left to them to make any specific recommendations on the refrigerant piping system. This may in fact vary with the manufacturer and is difficult if not impossible to determine at the time of design. It is also necessary to have the manufacturer sign off on the piping system to avoid warranty issues.

We find the extra costs to be not unreasonable for the value received; in particular the addition of the EMM boards replaces more extensive (and expensive) modifications to the piping and will provide a near-stepless capacity control that will complement the variable air flow of the air handling units under control of the building automation system.

PPF EECBG HVAC Upgrade Project Cost Summary

Grant Award Amount \$ 116,895.00

Project Costs

Original Contract Amount \$ 115,487.00

Plus: Change Orders

#1-Boiler Venting \$ 3,596.00

#2-Condenser Piping \$ 3,913.00 \$ 7,509.00

Total Contract Amount \$ 122,996.00

Engineering Costs

2010 Expenditure **\$ 2,079.00**

2011 Expenditure \$ 4,521.00 \$ 6,600.00

Total Project Cost \$ 129,596.00

Less: Financial Incentives

Focus On Energy \$ 6,467.00

WPPI \$ 3,312.00 \$ 9,779.00

Net Project Cost \$ 119,817.00

Funding Shortage/Excess \$ (2,922.00)

PPF HVAC Upgrade Project Net Cost \$ 119,817.00

Less: Costs already expensed in 2010 \$ 2,079.00

Costs already expensed in 2011 \$ 2,871.00 \$ 4,950.00

Total Funds needed to finish project \$ 114,867.00

EECBG Funds \$ 116,895.00

Grant Funds available to offset expensed costs \$ 2,028.00

CERTIFICATE OF PAYMENT

DATE: July 28, 2011

PAYMENT REQUEST: 2 (Two)

CONTRACTOR: Sam Sommers Concrete Construction, Inc.

ADDRESS: W5682 County Road S, Black Creek, WI 54106

CONTRACT UNIT NUMBER: 2011-02

PROJECT DESCRIPTION: New Street Construction
Concrete Curb & Gutter/Concrete Walk
Ribblesdale Subdivision, North 1/2 of Woodland Hills Subdivision

ORIGINAL CONTRACT AMOUNT	\$ 138,030.24
CHANGE ORDER NO. _____ AMOUNT: \$ _____	
PREVIOUS CHANGE ORDER(S): \$29,284.87	
TOTAL CONTRACT AMOUNT (INCLUDING CHANGE ORDERS)	\$ 108,745.37
TOTAL EARNED TO DATE (SUMMARY ATTACHED)	\$ 95,295.78
LESS RETAINAGE (2.5%)	\$ 2,718.63
AMOUNT DUE	\$ 92,577.15
PREVIOUS PAYMENTS	\$ 76,111.88
AMOUNT DUE THIS PAYMENT	\$ 16,465.27

ESTIMATE PERIOD: June 14, 2011 to July 27, 2011

I certify that all bills for labor, equipment, materials, and services are paid for which previous certificates for payment were issued.

DATE: _____ BY: _____

Lien Waivers from all subcontractors and suppliers shall accompany each Request for Payment. Affidavit of Compliance with Prevailing Wage Rates shall accompany Request for Final Payment.

RECOMMENDED FOR PAYMENT:

DIRECTOR OF PUBLIC WORKS: _____ DATE: _____

APPROVED FOR PAYMENT: COUNCIL APPROVAL DATE: _____

FINANCE DEPARTMENT

<u>ACCOUNT NUMBER</u>	<u>BUDGET</u>	<u>CHARGE TO ACCOUNT</u>
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

CITY OF MENASHA
CONTRACT UNIT NO. 2011-02 - Sam Sommers Concrete
New Street Construction Concrete Curb & Gutter/Concrete Walk

DATE: July 27, 2011
 Payment No. Two

ITEM	QUANTITY	DESCRIPTION	Unit Price	BASE BID		YTD	
				TOTAL	QUANTITY	TOTAL	QUANTITY
1	9,414	30" Concrete Curb & Gutter/L.F.	\$ 7.26	\$ 68,345.64	9,233.00	\$ 67,031.58	
2	165	Remove Existing Concrete Curb & Gutter at Roundabout Island - Replace 4" Sloped Concrete Curb & Gutter (36" Wide)/L.F.	\$ 15.00	\$ 2,475.00	167.00	\$ 2,505.00	
3	235	Unclassified Excavation/C.Y.	\$ 8.00	\$ 1,880.00	0.00	\$ -	
4	252	Picement of Salvaged Pulverized Material for Sidewalk Construction	\$ 3.00	\$ 756.00	0.00	\$ -	
5	25	Sawcut, Full Depth/L.F.	\$ 5.00	\$ 125.00	0.00	\$ -	
6	8,110	4" Concrete Sidewalk/S.F.	\$ 2.85	\$ 23,113.50	0.00	\$ -	
7	1,897	6" Concrete Sidewalk/S.F.	\$ 3.50	\$ 6,639.50	0.00	\$ -	
8	174	4" Concrete Handicap Ramp (Detectable Warning Field Plates to be Supplied by Others)/S.F.	\$ 3.30	\$ 574.20	0.00	\$ -	
9	22	Utility Adjustment/each	\$ 100.00	\$ 2,200.00	19.00	\$ 1,900.00	
10	13	Water Valve Adjustment/each	\$ 50.00	\$ 650.00	1.00	\$ 50.00	
11	4,560	No. 4 Epoxy Coated Rebar/L.F.	\$ 0.50	\$ 2,280.00	3,040.00	\$ 1,520.00	
12	10,502	Terrace Restoration/S.Y.	\$ 2.20	\$ 23,104.40	7,876.00	\$ 17,327.20	
13	410	Colored Stamped Concrete Pavement Traffic Splitter Island/S.F.	\$ 8.20	\$ 3,362.00	410.00	\$ 3,362.00	
14	1	Cleaning and Grubbing from STA 6+00 to STA 7+86/L.S.	\$ 925.00	\$ 925.00	0.00	\$ -	
15	1	Traffic Control/L.S.	\$ 500.00	\$ 500.00	1.00	\$ 500.00	
16	1	Construction Mobile/Demobile; Project Coordination; all incidental utility and misc. roadway work; and all other project work area restoration and clean-up to an equal and/or better preconstruction condition as required and related to the overall project/L.S.	\$ 1,100.00	\$ 1,100.00	1.00	\$ 1,100.00	
TOTAL CONTRACT BID (ITEMS 1-16)				\$ 138,030.24		\$ 95,295.78	

SAM SOMMERS CONCRETE CONSTRUCTION, INC.

EMAIL: samsommersconst@AOL.COM

W5682 County Road S — Black Creek, WI 54106

Tel: 920-757-6200 * Fax: 920-757-0509 * Cel: 851-9200

TO: CITY OF MENASHA

Today's Date: 7/14/11

Bid Date: 5/10/11 11 am

RE: Ribblesdale Subdivsion North 1/2 Woodland Hills

ESTIMATE# 2

Contract Unit No. 2011-02 - City of Menasha

Project Engineer: Menasha

Engineer Number: 920-987-3810

PAY REQUEST TWO

ITEM NO.	BID QUANT	EST 2 QUANT	DESCRIPTION	UNIT	UNIT PRICE	TOTAL AMOUNT
1	9414	9300	30" Concrete curb and gutter	LF	7.26	67,518.00
2	165	165	Remove curb and gutter @ roundabout	LF	15.00	2,475.00
3	235	0	Uncl. Exc for Sidewalk	CY	8.00	0.00
4	252	0	Placement of Salvaged Pulv. Material for Sidewalk	CY	3.00	0.00
5	25	0	Sawcut full depth	LF	5.00	0.00
6	8110	0	4" Concrete Sidewalk	SF	2.85	0.00
7	1897	0	6" Concrete Driveway/Sidewalk	SF	3.50	0.00
8	174	0	4" Concrete Handicap Ramp minus DWF	SF	3.30	0.00
9	22	20	Utility Adjustment	EA	100.00	2,000.00
10	13	0	Water Valve Adjustment	EA	50.00	0.00
11	2940	2675	No. 4 epoxy coated rebar	LF	0.50	1,337.50
12	11757	10581	Terrace Restoration 2"	SY	2.20	23,278.20
13	410	410	9" Stamped concrete pavement splitter Island	SF	8.20	3,362.00
14	1	0	Clea & grub STA 6+00 to 7+86	LS	925.00	0.00
15	1	1	Traffic Control	LS	500.00	500.00
16	1	1	Mobilization	LS	1100.00	1,100.00

TOTAL AMT \$101,570.70

PREVIOUS PAID \$76,111.88

5% RETAIN \$5,078.54

EST 2 DUE \$20,380.28

CHAPTER 2

Bicycles

SEC. 10-2-1 DEFINITIONS.

As used in this Chapter:

- (a) **BICYCLE** means every device propelled by the feet upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.
- (b) **BICYCLES' LANE** means that portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.
- (c) **BIKE ROUTE** means any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- (d) **BICYCLE WAY** means any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- (e) **CARRIER** means any device attached to a bicycle designed for carrying articles.
- (f) **IDENTIFICATION TAG** means a metal plate or sticker indicating that a bicycle is registered.
- (g) **RIGHT-OF-WAY** means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

SEC. 10-2-2 MANNER OF OPERATION RESTRICTED.

No bicycle shall be allowed to proceed in any street in the City by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in the City nor shall any bicycle rider carry or ride any other person so that two (2) persons are on the bicycle at one time, unless a seat is provided for a second person. Operators shall not ride bicycles abreast.

SEC. 10-2-3 LIGHTING AND OTHER EQUIPMENT.

No person shall operate a bicycle upon a highway unless equipped as required in Sec. 347.81, Wis. Stats., between one-half (1/2) hour after sunset and one-half (1/2) hour before sunrise.

SEC. 10-2-4 PARKING A BICYCLE.

No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else. Bicycles shall be parked either upon the roadway against the curb, in bicycle racks or, if on the sidewalk, in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within twenty-four (24) inches of the curb.

SEC. 10-2-5 RULES OF THE ROAD.

The provisions of Chs. 346 and 347, Wis. Stats., and applicable City Ordinances shall govern the operation of bicycles where appropriate.

SEC. 10-2-6 BICYCLE REGULATIONS.

(a) RULES FOR TURNING.

- (1) The operator of a bicycle intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street and, in turning, shall keep as closely as practicable to the right-hand edge or curb of the highway.
- (2) The operator of a bicycle intending to turn to the left of an intersection or into a private driveway shall make such turn from the traffic lane immediately to the right or next to the center of the street and pass immediately to the left of the center of the intersection, passing as closely as practicable to the left of the center of the intersection immediately to the right of the center of the intersection of the street.
- (3) At any intersection where traffic is controlled by a traffic control signal or by a traffic officer, it shall be unlawful for any such operator of such bicycle upon any street to disobey the instructions of any official traffic sign or signal placed in accordance with the laws of the State of Wisconsin and the Ordinances of the City.
- (4) Crosswalks shall be used when walking a bicycle through an intersection.

(b) **TRICK RIDING.** No person shall operate a bicycle upon the streets of said City without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.

(c) **TANDEM RIDING.** No person shall ride or propel a bicycle on a street in said City with another person upon said bicycle unless such bicycle is so constructed as to be a tandem bicycle.

(d) **EMERGING FROM ALLEY OR DRIVEWAY.** The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all vehicles approaching on said roadway.

- (e) **BICYCLES NOT TO BE PULLED BY MOVING VEHICLES.** No person riding upon a bicycle shall cling or attach himself or his bicycle to any other moving vehicle upon a street or highway, nor shall the operator of any such bicycle tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such highway.
- (f) **SPEED.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.
- (g) **RIDING ON SIDEWALKS.**
 - (1) No person shall ride a bicycle upon a sidewalk within a business district, except riding on bridge sidewalks is permitted on the east side only.
 - (2) No person eleven (11) years of age or more shall ride a bicycle upon the sidewalks of any district.

SEC. 10-2-7 REGISTRATION OF BICYCLES.

- (a) **REGISTRATION OF BICYCLES.** No person shall operate or possess a bicycle upon any street, sidewalk, public property, bicycle pathway or public highway within the City of Menasha unless said bicycle shall first have been registered and an identification tag attached.
- (b) **FORM OF REGISTRATION.**
 - (1) Every owner of a bicycle shall list and register with the Police Department their name, address, manufacturer's, model type, identification number, color and general description.
 - (2) The registration period for a bicycle shall be permanent for any bicycle registered after January 1, 1989.
 - (3) The City shall issue registration tags to residents at no charge so long as ownership of the bicycle is retained. Any transfer of ownership shall require a new registration unless such transfer is within the immediate family of the original registrant.
 - (4) Upon registration the City shall provide a suitable registration tag numbered to correspond with the registration number. The owner shall attach the registration tag to the frame of the bicycle as specified by the Police Department.
 - (5) The replacement of the frame on a bicycle shall require a new registration.
- (c) **RECORDS AND TRANSMITTAL OF FEES.**
 - (1) The Police Department shall maintain a registration program consisting of all applications and registrations.
- (d) **CHANGE OF OWNERSHIP.**
 - (1) An owner shall notify the Police Department that a bicycle has been permanently removed from the City or has been dismantled and taken out of operation within 10 days. Upon such notice, the information will be removed from the registry.
- (e) **REGISTRATION TO BE DISPLAYED.**

- (1) The identification tag issued under this Section shall be affixed to the registered bicycle so as to be plainly seen and read unless otherwise ordered removed by the Police Department.
- (f) **REMOVAL AND ALTERATION OF IDENTIFICATION TAGS.**
- (1) Removal Prohibited. No person shall remove an identification tag from a bicycle during the period for which issued except upon a transfer of ownership or when the bicycle is dismantled and taken out of operation.
 - (2) Alteration Prohibited. No person shall alter or counterfeit any identification tag.
- (f) **PENALTIES.**
- (1) Any person operating or possessing a bicycle upon any street, sidewalk, public property, bicycle pathway, or public highway within the City of Menasha without a valid registration tag and having been previously issued a warning ticket involving the same bicycle shall be fined \$25.00 plus costs for a first violation within one year and \$100.00 plus costs for any subsequent violation within one year.
 - (2) It shall be a defense to this Section for anyone who has validly registered his/her bicycle in any other jurisdiction.

SEC. 10-2-8 SKATEBOARDS.

- (a) **SKATEBOARDING REGULATED.** It shall be unlawful for any person to operate or ride a skateboard, roller skates or roller skis in any of the following places:
- (1) On any City streets.
 - (2) On any sidewalk in a business district. For purposes of this Section, a business district shall be defined as any area primarily commercial in nature.
 - (3) In any public parking ramp or parking lot.
 - (4) Or on other municipally owned property.
 - (5) On private property, unless permission has been received from the owner, lessee or person in charge of that property.
- (b) **RIGHT-OF-WAY.** Operators or riders of skateboards, roller skates or roller skis shall yield the right-of-way to other pedestrians using City sidewalks and shall not otherwise endanger or interfere with normal pedestrian traffic on those sidewalks.
- (c) **PENALTIES.**
- (1) Any persons between fourteen (14) years of age through fifteen (15) years of age who shall violate any provisions of this Section shall be issued a citation subject to penalties provided in Section 1-1-7. In addition, the court may suspend the child's operating license as found in Sec. 340.01, Wis. Stats.
 - (2) Any person under fourteen (14) years of age who shall violate any provision of this Chapter may be issued a special bicycle violation warning notice along with the addition of actions:
 - a. First offense in one (1) year, warning letter sent to parent or guardian requiring their signature and return of the warning notice to the police department.

b. Second offence in one (1) year, mandatory child-parent conference with the juvenile officer.

c. Third offence in one (1) year, mandatory referral to Winnebago

County Juvenile Court.