



P.O. Box 352 • 150 S. Bridge St. • Markesan, WI 53946 • P: (920) 398-3031 • F: (920) 398-3991

## **STREETS, BUILDINGS & UTILITIES COMMITTEE**

Markesan City Hall

**January 5, 2023**

**6:00PM**

### **AGENDA**

Call to Order

Roll Call

Citizen's Comments

Public Works Report

- Status of Tasks Being Worked On and Completed
- CDL Tuition

Water & Sewer Department Report

- Pay Request #4 for Kopplin & Kinas - 2022 Streets & Utility Project

New Business

- Discussion and Action on City of Markesan's Burning Policy – Leaf Collection Cost Review
- Discussion and Action on the Revision of Ordinance 400-115 (A) and/or (B)

Old Business

- Discussion and Action on Maintenance Update for 1775 N. Margaret Street from Property Owner – Written Documentation

Review Land Use Permits

Adjournment

A quorum of the Markesan Common Council may be in attendance at this meeting to gather information about a subject over which they have decision making responsibility. Under Wisconsin Open Meeting Law, this may constitute a meeting of the Common Council pursuant to the Badtke Decision, however, the Council will not take action at this meeting.

Any person requiring special assistance to participate in this meeting should contact the Clerk-Treasurer at 398-3031 at least 24 hours prior to the meeting so appropriate accommodations can be made.

Posted: City Hall  
ERGO Bank Post Office  
[www.markesanwi.gov](http://www.markesanwi.gov)

Dated January 4, 2023  
Elizabeth Amend, Clerk-Treasurer

Account Activity

Todd Zamzow CDL

Due Date	Amount Due
01/31/2023	4.50 >
03/24/2023	1,089.09 >

**Total Charges Due 1,093.59**

**Pending Financial Aid**

**You have no pending Financial Aid at this time**

Currency used is US Dollar.

To (Owner): City of Markesan Project: 2022 Street & Utility Reconstruction Project Owner's Contract No.:	Application Period: thru 10/31/2022 From (Contractor): Koppin & Kinas Co., Inc. Contract: Contractor's Project No.:
Application Date: 10/31/2022 Notice to Proceed Date: Via (Engineer) General Engineering Engineer's Project No.:	

**Application for Payment**  
Change Order Summary

Approved Change Orders Number	Additions	Deductions	
1	\$ 138,225.00	\$ -	
TOTALS	\$138,225.00	\$0.00	
NET CHANGE BY CHANGE ORDERS			\$138,225.00

1. ORIGINAL CONTRACT PRICE \$ 2,597,482.80
2. Net change by Change Orders \$ 138,225.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2) \$ 2,735,707.80
4. TOTAL COMPLETED AND STORED TO DATE \$ 2,617,701.26  
(Column G on Progress Estimate)
5. RETAINAGE:
  - a. 5 % x \$ \$1298741.40 Work Completed \$ 64,937.07
  - b.    % x \$    Stored Material \$ 64,937.07
  - c. Total Retainage (Line 5a + Line 5b) \$ 2,552,764.19
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 2,083,180.11
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) \$ 469,584.08
8. AMOUNT DUE THIS APPLICATION \$ 118,006.54
9. BALANCE TO FINISH, PLUS RETAINAGE \$ 118,006.54  
(Column I on Progress Estimate + Line 5 above)

**Contractor's Certification**

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of: \$ \_\_\_\_\_ (Line 8 or other - attach explanation of other amount)

is recommended by: \_\_\_\_\_ (Engineer) \_\_\_\_\_ (Date)

Payment of: \$ \_\_\_\_\_ (Line 8 or other - attach explanation of other amount)

is approved by: \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

Approved by: \_\_\_\_\_ Funding Agency (if applicable) \_\_\_\_\_ (Date)

By: Michael Myers Date: 10/31/2022

A Item No.	B Item Description	C Bid	D Units	E Unit Price	F Scheduled Value	G Work Completed		H This Period Quantity	I Previous Application Quantity	J Previous Application Amount	K Material Stored Not in G or I	L Total Completed & Stored To Date (H+I)	M % (L/F)	N Balance To Finish (F-L)
						Quantity	Amount							
1	Performance and Payment Bonds	1	LS	\$ 35,000.00	\$ 35,000.00	0.5	\$ 17,500.00	0.5	\$ 17,500.00			\$ 35,000.00	100%	\$ -
2	Mobilization/Demobilization	1	LS	\$ 100,000.00	\$ 100,000.00		\$ -	0.75	\$ 75,000.00			\$ 75,000.00	75%	\$ 25,000.00
3	Silt Fence/Sediment Log	4,000	LF	\$ 0.50	\$ 2,000.00		\$ -		\$ -			\$ -	0%	\$ 2,000.00
4	Inlet Protection	1	LS	\$ 2,210.00	\$ 2,210.00		\$ -	1	\$ 2,210.00			\$ 2,210.00	100%	\$ -
5	Traffic Control	1	LS	\$ 7,500.00	\$ 7,500.00	0.25	\$ 1,875.00	0.75	\$ 5,625.00			\$ 7,500.00	100%	\$ -
6	Temporary Access	1	LS	\$ 6,000.00	\$ 6,000.00		\$ -	1	\$ 6,000.00			\$ 6,000.00	100%	\$ -
7	Temporary Mailboxes	1	LS	\$ 4,170.00	\$ 4,170.00		\$ -		\$ -			\$ -	0%	\$ 4,170.00
8	Temporary Water Service	1	LS	\$ 31,135.00	\$ 31,135.00		\$ -	1	\$ 31,135.00			\$ 31,135.00	100%	\$ -
9	Milling Existing Pavement	2,400	CY	\$ 27.60	\$ 66,240.00		\$ -	2216.5	\$ 61,175.40			\$ 61,175.40	92%	\$ 5,064.60
10	Remove Asphalt Pavement	22,555	SY	\$ 1.58	\$ 35,636.90		\$ -	22555	\$ 35,636.90			\$ 35,636.90	100%	\$ -
11	Remove Concrete Curb and Gutter	10,500	LF	\$ 1.27	\$ 13,335.00		\$ -	10500	\$ 13,335.00			\$ 13,335.00	100%	\$ -
12	Remove Driveway and Sidewalk	37,300	SF	\$ 0.57	\$ 21,261.00	2300	\$ 1,311.00	35000	\$ 19,950.00			\$ 21,261.00	100%	\$ -
13	Remove Sanitary Sewer Pipes and Manholes	1	LS	\$ 4,825.00	\$ 4,825.00		\$ -	1	\$ 4,825.00			\$ 4,825.00	100%	\$ -
14	Remove Water Main Pipes, Hydrants, Valves, Curb Stops and Laterals	1	LS	\$ 6,025.00	\$ 6,025.00		\$ -	1	\$ 6,025.00			\$ 6,025.00	100%	\$ -
15	Pipe Bulkhead	1	LS	\$ 425.00	\$ 425.00		\$ -		\$ -			\$ -	0%	\$ 425.00
<b>Sanitary Sewer</b>														
16	Connect to Existing Sanitary Sewer	7	EA	\$ 1,565.00	\$ 10,955.00		\$ -	7	\$ 10,955.00			\$ 10,955.00	100%	\$ -
17	Sanitary Sewer, 8-inch PVC	910	LF	\$ 68.00	\$ 61,880.00		\$ -	950.5	\$ 64,634.00			\$ 64,634.00	104%	\$ (2,754.00)
18	TV Inspection of Sanitary Sewer	910	LF	\$ 1.50	\$ 1,365.00		\$ -	950.5	\$ 1,425.75			\$ 1,425.75	104%	\$ (60.75)
19	Sanitary Sewer Manhole, 4-Ft.I.D.	56.8	VF	\$ 400.00	\$ 22,720.00	8.25	\$ 3,300.00	48.55	\$ 19,420.00			\$ 22,720.00	100%	\$ -
20	Unclassified Sewer Work	1	LS	\$ 2,050.00	\$ 2,050.00	1	\$ 2,050.00		\$ -			\$ 2,050.00	100%	\$ -
21	Sanitary Sewer Manhole Frame & Cover (w/ Interior/Exterior Seal)	7	EA	\$ 885.00	\$ 6,195.00	2	\$ 1,770.00	5	\$ 4,425.00			\$ 6,195.00	100%	\$ -
22	Sanitary Sewer Manhole Frame & Cover Adjustment	17	EA	\$ 1,265.00	\$ 21,505.00	17	\$ 21,505.00		\$ -			\$ 21,505.00	100%	\$ -
23	Sanitary Sewer Lateral, 6-inch PVC w/ Tracer Wire Terminal Box	830	LF	\$ 74.50	\$ 61,835.00		\$ -	694	\$ 51,703.00			\$ 51,703.00	84%	\$ 10,132.00
24	Television Sanitary Sewer Lateral	24	EA	\$ 135.00	\$ 3,240.00		\$ -	24	\$ 3,240.00			\$ 3,240.00	100%	\$ -
<b>Watermain</b>														
25	Connect to Existing Water Main	12	EA	\$ 2,130.00	\$ 25,560.00		\$ -	12	\$ 25,560.00			\$ 25,560.00	100%	\$ -
26	Water Main, 6-inch Ductile Iron	5,600	LF	Used Alternate ***			\$ -		\$ -			\$ -		\$ -
27	Gate Valve with Adapter, 6-inch	37	EA	\$ 1,625.00	\$ 60,125.00		\$ -	37	\$ 60,125.00			\$ 60,125.00	100%	\$ -
28	Hydrant w/ 6-inch Gate Valve on Lead	10	EA	\$ 6,590.00	\$ 65,900.00		\$ -	10	\$ 65,900.00			\$ 65,900.00	100%	\$ -
29	Water Lateral, 1-inch Copper	3,100	LF	Used Alternate ***			\$ -		\$ -			\$ -		\$ -
30	Corp Stop & Curb Stop w/ Box, 1-inch	89	EA	\$ 475.00	\$ 42,275.00		\$ -	89	\$ 42,275.00			\$ 42,275.00	100%	\$ -
<b>Storm Sewer</b>														
31	Storm Sewer Manhole Frame and Cover Adjustment	26	EA	\$ 495.00	\$ 12,870.00	10	\$ 4,950.00	16	\$ 7,920.00			\$ 12,870.00	100%	\$ -





Betsy Amend <bamend@markesanwi.gov>

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## Fall Leaf Pick-up

1 message

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Todd Zamzow <tzamzow@markesanwi.gov>

Tue, Nov 22, 2022 at 7:28 AM

To: Rich Slate <mayorsl8@aol.com>, Betsy Amend <bamend@markesanwi.gov>

Good morning Rich,

Here is a rough breakdown of the cost of picking up leaves this fall 10/03/22 to 11/11/22 here in Markesan.

### Employee Hours & rate of pay

Todd - \$24 per hour x 144.5 hours = 3468

John - \$12 per hour x 79 hours = 948

Jim - \$12 per hour x 42.25 hours = 507

Now again these are just rough estimates of wages and hours. Jeff also helped for a day because of the street project needing leaves picked up along the curb which I do not have his wage figured in.

### Machine and fuel usage.

Leaf vac 90 gallons of fuel x 3.69 per gallon gas = 332.10

Payloader 20 gallons x 5.19 per gallon of diesel = 103.80

Leaf Truck 60 gallons x 3.69 per gallon gas = 221.40

Leaf Truck 5 quarts power steering fluid x 4.99 per quart = 24.95

Next year replace hose will be approximately \$669 for a new hose.

Rough estimate grand total = \$6274.25 for leaf pick up dating 10/03/22 to 11/11/2022.

Todd



Betsy Amend <bamend@markesanwi.gov>

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**Re: Sign Permit Application, 531 W. John St., Markeson WI**

1 message

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Tim Tripp <ttripp@generalengineering.net>

Tue, Dec 27, 2022 at 2:31 PM

To: Betsy Amend <bamend@markesanwi.gov>, Daniel Sondalle <dsondalle@sondallelaw.com>

Betsy,

The existing sign has been allowed under 400-116 E which addresses legally non-conforming signs. Their sign is permitted under this section. However, non-confirming signs are limited to repairs amounting to 50% of the value of the existing sign. This section states that a new sign cannot replace a non-conforming sign.

Let me know if the common counsel wants to address this. I will then reply to the applicant that there permit application is either denied or pending.

Timothy Tripp  
Building Inspector | **General Engineering Company**  
916 Silver Lake Drive | PO Box 340 | Portage, WI 53901  
P 608-742-2169 | C 608-617-6873  
ttripp@generalengineering.net  
[www.generalengineering.net](http://www.generalengineering.net)

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**From:** Betsy Amend <bamend@markesanwi.gov>  
**Sent:** Tuesday, December 27, 2022 2:05:07 PM  
**To:** Daniel Sondalle <dsondalle@sondallelaw.com>  
**Cc:** Tim Tripp <ttripp@generalengineering.net>  
**Subject:** Re: Sign Permit Application, 531 W. John St., Markeson WI

This is our trailer park in town. If the sign was there all this time, can it be grandfathered in?



Betsy Amend  
City of Markesan Clerk-Treasurer  
920-398-3031

On Tue, Dec 27, 2022 at 1:53 PM Daniel Sondalle <dsondalle@sondallelaw.com> wrote:

Dear Betsy and Tim:

Section 400-115 A is ambiguous as that Section includes (R-1). However, Section 400-115 addresses all other districts so one can probably argue that signs are prohibited in all residential districts. The City must amend the Ordinance to clean up the ambiguity. I would suggest the Common Council address this issue at its next meeting to give us

guidance as to how they would interpret this Section. If all residential districts are prohibited to have signs, the permit must be denied.

If you have any further questions regarding this matter, please contact me.

Thank you.

Daniel D. Sondalle/kjg

SONDALLE LAW OFFICE, LLC

P.O. BOX 236

PRINCETON WI 54968

920-295-6477

FAX: 920-295-4868

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On Tue, Dec 27, 2022 at 10:32 AM Betsy Amend <[bamend@markesanwi.gov](mailto:bamend@markesanwi.gov)> wrote:

Dan-

Can you please advise Tim Tripp and Lukasz at General Engineering on the ordinance question below I will send over the sign permit in my next email.

Thanks



*Betsy Amend*  
*City of Markesan Clerk-Treasurer*  
*920-398-3031*

----- Forwarded message -----

From: **Tim Tripp** <[tripp@generalengineering.net](mailto:tripp@generalengineering.net)>  
Date: Thu, Dec 22, 2022 at 2:28 PM  
Subject: RE: Sign Permit Application, 531 W. John St., Markeson WI  
To: Betsy Amend <[bamend@markesanwi.gov](mailto:bamend@markesanwi.gov)>

Betsy,

I reviewed the ordinances regulating this sign application with Lukasz. We have a legal question Lukasz recommended we send to Mr. Sandale. Mobile Home parks are zoned R-3. The ordinance reads:

400-115 Permitted and prohibited signs.

A. All signs are prohibited in the Conservancy (CON) and all Residential (R-1) Districts, except the following



400-115 B does not list R-3 as permitting a sign for R-3.

Does 400-115 apply to all Residential zoning including R-1, R-2, and R-3? Or does 400-115 only apply to R-1 zoning?

*Timothy Tripp*

Building Inspector | **General Engineering Company**

916 Silver Lake Drive | PO Box 340 | Portage, WI 53901

P 608-742-2169 | C 608-617-6873

[ttripp@generalengineering.net](mailto:ttripp@generalengineering.net)

[www.generalengineering.net](http://www.generalengineering.net)

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**From:** Betsy Amend <[bamend@markesanwi.gov](mailto:bamend@markesanwi.gov)>  
**Sent:** Tuesday, December 20, 2022 3:28 PM  
**To:** Tim Tripp <[ttripp@generalengineering.net](mailto:ttripp@generalengineering.net)>  
**Subject:** Fwd: Sign Permit Application, 531 W. John St., Markesan WI



*Betsy Amend*

*City of Markesan Clerk-Treasurer*

*920-398-3031*

----- Forwarded message -----

**From:** Allison Emerson <[allison.emerson@asisignage.com](mailto:allison.emerson@asisignage.com)>  
**Date:** Tue, Dec 20, 2022 at 3:18 PM

Subject: Sign Permit Application, 531 W. John St., Markeson WI  
To: [bamend@markesanwi.gov](mailto:bamend@markesanwi.gov) <[bamend@markesanwi.gov](mailto:bamend@markesanwi.gov)>

Hi,

Attached is a sign permit application and backup documentation for replacing a sign.

Thanks,

Allison Emerson

Project Manager

ASI Signage Innovations

[1119 Wheaton Avenue](#)

[Troy, MI 48083](#)

248.680.8970 Tel 248-680.9061 Fax

[allison.emerson@asisignage.com](mailto:allison.emerson@asisignage.com)

[www.asisignage.com](http://www.asisignage.com)

<b>FOR INSPECTIONS CALL:</b>		<b>GENERAL BUILDING PERMIT APPLICATION</b>				<b>PERMIT #</b>	
		GENERAL ENGINEERING COMPANY P.O. BOX 340 PORTAGE, WI 53901 OFFICE: (608) 745-4070				<b>EXPIRATION DATE:</b>	
<b>Parcel Number:</b> 251-00416-0100		<input type="checkbox"/> Town of <input type="checkbox"/> Village of <input type="checkbox"/> City of <input type="checkbox"/> County of <input type="checkbox"/> State Inspection Agency #				<b>Municipality Number</b>	
<b>PROJECT DESCRIPTION (Submit Building Plans &amp; Site Plan)</b> Remove existing sign and replace with new, but perpendicular to road						Does this project require any additional approvals or permits? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
<b>Building Address:</b> 531 W. John Street			<b>Responsible Party Email Address:</b> allison.emerson@asisignage.com			<b>Finished Project Value</b> \$ 3,334.00	
<b>Zoning District(s):</b> R-3	<b>Zoning Permit No.:</b>	<b>Corner Lot</b> <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<b>Bldg. Height</b> Ft.	<b>Setbacks:</b>	<b>Front</b>	<b>Rear</b>	<b>Left</b>
<b>Owner's Name</b> Markesan Park WI MHC, LLC		<b>Mailing Address</b> 32100 Northwestern Hwy. Farmington Hills, MI 53946				<b>Telephone</b> (248) 626-0737	
<b>Construction Contractor's Name</b> ASI Signage		<b>WI Lic. No.</b> MI 5404435	<b>Mailing Address</b> 1119 Wheaton Ave, Troy, MI 48083				<b>Telephone</b> (248) 680-8970
<b>Dwelling Contractor Qualifier</b>		<b>WI Lic. No.</b>	The Dwelling Contr. Qualifier shall be an owner, CEO, COB or employee of the Dwelling Contr.				<b>Fax</b> (248) 680-9061
<b>HVAC</b>		<b>WI Lic. No.</b>	<b>Mailing Address</b>				<b>Telephone</b>
<b>Electrical</b>		<b>WI Lic. No.</b>	<b>Mailing Address</b>				<b>Fax</b>
<b>Plumbing</b>		<b>WI Lic. No.</b>	<b>Mailing Address</b>				<b>Telephone</b>
						<b>Fax</b>	
<b>RESIDENTIAL</b> Single Family/Duplex	<b>Addition:</b> <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> HVAC <input type="checkbox"/> Construction _____ sq. ft. <input type="checkbox"/> Erosion Control						
	<b>Detached Accessory Building:</b> <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> HVAC <input type="checkbox"/> Construction _____ sq. ft.						
	<b>Remodel:</b> <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> HVAC <input type="checkbox"/> Construction _____ sq. ft.						
	<b>Other:</b> <input type="checkbox"/> Fence <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> HVAC <input type="checkbox"/> Construction _____ sq. ft. <input type="checkbox"/> Erosion Control <input type="checkbox"/> Electrical Service Upgrade (Amp _____) <input type="checkbox"/> Removal of Structure (Raze) <input checked="" type="checkbox"/> Signage						
<b>COMMERCIAL</b>	<b>New Commercial Building:</b> <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> HVAC <input type="checkbox"/> Construction <input type="checkbox"/> Erosion Control						
	<b>Commercial Addition/Alteration:</b> <input type="checkbox"/> Electrical <input type="checkbox"/> Plumbing <input type="checkbox"/> HVAC <input type="checkbox"/> Construction <input type="checkbox"/> Erosion Control _____ Building Sq. Ft. <input type="checkbox"/> Fence <input checked="" type="checkbox"/> Sign <input type="checkbox"/> Removal of Structure (Raze) <input type="checkbox"/> _____						
	<b>State of Wisconsin Plan Approval Needed:</b> <input type="checkbox"/> yes <input checked="" type="checkbox"/> no (Approved plans must be submitted with permit application)						
<b>Zoning – When applicable, must obtain a copy of setback information regarding height, lot coverage, etc.</b>							
I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the state or municipality; and certify that all the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of the last page of this application. I expressly grant the building inspector or the inspector's authorized agent permission to enter the premises for which this permit is sought at all reasonable hours and for any proper purpose to inspect the work which is being done. <b>It is the Owner/Contractors Responsibility to Call in ALL INSPECTIONS to the Inspector.</b>							
<b>APPLICANT'S SIGNATURE</b> Allison Emerson						<b>DATE SIGNED</b> 12/20/2022	
<small>DN: cn=Allison Emerson, o,ou, email=allison.emerson@asisignage.com, c=US Date: 2022.12.20 16:15:14 -05'00'</small>							
<b>APPROVAL CONDITIONS</b> This permit is issued pursuant to the following conditions. Failure to comply may result in suspension or revocation of this permit or other penalty. <input type="checkbox"/> See attached for conditions of approval.							
<b>FEES:</b>		<b>PERMIT(S) ISSUED</b>			<b>PERMIT ISSUED BY:</b>		
Construction	\$ _____	<input type="checkbox"/> Construction			Name _____		
Plumbing	\$ _____	<input type="checkbox"/> HVAC			Date _____ Telephone _____		
Electrical	\$ _____	<input type="checkbox"/> Electrical			Cert No. _____		
HVAC	\$ _____	<input type="checkbox"/> Plumbing					
Zoning	\$ _____	<input type="checkbox"/> Erosion Control					
Other	\$ _____	<input type="checkbox"/> Other _____					
Administrative	\$ _____						
GEC	\$ _____						
Total Permit Fee	\$ _____						

**It is the Owner/Contractors Responsibility to Call in ALL INSPECTIONS to the Inspector.**



Remove existing sign and replace with new, but perpendicular to the road



1119 Wheaton  
Troy, MI 48063  
248.680.8970  
www.asisignage.com

Project: Sign Replacement

Location: Markeson

Date: 12/20/22

Scale: No Scale

Drawn By: AE

Specifications:  
Sign Replacement

This drawing is the property of ASI. This drawing is submitted under a confidential relationship for a specified purpose and the recipient, by accepting this document, assumes custody and agrees that this document will not be copied or reproduced in whole or in part, nor its contents revealed in any manner or to any person except to meet the purpose for which it was delivered without express written permission from ASI.

**FWO No.:** 00000    **Date:** 0/0/23  
**Client:** RHP Properties, Inc.  
**Project:** Markesan, WI ACE #Z4

## Submittal Comments

**Please Check One:**

- Approved As Submitted  
 Approved As Noted  
 Revise And Resubmit

**Reviewed By:**

**Date:**

**Additional Notes:**

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**Please Fax Or Mail Drawings To The Address At Left**

**Sign Type:** MS  
**Description:** Post & Panel Sign  
**Product Code:** ALM- 4" d    **Size:** 38" x 84"  
**Quantity:** 1 (Double Faced)  
**Graphics Process:** Surface Applied Vinyl  
**Typography:**  
 -12.02" AT Capone Light, As Typed  
 -3.93" Crayon Normal, L/C  
 2.08" Futura Book, As Typed  
 5.58" Overall Height RHP Logo  
 4.81" x 84" Band

**Graphics Color:**  
 Property Name - Gerber Antique White  
 Swoosh - Gerber Peacock Blue  
 Tagline - Gerber Powder Blue; See drwg. for RHP  
**Frames & Fixtures:**  
 Provide (2) 6" x 6" x 1/8" Aluminum Tube Posts, 87" Length with 6" x 6" Post Caps, Painted MP55685 Snowflake, per sign

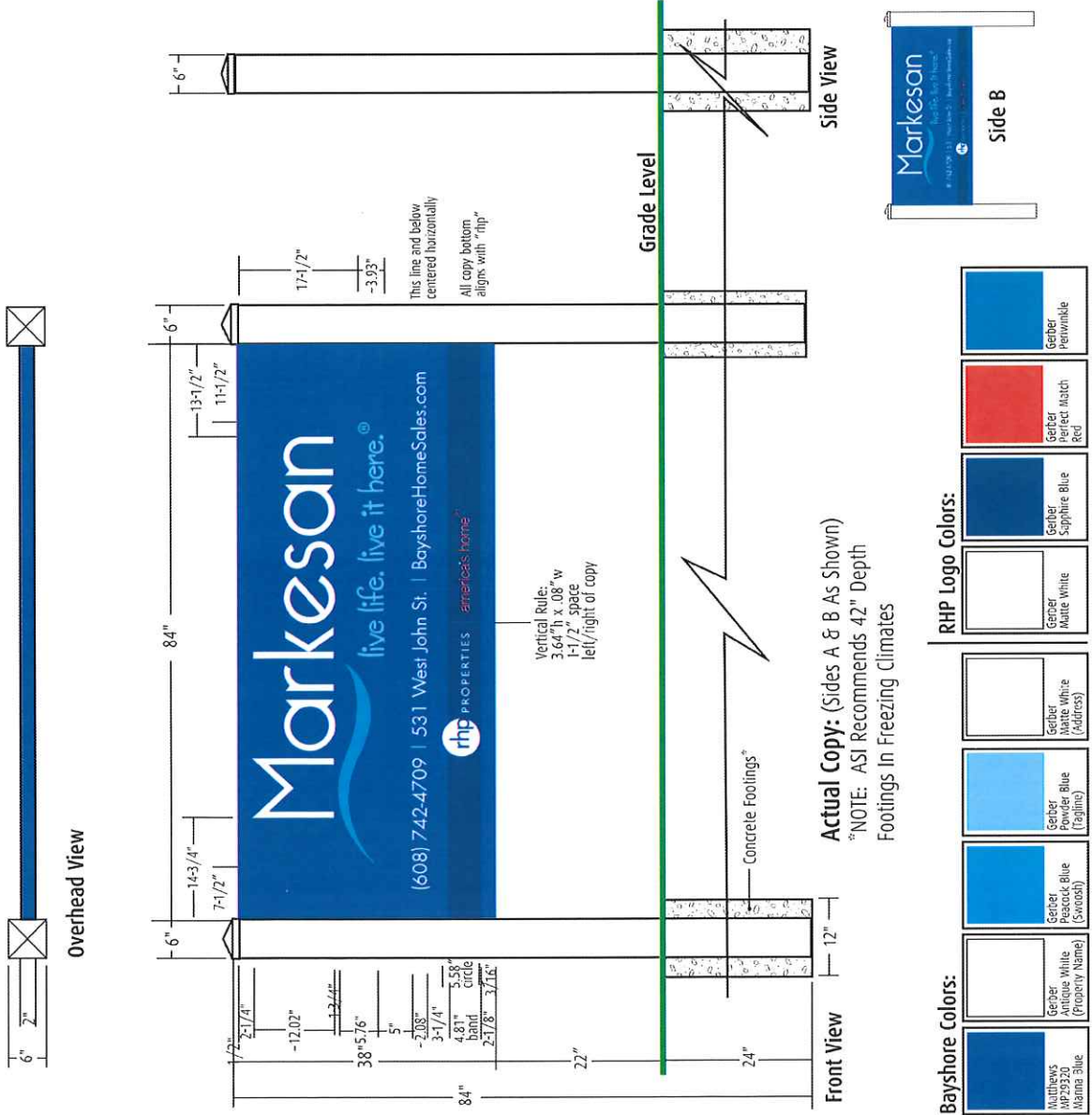
**Background Color:**  
 Sign Cabinet - MP29320 Marina Blue  
 Posts & Caps - MP55685 Snowflake (Clearcoat Cabinet & Posts)  
**Installation Method:**  
 Direct Imbedment

**Production Notes:**  
 Graphic Sizes Shown Are Approximate Based On Client Provided Full Sized Artwork.  
 See Attached Construction Detail



**Drawings Shown In Proportion But Not To Scale**

**Dwg:** AE    **Page** 2 **of**    **Proofed:**



## Chapter 400. Zoning

### Article XXIII. Signs

#### § 400-115. Permitted and prohibited signs.

- A. All signs are prohibited in the Conservancy (CON) and all Residential (R-1) Districts, except the following:
- (1) Signs not requiring a permit.
  - (2) Signs over windows or doors of a nonconforming business establishment announcing without display or elaboration only the name and occupation of the proprietor and not to exceed one foot in height and three feet in length.
  - (3) Agricultural signs pertaining to the sale of agricultural products of a farm. Any sign shall be located upon the farm which it advertises and shall not exceed 32 square feet in area on all sides for any one farm.
  - (4) Signs for churches, synagogues and similar places of worship and instruction, including parsonages, are allowed in all Residential (R-1) Districts and are subject to this article.  
[Added 1-14-2020 by Ord. No. 255]
- B. Signs are permitted in the Agricultural (A), General Commercial (C-1), Highway Commercial (C-2) and Industrial (I-1) Districts, subject to the following restrictions:
- (1) Wall signs painted on, attached to or placed against the exterior walls of a building shall not extend more than 18 inches outside of a building's wall surface, shall not exceed 200 square feet in area for any one premises and shall not exceed 20 feet in height above the mean center line street grade; all such signs if on-premises shall conform to the criteria herein for such on-premises signs.
  - (2) Projecting signs. Canopy signs shall be on-premises signs and the area of copy shall not exceed 200 square feet.
  - (3) Freestanding signs shall not exceed 200 square feet in area per facing for on-premises signs and shall not exceed 200 square feet in area per facing for off-premises signs.
  - (4) All shoreland signs visible to lake or stream users at any time of the year shall not exceed 100 square feet in area per facing on each side. All shoreland signs shall be on-premises regardless of the amount of water frontage.
  - (5) No sign shall be erected at any location where it may, by reason of its position, shape, color or other characteristics, interfere with, obstruct the view of or be confused with any authorized traffic sign, traffic signal or other traffic device nor shall any sign make use of the words "STOP," "LOOK," "DRIVE-IN," "DANGER," "ENTER," "EXIT," "OPEN" or use any other word, phrase or symbol or character in such a manner as to interfere with, mislead or confuse traffic. "ENTER," "EXIT" and "DRIVE-IN" signs may be allowed by permit of the Common Council for use where such signs significantly aid the flow of traffic and provided further that the business

for which said signs are requested shall have separate entrance and exit drives with curb cuts for each separated by a minimum distance of 10 feet.

- (6) No sign shall be placed upon or over any public way or right-of-way, providing that this subsection shall not be construed to prohibit direction or placement of any authorized traffic sign, traffic signal or other traffic device.
- (7) Signs on vehicles. Any sign on any vehicle, motorized or otherwise, licensed or unlicensed, may only be an off-premises sign and may only be parked or placed within General Commercial, Highway Commercial and Industrial Districts.
  - (a) Such signs having been so placed for the purpose, apparent purpose or resulting purpose of advertising a business activity or public or private event shall not have a sign area in excess of 48 square feet in area per facing.
  - (b) Such sign or vehicle shall not be parked within 100 feet of any other sign which requires a permit under this section. Such signs shall require application for and issuance of a permit.
  - (c) Such sign or vehicle shall not be structured in such a way as to be a hazard to traffic or driver visibility. This shall not prevent any ordinary, legitimate business vehicle from parking in any area of the City, whether on-street or off-street, if the same is parked there for a legitimate purpose other than that of purely advertising.
- (8) Portable signs shall be limited to three per premises at any time and they shall meet all other requirements of this section.
- (9) Advertising balloons, kites or other such signs tethered to the ground or a structure are prohibited.

for which said signs are requested shall have separate entrance and exit drives with curb cuts for each separated by a minimum distance of 10 feet.

- (6) No sign shall be placed upon or over any public way or right-of-way, providing that this subsection shall not be construed to prohibit direction or placement of any authorized traffic sign, traffic signal or other traffic device.
- (7) Signs on vehicles. Any sign on any vehicle, motorized or otherwise, licensed or unlicensed, may only be an off-premises sign and may only be parked or placed within General Commercial, Highway Commercial and Industrial Districts.
  - (a) Such signs having been so placed for the purpose, apparent purpose or resulting purpose of advertising a business activity or public or private event shall not have a sign area in excess of 48 square feet in area per facing.
  - (b) Such sign or vehicle shall not be parked within 100 feet of any other sign which requires a permit under this section. Such signs shall require application for and issuance of a permit.
  - (c) Such sign or vehicle shall not be structured in such a way as to be a hazard to traffic or driver visibility. This shall not prevent any ordinary, legitimate business vehicle from parking in any area of the City, whether on-street or off-street, if the same is parked there for a legitimate purpose other than that of purely advertising.
- (8) Portable signs shall be limited to three per premises at any time and they shall meet all other requirements of this section.
- (9) Advertising balloons, kites or other such signs tethered to the ground or a structure are prohibited.

## § 400-116. Requirements.

A. Spacing and lighting requirements shall be applied to all signs governed by this section as follows:

- (1) Spacing.
  - (a) One freestanding sign shall be permitted for each full 200 feet of frontage on any highway, road or street which is open to the public and abutting said business premises; provided, however, that any business premises with less than 200 feet of total frontage shall be permitted one on-premises freestanding sign, and provided further that no segment of frontage along a single highway, road or street shall have more signs directed or oriented to or toward that segment than would be permitted based upon the number of feet of frontage in that segment. Signs placed pursuant to the terms of this subsection shall be removed prior to any sale, lease, assignment or transfer of property which would result in such signs failing to comply with the spacing requirements of this section. For purposes of this subsection, shopping centers and amusement parks shall be considered a single business premises.
  - (b) Notwithstanding all other provisions stated herein, no freestanding sign shall be placed within 100 feet of any other freestanding sign.
- (2) All signs other than directional signs shall be set back a minimum of 50 feet from side property lines. A variance shall be permitted for one on-premises sign for property owners with less than 100 feet of frontage. The exact location permitted in such cases will be determined based upon the topography of the property and the location of existing structures. Variance may be allowed to other property owners where topography or location of existing buildings make compliance with this section difficult and an alternate location consistent with the intent and spirit of this section is proposed.



- (3) A sign structure may have displays back-to-back, side-by-side, decked or in V-type construction with no more than two displays to each facing, and each sign structure shall be considered one sign, provided that the greatest distance between faces of V-type constructed sign shall not exceed the width of the sign and all "V" and back-to-back signs have at least one point where the distance between facings does not exceed six feet.
  - (4) Lighting. No sign shall be so illuminated so as to create or cause a hazard to vehicles or other traffic, or to obscure an official device, sign or signal.
  - (5) Signs shall not be placed in such a way that they will obstruct existing signs.
  - (6) Any electric sign shall comply with the shape, size, form or color of railroad or traffic signs, signals or devices. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape, and no sign shall be attached to a standpipe or interfere with traffic visibility nor be lighted in such a way as to cause glare or impair driver visibility upon the public highways.
- B. Signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs, signals or devices. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape, and no sign shall be attached to a stand pipe or interfere with traffic visibility nor be lighted in such a way as to cause glare or impair driver visibility upon the public highways.
- C. Permits.
- (1) No sign of any type or class, unless specifically exempted hereunder, shall be erected, changed, repaired, restructured, refused, moved or changed in any manner whatsoever, regardless of the extent or cost involved therein, unless an application for a permit shall have been submitted to the Building Inspector.
  - (2) Application for a permit shall be filed with the Building Inspector upon forms provided and shall contain the following information:
    - (a) The name, address and telephone number of the sign owner, the property owner where the sign is or will be located, and the sign contractor for the proposed sign.
    - (b) Clear and legible scale drawings with description and nominal dimensions of the proposed sign and the construction, size, dimensions and kind of materials to be used in such structure. The site plan shall show the buildings on the premises upon which the structure is to be erected and maintained, together with location, size and types of existing signs on the premises where the proposed sign is to be located.
    - (c) Photos of subject property and sign site.
    - (d) Such other information as the Building Inspector may require to show full compliance with this section and this and all other applicable laws of the City.
    - (e) A sworn statement of the replacement costs of said sign along with a complete copy of any lease agreement for said sign.
    - (f) Signature of the applicant.
    - (g) Payment for all required fees.
  - (3) No application may be filed for any sign which has already been constructed and installed.
  - (4) No separate permit is required for change of messages on changeable copy sign or change of messages on off-premises signs for which a prior permit has been issued.
  - (5) A new and separate permit is required prior to any change in sign copy which would have the functional effect of changing the sign to a class of sign other than that described by a prior permit or prior use of the sign, and such permit shall not be granted unless the sign shall be in

full conformity with all criteria applicable to the new class of sign which would follow from such change.

- (6) No permit shall be granted nor shall any copy be permitted on existing signs when the content of said sign or copy, in the judgment of the Common Council is untruthful, misleading, obscene or advertises any activity or business which is illegal under federal, state or municipal law.
- (7) No permit shall be required for the following types and classes of signs:
  - (a) Construction signs. Construction signs with the principal purpose of identifying contractors, subcontractors or suppliers on a construction site shall be permitted without permits, provided that there shall not be more than one sign per construction site. No such sign shall be larger than 16 square feet and no sign shall remain for more than 60 days.
  - (b) Government signs. Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs and signs of public utilities indicating danger, and aids to service of safety which are erected by or on the order of a public officer in the performance of his public duty.
  - (c) Home occupation signs. Signs associated with a home occupation provided such signs are nonilluminated wall signs that do not exceed two square feet in area.
  - (d) House numbers and name plates. House numbers and name plates not exceeding two square feet in area for each residential, commercial or industrial building.
  - (e) Interior signs. Signs located within the interior of any building or structure or business premises which are not visible from the public right-of-way. This does not, however, exempt such signs from the structural, electrical or material specification of this section.
  - (f) Memorial signs and plaques. Memorial signs or tablets, names of buildings and dates of erection which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material no more than four square of feet in area.
  - (g) No trespassing or no dumping signs. No trespassing and no dumping signs not to exceed 1 1/2 square feet in area per sign.
  - (h) Public notices. Official notices posted by public officers or employees in the performance of their duties.
  - (i) Public signs. Signs required as specifically authorized for a public purpose by any law, statute or ordinance.
  - (j) Political and campaign signs. Political and campaign signs on behalf of candidates for public office or measures on election ballots, provided that said signs are subject to the following regulations:
    - [1] Said signs may be erected no earlier than 30 days prior to the primary election and shall be removed within 30 days following said general election.  
[Amended 4-14-2015 by Ord. No. 233]
    - [2] Each sign shall not exceed 16 square feet in nonresidential zoning districts and 11 square feet in residential zoning districts.  
[Amended 4-14-2015 by Ord. No. 233]
    - [3] No sign shall be located within 15 feet of the public right-of-way of a street intersection nor over the right-of-way.
  - (k) Real estate signs. One real estate sign on any lot or parcel, provided such sign is located entirely within the property to which the sign applies and is not directly illuminated.

[1] In residential districts, such signs shall not exceed eight square feet in area and shall be removed within 30 days after the sale, rental or lease has been accomplished.

[2] In all other districts, such signs shall not exceed 16 square feet in area and shall be removed within 30 days after the sale, rental or lease has been accomplished.

(l) Temporary window signs. In business, commercial and industrial districts, the inside surface of any ground floor window may be used for attachment of temporary signs. The total area of such signs, however, shall not exceed 50% of the total window area and shall not be placed on door windows or other windows needed to be clear for pedestrian safety.

(m) Temporary signs which advertise an event and are no larger than 16 square feet in nonresidential zoning districts and 11 square feet in residential zoning districts. All signs temporarily displayed within the City shall be removed within 30 days after the event advertised. This provision shall not apply to billboards or other permanent signs advertising businesses or products.<sup>[1]</sup>

[Added 4-14-2015 by Ord. No. 233]

[1] *Editor's Note: These provisions were previously included as Section 9.16, Temporary signs.*

(n) On-premises symbols or insignia. Religious symbols, commemorative plaques of recognized historic agencies or identification emblems of religious orders or historical agencies.

(o) On-premises temporary signs. Temporary signs not exceeding four square feet in area pertaining to drives or civic, philanthropic, educational, religious organizations, provided such signs are posted not more than 30 days before said event and removed within three days after the event.

(p) Vehicular signs. Truck, bus, trailer or other vehicle while operating in the normal course of business, which is not primarily the display of signs.

(q) Bulletin boards. Bulletin boards of public, charitable or religious organizations not to exceed eight square feet in area located on the premises.

(8) Upon issuance of any sign permit, the applicant for said permit shall have a period of time of one year in which to complete the work or construction permitted pursuant to said permit. Any work required to complete such project after one year shall require a new permit.

D. Violation or failure to comply with the provisions of this section shall be and hereby is declared to be unlawful.

(1) Any sign other than a legal nonconforming sign found to be in violation of the terms of this section shall be removed at the owner's expense or brought into compliance within five days of mailing written notification by the Building Inspector to the address indicated on the original sign permit application or any amendment thereto. If no sign permit application is on file, notice may be sent to the owner of the real property on which such sign is located or to the business location advertised on such sign. In the event the owner does not remove or bring said sign in compliance, the Building Inspector may order removal, the expense of which will be assessed to the tax roll or the property on which the noncomplying sign is located.<sup>[2]</sup>

[2] *Editor's Note: Original Sec. 17.21(4)(d), providing penalties, which immediately followed this subsection, was repealed 4-14-2015 by Ord. No. 233.*

#### E. Legal nonconforming signs.

(1) After enactment of this section, the Building Inspector shall survey the City to inventory all signs. Upon determination that a sign is nonconforming, the Building Inspector shall use all reasonable efforts to so notify, either personally or in writing, the user or owner of the property on which the sign is located of the following:

- (a) The sign's nonconformity.
  - (b) Whether the sign is eligible for characterization as a legal nonconforming sign or is unlawful.
- (2) Signs eligible for classification as a legal nonconforming sign. Any sign located within the City on the date of adoption of this section or located in an area annexed to the City hereafter which does not conform with the provisions of this section is eligible for classification as a legal nonconforming sign and is permitted, providing it also meets the following requirements:
- (a) The sign was covered by a proper sign permit prior to the date of adoption of this section.
  - (b) If no permit was required under applicable law for the sign in question, the sign was in all respects in compliance with applicable law on the date of adoption of this section.
- (3) Loss of legal nonconforming status.
- (a) Purpose. The Common Council has determined that the public interest is served by reducing the number of signs constructed and maintained within the City. It is recognized that sign owners possess valuable property interests in said signs and for that reason the Common Council has also decided that it is in the public interest that legal nonconforming signs not be subject to sunset provisions. It is also the determination of the Common Council that legal nonconforming signs not be improved, reinstalled, reconstructed, replaced or have their useful life extended. Therefore, it is the Common Council's determination that, in the event of damage or destruction of a legal nonconforming sign not the result of a criminal act, the sign shall not be rebuilt.
  - (b) A sign loses its nonconforming status if one or more of the following occurs:
    - [1] The sign is structurally altered in any way, except for normal maintenance or repair, the cost of which shall not exceed 50% of the value of the sign structure.
    - [2] The sign or sign structure is replaced, reconstructed or relocated.
    - [3] The sign fails to conform to this section regarding maintenance and repair, abandonment or dangerous or defective signs.
    - [4] The owner fails to comply with the provisions of this section.
    - [5] On the date of occurrence of any of the above, the sign shall immediately be brought into compliance with this section with a new permit secured therefor or shall be removed.
    - [6] Should any nonconforming sign be blown down, damaged or destroyed to the extent of 50% or more of the sign face or structure, or the cost of repair exceeds 50% of the value of the sign structure.
- (4) Legal nonconforming sign maintenance and repair. Nothing in this section shall relieve the owner or user of a legal nonconforming sign or the owner of the property in which the sign is located from the provisions of this section regarding safety, maintenance and repair of signs.

F. Maintenance and repair.

- (1) Every sign, including, but not limited to, those signs for which permits are required, shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign.
- (2) The Building Inspector shall require compliance with all standards of this section. If the sign is not modified to comply with safety standards outlined in this section, the Inspector shall require its removal in accordance with this section.

G. Abandoned signs.

- (1) All signs and sign messages shall be removed by the owner or lessee of the premises upon which a sign is located:
  - (a) When the business it advertises is no longer conducted.
  - (b) For an off-premises sign, when lease payment and rental income are no longer provided.
  - (c) When the sign is not used for advertising purposes for any 12 consecutive months.
- (2) If the owner or lessee fails to remove the sign, the Building Inspector shall give notice to remove said sign pursuant to Subsection H below. Upon failure to comply with this notice, the City may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which the abandoned sign is located.

H. Deteriorated or dilapidated signs. The Building Inspector shall cause to be removed any dilapidated signs under the provisions of § 66.0314, Wis. Stats.

I. In the event that this section shall receive certification as a bona fide "determination of customary use" under § 84.30(4), Wis. Stats., and Wis. Adm. Code Trans. 201.20, the City shall pay the full costs of removing any sign which acquires nonconforming status under state or local law. Said costs shall include any liability of the state or federal government under § 84.30(6), Wis. Stats., or 23 U.S.C. § 131(g).

J. Permit fees. Each application for a permit shall be accompanied by a permit fee as established by the Common Council, from time to time and payable in advance. In the event the permit is not granted, the permit fee shall not be refunded unless good cause shall be shown and the Common Council shall, by majority roll call vote, decide upon such refund.  
[Amended 4-14-2015 by Ord. No. 233]

K. Inspection fees. There shall be a biannual inspection fee for all signs requiring permits. The fee shall be in an amount for each sign as set from time to time by resolution of the Common Council. Such fees shall be due and payable July 15 of each odd-numbered year, commencing July 1, 1999. In the event of nonpayment of said fee, the amount due shall be assessed to the tax roll of the property on which the sign is located.  
[Amended 4-14-2015 by Ord. No. 233]