

**BOARD OF PUBLIC WORKS**

Wednesday, July 20, 2011

10:00 a.m. - 4:00 p.m.

Board met on call. The following members were present: Mayor Justin M Nickels, City Attorney Juliana Ruenzel, Dep. Dir. of Public Works/Engineer Greg Minikel in the absence of Dir. of Public Works/Engineer Valerie Mellon and Interim Finance Director/Treasurer Tony Scherer. Absent: Dir. of Public Works/Engineer Valerie Mellon and Alderpersons James Brey, Dave Soeldner and Alex Olson.

Also present: City Clerk Jennifer Hudon and Deputy City Clerk Deborah Neuser.

Mayor Nickels called the meeting to order at 10:08 a.m.

The Board of Public Works was to be in session from 10:00 a.m. to 4:00 p.m. for the purpose of hearing objections to assessments of benefits or damages to property owners abutting on the following streets because of because of concrete paving, concrete paving reconstruction, asphaltic concrete resurfacing, sanitary sewers and storm sewers, which report is on file at the office of the City Clerk, City Hall, 900 Quay St., Manitowoc, Wisconsin, all in accordance with Section 7.275 of the Municipal Code of the City of Manitowoc and Section 66.0701 of the Wisconsin Statutes:

2010 SPECIAL ASSESSMENTS		
CONCRETE PAVING		
1.	S. 21st Street	Flambeau St. to 350' South

2.	Flambeau Street	S. 19th St. to S. 23rd St.
CONCRETE PAVING RECONSTRUCTION		
1.	S. 10th Street	Madison St. to Dewey St.
ASPHALTIC CONCRETE RESURFACING		
1.	S. 12th Street	Washington St. to Franklin St.
2.	Alley #01	Bound by N. 7th St., N. 8th St., Huron St., Cleveland Ave.
3.	Custer Lane	Custer Street to 1200' West
4.	Franklin Street	S. 15th St. to S. 16th St.
5.	Harvest Circle	North Leg - Broadway St. to 900' West
SANITARY SEWERS		
1.	S. 39th Street	Dewey St. to 50'
STORM SEWERS		
1.	S. 10th Street	Madison St. to Dewey St.

Since it is impossible for Board members to be in session all day because of their various other duties as City officials and alderpersons, the Clerk, as secretary of

the Board, was instructed to call the Board together when objectors appeared to file objections. The notice of the hearing instructed persons wishing to appear to call the City Clerk's office to schedule an appearance before the Board. (City Clerk reported that proof of publication is on file in the City Clerk's office with Board of Public Works matters.)

City Attorney Juliana Ruenzel reviewed the procedures for hearing objections to special assessments and discussed the various options available to the property owners.

Tom and Patricia Holler appeared to object to the following special assessment:

<p><b>ALLEY #01 - Bound by N. 7th St, N. 8th St., Hiron St., Cleveland Ave. (A R) \$13.43 Per Lineal Foot/Per Side (Non-Residential)</b></p>			
PROPERTY OWNER AND ADDRESS	LEGAL DESCRIPTION	FEET	AMOUNT ASSESSED
Thomas Holler 807 N. 8th St.	Lot 3 Blk. 9 000-009-030	60.000	\$805.80

Mr. Holler stated that he wishes to protest the assessment for the alley because businesses pay more for their assessments and are not treated the same as residential. City Clerk Hudon and Deputy Dir. Public Works/Engineer Greg Minikel referred to the Code, explained a second side delay and reviewed the assessment maps. Mr. Holler also stated that the alley residents did not ask for the alley to be completely resurfaced and noted that it was the only alley in the City that was done. Mr. Holler felt that the portion of the alley that needed work should have been patched. Discussion followed

that the reason for resurfacing the alley was due to water complaints.

Moved by City Attorney Juliana Ruenzel, second by Interim Finance Director Tony Scherer and unanimously carried to sustain the above special assessment. Ayes, 4. Nays, none.

City Clerk reported that there were two appointments scheduled for 3:30 p.m and 3:45 p.m.

City Clerk reported that current interest rates for 10 yr. residential loans at various local lending institutions range from 3.25% to 6%. The City's five year rate is 7% and the ten year rate for 2010 is 7.5%.

After discussion, it was moved by Interim Finance Director/Treasurer Tony Scherer, seconded by City Attorney Juliana Ruenzel and unanimously carried to recommend that the interest rate for ten-year installment payment plans be set at 7.5% for 2010 assessments levied in the year 2011. Ayes, 4. Nays, none.

Board recessed at 10:35 a.m and remained subject to call.

Board reconvened at 3:37 p.m.

The following members were present: Mayor Justin M Nickels, City Attorney Juliana Ruenzel, Dir. of Public Works/Engineer Valerie Mellon and Interim Finance Director/Treasurer Tony Scherer.

Bruce Elliott appeared at 3:37 p.m on behalf of John Henry and presented the Board with a letter from Mr. Henry (copy attached) relative to the following assessment:

<b>ALLEY #01 - Bound by N. 7th St, N. 8th St., Huron St., Cleveland Ave. (A R)</b>
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<b>\$13.43 Per Lineal Foot/Per Side (Non-Residential)</b>			
PROPERTY OWNER AND ADDRESS	LEGAL DESCRIPTION	FEET	AMOUNT ASSESSED
John & Ilene Henry 812 N. 7th St.	Lot 1 & N 40' of Lot 4 Blk. 9 000-009-010	33.880	\$455.01(CL A)

Board reviewed the six questions contained in Mr. Henry's letter noting that the alley was originally done in 1978, slurry was applied 10 years ago and the work was done now because of a drainage issue and to rework grades and repave. It is City's hope to get six years from slurry seal and the alley was done in 2002. The Engineering Dept. with Council approval decides to rework the alley. City Engineer makes recommendation to Streets Committee to patch or redo. The alley is draining properly after the resurfacing. No more work will be done to the alley for quite some time, probably 20 years. The work was done due to complaints of alley water in garages. City Clerk reported that Mr. Henry received a corner lot adjustment.

Bruce Elliott appeared at 3:45 p.m to object to the following assessment:

<b>ALLEY #01 - Bound by N. 7th St, N. 8th St., Huron St., Cleveland Ave. (A R)</b>			
<b>\$13.43 Per Lineal Foot/Per Side (Non-Residential)</b>			
PROPERTY OWNER AND ADDRESS	LEGAL DESCRIPTION	FEET	AMOUNT ASSESSED
Lois Elliott 1900 Kellner St. #302	Lot 2 Blk. 9 000-009-021	62.230	\$835.75

Mr. Elliott stated that he has owned Louies Sporting Goods for 51 years and he disagrees with drainage to Huron Street. He questioned why his commercial property does not get a corner lot adjustment.

Moved by City Attorney Juliana Ruenzel, seconded by Interim Finance Director/Treasurer Tony Scherer, and unanimously carried to place Mr. Henry's statements on file since it did not include a request. Ayes, 4. Nays, none.

Moved by Dir. of Public Works/Engineer Valerie Mellon, seconded by Interim Finance Director/Treasurer Tony Scherer, and unanimously carried to sustain the special assessment of Lois Elliott for commercial property in accordance with the Municipal Code. Ayes, 4. Nays, none.

A report of the Board of Public Works recommending approval of the 2010 special assessments will be submitted to the Common Council for consideration and approval at the meeting of Monday, August 1, 2011. Upon motion of City Attorney Juliana Ruenzel, seconded by Interim Finance Director/Treasurer Tony Scherer, and unanimously carried, Board recommended approval of the special assessments to the Common Council. Ayes, 4. Nays, none.

Board adjourned the hearings for objections to assessments at 4:00 P.M. sine die. Motion by City Attorney Juliana Ruenzel, second by Interim Finance Director/Treasurer Tony Scherer, and unanimously carried. Ayes, 4. Nays, none.

Respectfully submitted,

Jennifer Hudon  
City Clerk, Secretary  
Board of Public Works

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