

**STREETS AND SANITATION COMMITTEE  
MEETING MINUTES**

March 28, 2011  
6:30 p.m.

**MEMBERS PRESENT**

Dave Soeldner  
Jason Sladky  
Jim Brey  
Nic Levendusky  
Allan Schema

**STAFF PRESENT**

Valerie Mellon  
Greg Minikel  
Sonja Birr  
Mike Huck  
Juliana Ruenzl  
Paul Braun  
Tony Scherer  
Brian Helmingner

**OTHERS**

B. Kumar, 2710 Calumet Ave  
Mike Check, 9140 Hilltop Road

**MEMBERS ABSENT**

**Approval of the Minutes from 3/14/11**

J. Brey made a motion to approve the minutes from the March 14, 2011 meeting. N. Levendusky seconded the motion. Motion carried unanimously, no further discussion.

**Discussion and possible action of Right-of-Way dedication issues concerning 7-Saints Corporation parcel #158-000-061**

D. Soeldner explained that this parcel is located between Calumet Ave and Custer Street. The owner of this parcel would like to divide this parcel into 2 separate parcels by Certified Survey Map with the intent to sell. The Plan Commission previously approved dividing this lot into two separate parcels with the condition of approval being that the property owner must dedicate a strip of land abutting both Calumet Ave. and Custer St. in accordance with the City's Official Map Right-of-Way widths. Ms. Kumar was present and she is contesting the City's requirement as she feels this land is being taken away unfairly and she feels that the City should be paying her for the two strips of land.

Paul Braun, Deputy City Planner, was present. He explained one parcel is PDQ and the old Schmidt Tire Service Center. The additional ROW that the City will be looking to obtain is an additional 12' on Custer Street and an additional 7' on Calumet Avenue. P. Braun said that according to Chapter 21 of the Municipal Code, the City does have the right to request dedication of additional Right-of-way as part of a subdivision or Certified Survey Map.

D. Soeldner said that this is typical practice and the property owner is not being treated unfairly.

The current signs would be within the newly acquired Right-of-Way and would need to be relocated if and when a new sign were to be installed.

Allan Schema questioned why we didn't try to get right-of-way when other businesses in the area were built. P. Braun explained that there was no change to the land and the bike lanes were not required at this time. V. Mellon said that there is a minimum of 14' required for any outside lanes on State Highways and truck routes will require an additional 12' on other lanes.

Further discussion continued. The current property owner wanted the City to divide the parcels and wait until the properties are sold to obtain additional right-of-way.

A. Schema wanted to know why we didn't obtain needed right-of-way from other businesses that came in after the Official Map. P. Braun said that if there was no change to the parcel and no CSM required, it wasn't an issue.

D. Soeldner said that the City is not forcing 7-Saints to split the parcel. If the City needed additional right-of-way in the future, the property owner can sell it to them at this time.

N. Levendusky made a motion that if the property owner would like to divide the parcels by Certified Survey Map to make a profit by selling the lots, then the property owner will be required, per Municipal Code, to dedicate the necessary Right-of-Way to the City. J. Brey seconded the motion.

D. Soeldner said that approval has already been made by the Plan Commission. P. Braun has the original Certified Survey in his file and said the Quit Claim Deeds are awaiting signature and will re-send these to Ms. Kumar, as she has not received the first copy.

Motion carried (4-ayes; 1-nay (A. Schema)). No further discussion.

#### **Discussion and possible action regarding the status of the Waste Water fund balances**

Brian Helminger was present to discuss the operations with the Waste Water fund and the City as whole. He reported that the WWTF Utility has been supporting the City's General Fund. \$6.9 million was transferred from the Wastewater's Reserve Fund to the City's General Fund from 2002-2006. In addition, all interest from the WWTF Reserve Funds, since 2003, which is approx. \$3.1 million, has been transferred to the City's General Fund.

In January of each year, the Engineering Dept. prepares an invoice for all sanitary sewer projects completed in the previous year and that invoice is paid by the WWTF. He feels that they are paying for the projects and also contributing to the debt service. The Waste Water Board feels the General Fund should be supporting this debt service payment and not the Waste Water Treatment Facility. The WWTF pays in full from revenues collected during the project year, so there should be no debt associated with the WWTF. B. Helminger feels that the WWTF should not be responsible for any debt service for sanitary sewer projects and the payments should be made from the General fund.

B. Helminger also informed the Committee that the investment interest on the reserves held for the WWTF has not been applied to the WWTF, but instead directed to the City's General Fund. He wants the interest earned on WWTF reserves to remain with the WWTF and be applied to existing reserve balances rather than the City's General Fund.

B. Helminger also discussed sewer rate increases with the Committee. The closure of the Busch Agricultural plant has had a great impact on their wastewater flow (volume). The sewer rates will need to be increased by about 15% in order to account for the reduced volume by the Busch closure.

The Committee further discussed the issues brought forward by B. Helminger. Tony Scherer explained that the monies are invested together and were split out at one time, but isn't current practice. B. Helminger questions if the Council will approve forwarding interest into the WWTF and will the Council continue to charge debt services on sanitary sewer projects and if so, the sewer rates will need to increase dramatically.

J. Sladky made a motion to allocate the transfer of the interest from the Wastewater Treatment Fund. J. Brey seconded the motion. This will be referred to the Finance Committee.

The Committee requested that B. Helminger present the Debt service issue to the Finance Committee and the Streets Committee will be in attendance.

#### **Discussion and possible action of 2011 Spring Clean-up dates**

V. Mellon recommended moving the first 2 weeks of the clean up to the end of the schedule due to the snow that is still on the ground. G. Minikel said that we can't extend any longer than the 2 weeks.

N. Levendusky made a motion to move first 2 weeks to the last 2 weeks and allow the Engineers to use their discretion of any changes to this schedule. J. Brey seconded the motion.

Motion carried unanimously, no further discussion.

**Communication (10-064) from SMI requesting that Streets and Sanitation Committee take action on various issues relating to storm water pond maintenance costs**

J. Ruenzel was present and had reviewed the letter that was sent to her from the Home Builder's Association Attorney Charles Sweeney of Axley Brynelson. J. Ruenzel said that our stormwater agreement reads that the developer is responsible for the stormwater pond. Corporations don't always dissolve quickly; however, Corporations can abandon and walk away from commitments leaving the City responsible.

M. Check said that if the developers continue to be liable for these ponds, development will cease as there is no benefit to the developers.

Discussion will continue at the upcoming meetings.

*The Meeting was adjourned at 7:44 p.m.*



Valerie Mellon, P.E.  
Director of Public Works  
and City Engineer