

**STREETS AND SANITATION COMMITTEE
MEETING MINUTES**

April 11, 2011
6:30 p.m.

MEMBERS PRESENT

Dave Soeldner
Jason Sladky
Jim Brey
Nic Levendusky

STAFF PRESENT

Greg Minikel
Sonja Birr

OTHERS

Mike Check, 9140 Hilltop Rd
William Fessler, 5624 Hwy 151
Mary Dufek, 1324 N. 8th St
Jean Stahl, 1336 N. 8th St
Leroy Stahl, 1336 N. 8th St
Wade Belongia, 1244 N. 8th St
Lori Belongia, 1244 N. 8th St
Mathew Olker, 1222 N. 8th St
John Gallenberger, 1018 E Crescent
Rick Farr, 1457 N. 8th St
Cary Klager, 1507 N. 8th St
Greg Becker, 1210 N. 8th St
Bill Jaeger, 1216 N. 8th St
Paula Thomas, 1427 N. 8th St
Jon Krause, 1468 N. 8th St
Shane Coogle, 1224 N. 8th St
John Zabel, 1232 N. 8th St
Debby Klager, 1507 N. 8th St
Connie Farr, 1457 N. 8th St
Xia Vang, 1450 N. 8th St
Ann Unertl, 1116 N. 8th St
Greg Unertl, 1116 N. 8th St
Jan Paulus, 3906 Springhill Dr
Judy Fuerbringer, 1445 N. 8th St
Glenn Fuerbringer, 1445 N. 8th St

MEMBERS ABSENT

Allan Schema

Approval of the Minutes from 3/28/11

N. Levendusky made a motion to approve the minutes from the March 28, 2011 meeting. J. Sladky seconded the motion. Motion carried unanimously, no further discussion.

Discussion and possible action on N. 8th Street Resurfacing Project

D. Soeldner explained the N. 8th Street Resurfacing Project was one of the Capital Projects scheduled for this year. He said that since the Engineering Department sent out letters to the property owners on N. 8th Street regarding the paving project, he has received many phone calls. The main reason for these calls was that the project will cost too much, too short of notice, and they request putting the project on hold. He also received a Petition with 42 signatures from abutting property owners that do not want N. 8th Street (from Waldo to RR Tracks) re-paved at this time.

The contract was bid out, but it has not been awarded by Council yet. The Contract WS-11-4 is scheduled to be Awarded to the low bidder Vinton Construction Company at the next Common Council Meeting.

The Committee allowed the property owners time to voice their concerns.

1445 N. 8th Street wanted to know why the County isn't involved with this project as this is a County Highway and is clearly marked with a sign "Hwy B". G. Minikel seemed to think that the City took over jurisdiction from the County years ago. The Committee recommended for Greg to try to find out the year that the City took over jurisdiction. J. Brey thought it was in 1996.

Since the meeting, G. Minikel received a copy of letter dated October 18, 1977 from the County Highway Commissioner, Gary Kennedy, that shows that the Wisconsin Department of Transportation accepted the jurisdictional transfer of N. 8th Street from Waldo Blvd. to the north corporate limits (4,574 feet).

G. Minikel explained that the notification letter to the property owners was sent out prior to the opening of bids. The Engineering Dept used last years rate along with the 20 percent rule, which means that the assessment rate can not increase by more than 20 percent of the previous year's assessment rate. After the bids were received, he realized that the City received substantially lower bids from last year. The new/revised estimated assessment rate based on the bids received were \$23/LF for residential properties vs. \$40/LF as originally quoted in their letter; and \$32/LF for business (non-residential) properties vs. \$45/LF as originally quoted in their letter. The assessment rates that are listed above already include a 15% truck route reduction and the assessment cost share of 90% property owner and 10% City. The calculation of these assessment rates are in accordance with Chapter 7 of the City's Municipal Code.

J. Paulus said that the City needs to consume a larger portion as this street is heavily traveled by trucks and he believes they are being unfairly assessed as these trucks are doing damage to the street.

1507 N. 8th Street brought in a few pictures to show the sign that indicated the County B sign which is located North of Waldo and also a photo of a truck that travels on this street daily.

The abutting property owners wanted to know why the City charges 7% interest rates. D. Soeldner said the Council investigated this and the theory is the City doesn't want to get involved with the banking business. The Board of Public Works determines the interest rate and the City can't charge lower rates than the highest rate within the City. There was a bank that charged 6.99%.

1116 N. 8th Street, spoke about all the truck traffic and how it takes a toll on the street.

1336 N. 8th Street spoke about some of the problems they had with the paving back in 1976. D. Soeldner said that he would like to keep the discussions about the current paving project.

717-719 Magnolia Avenue wanted to know if there would be any corner lot adjustment as he had to put in new sidewalk on both streets (Magnolia and N. 8th Street). The Magnolia Avenue side is the long side, therefore no corner lot adjustments would be made for the paving on the North 8th Street side.

The general consensus of the property owners present was that this street has significant truck traffic versus non-truck route streets. The property owners should be assessed accordingly. D. Soeldner reiterated that the City currently grants a 15% reduction in the assessment rate for the truck route designation. However, the property owners felt that the truck route reduction should be more than 15%.

The life expectancy of asphalt is 20 years. If we need to go back in anything under 10 years is 100 percent covered and any repairs within 10 to 20 years would be prorated. This is in accordance with Chapter 7 of the Municipal Code.

The residents inquired about the project on South 10th Street. D. Soeldner explained that there weren't assessments as this was considered low income and qualified for a Federal Community Development Block Grant (CDBG). This was also based on the residents (renters) and not the property owners.

D. Soeldner explained that there are 2 different ways that we could pay for Capital projects. One would be to assess the property owners and the second would be to lump this onto all property taxes to pay yearly. This would require a City wide Referendum.

D. Soeldner said that they should investigate the City Ordinance as it currently stands and bring to the Board of Public Works for review.

J. Brey said that we could request the Board of Public Works to delay assessments for an additional year.

If we wait, bids might not be as low as they currently are and the assessments would increase. N. Levendusky questioned if that was a gamble they were willing to take.

The Committee was asked if they looked for Grants for this project. D. Soeldner said that we are always applying and trying to obtain Grant

funding. It isn't always easy to get. The property taxes pay for street maintenance, not reconstructions.

J. Sladky said that he is very sympathetic and understands the assessments can be a burden. He represents District 10 and most of the streets in this district are newer concrete, which the residents were assessed for. They would most likely not elect to pay higher taxes to pay for the reconstruction of other streets throughout the City.

The residents of N. 8th Street also stated that they would like more time to plan for this large assessment. Letters should be sent to affected property owners a year in advance of the construction. G. Minikel said that the 5-year plan is on the City Website and the completed work isn't assessed until the next calendar year.

The question was asked if there were any changes made to the Special Assessment policy if this project would be grandfathered in. D. Soeldner said this could be grandfathered in.

J. Brey made a motion, to refer to the Board of Public Works the recommendation of the Streets Committee, to defer sending out special assessment bills until 2013 (one year delay in assessment billing), but completing the work this year. This motion assumes that the Council will award the project at the next Common Council meeting. N. Levendusky seconded the motion.

Motion carried unanimously.

D. Soeldner made a motion as a recommendation from the Streets Committee to refer to the Board of Public Works to examine the Special Assessment policies. J. Sladky seconded the motion.

Motion carried unanimously, no further discussion.

Communication (11-192) from Director of Public Works and City Engineer Valerie Mellon regarding DOT Project on USH 151 (Calumet Avenue) - STH 42 to I-Tec Drive Reconstruction

G. Minikel informed the Committee that there were many discussions held between Bill Fessler and the previous City Engineer, Bill Handlos regarding reconstruction of USH 151 and intersection into I-Tec Drive.

Bill Fessler said the project started in 2004. A street was being proposed by the City (I-Tec Drive) and the DOT became involved. There was no mention of an intersection or reconstructing USH 151 at that time.

G. Minikel stated that there is a State/Municipal Agreement from September 2005 for the reconstruction of USH 151 that shows the total

participating construction costs for this project would be split 50%/50% between the DOT and the City.

The City is not obligated to move forward with the project. However, if we don't move forward with the project, the City would be responsible for all of the design costs incurred by the DOT, which is currently at \$180,000. The current estimated project cost (construction) is approximately \$1.2 to \$1.3 million. The estimated City share of the total project cost is somewhere between \$750,000 and \$1,165,000 due to land acquisition costs, additional curb and storm sewer costs per the DOT letter and other miscellaneous costs that were outlined in the memo to the Council.

Mr. William Fessler informed the Committee about discussion that were held in 2004 regarding building the intersection. These discussions were proposed by the DOT.

D. Soeldner said that there are many design and cost issues that are up in the air. The City Engineer is requesting that we put on the back burner indefinitely and not moving forward with the project.

N. Levendusky asked what would happen if we would delay this project and what the consequences would be. Would the City still be responsible for the \$180,000.

N. Levendusky made a motion to terminate the contact and pay the State \$180,000. D. Soeldner seconded the motion.

B. Fessler questioned why the County is not involved with discussions. He also said that if he develops his land, the driveways will be placed in the intersection. He doesn't need the intersection.

J. Brey wants to wait until more development moves into the area.

There are flooding issues in this area and without a pond, not quite sure how to deal with it.

J. Sladky wanted to know how we committed to this much. The City should meet with the DOT and discuss to get a better idea of their expectations.

J. Brey said that eventually after further development, the intersection will be needed.

J. Brey made a motion to table it until a future meeting can be set up with the DOT, Engineering and interested parties to determine if we need to move forward or delay the project. J. Sladky seconded the motion.

Motion carried unanimously.

Greg and Val need to contact Rebecca Rooyakkers, DOT to discuss and bring back to the Streets Committee.

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

Tabled until the next meeting.

Discussion and possible action regarding applying for Urban Nonpoint Source & Storm Water Program Construction Grants

G. Minikel said the draft resolution was included in packet which requires application for funding. G. Minikel requested approval at Council.

N. Levendusky made a motion to take necessary action to apply for funding source. J. Brey seconded the motion.

Motion carried unanimously, no further discussion.

*Motion was made by N. Levendusky to adjourn at 8:24 p.m.
and seconded by J. Sladky.*



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