

**STREETS AND SANITATION COMMITTEE
MEETING MINUTES**

February 13, 2012
6:30 p.m.

MEMBERS PRESENT

Dave Soeldner
Jim Brey
Jason Sladky
Alex Olson

MEMBERS ABSENT

Allan Schema

STAFF PRESENT

Val Mellon
Greg Minikel
Randy Junk
Juliana Ruenzel
Kevin Glaeser
Chief Tony Dick

OTHERS

Michael Linderud, 1321 S. 21st St
Charles King, 1324 S. 21st St
Michael Check, 9140 Hilltop Rd
William Knudsen, 1337 S. 21st St
Teresa Guerin, 4111 Custer St
Lyle McArthur, 4111 Custer St
Howard Guerin, 4111 Custer St
Mary Jeanne Flegel, 1328 S. 21st St
Shirley Vogel, 3105 Gass Lake Rd
Diane Ouradnik, 1332 S. 21st St
Denise Larson, 846 N. 10th St

Approval of the Minutes from 01/09/12

J. Brey made a motion to approve the minutes from the January 9, 2012 meeting. A. Olson seconded the motion.

Motion carried unanimously, no further discussion.

Discussion and possible action regarding street access rights for 4111 Custer Street

G. Minikel informed the committee that when the City paved 41st Street in 1991, the property owners signed an agreement relieving them of their special assessment in exchange for no access to South 41st Street. There was a recorded document (Volume 955, Page 586) at the Register of Deeds office which states if they wanted to buy back that right they could do so by paying the City a sum of \$11,831.68 plus interest at a rate of 6% compounded annually from January 1991 to the time of repurchase. Jennifer Hudon calculated that cost to be \$40,222.

H. Guerin indicated that they have someone interested in purchasing the property and they want to know if they can have access to S. 41st Street. This issue is holding up the sale of the property. So, they are requesting the City waive the special assessment and interest costs.

D. Soeldner asked Howard and Teresa Guerin if they recalled signing the agreement. H. Guerin stated the agreement was signed by his grandfather.

D. Soeldner summarized the issue indicating that in 1991 their grandfather did not have to pay the assessment for S. 41st Street in return for not having access. Now in order to get access, the agreement requires that the property owner pay the assessment cost plus interest.

A. Olson asked if this is common throughout the City or if this is a unique situation.

G. Minikel stated he doesn't know the history behind this one specifically, but the most recent examples of no access agreements in exchange for no assessments have typically been for houses that have a street on both the front and back of the property (i.e. S. 30th, Spring St. Nagle, etc.). This one is a little different, usually they are in residential areas, but this one is in an industrial area. It clearly states on the 1991 assessment worksheet that if they do not sign the agreement they will have to pay the assessment. G. Minikel does not support anything that would be less than the original amount of \$11,831.68.

D. Soeldner asked if the 6% interest was by ordinance or was it customary to these agreements. G. Minikel stated that the rate appeared to be for this specific agreement, assuming it was the rate that the time it was signed.

J. Brey recalled this being a very controversial street when it went in. However, he feels at the very least in exchange to getting the access rights back they should have to pay for the initial assessment.

A. Olson asked if this agreement was offered to everyone along S. 41st Street or was it just the piece on the corner? G. Minikel stated that there were two agreements, one for the Guerin's and one for the Hacker's across the street.

There was discussion regarding the land that H. Guerin indicated the City took from his grandfather. It was unclear what this land was taken for or why it would have been taken.

D. Soeldner stated that the property owner agreed to this agreement with the understanding and knowledge that they were waiving their access rights to S. 41st Street.

G. Minikel asked if the Guerin's were looking at selling the entire property or only a portion of it. It was stated that the whole property is what they were looking to sell.

There was discussion about the number and location of future driveways along S. 41st Street. It was indicated that there really wasn't a problem with additional driveways. They just should be located further south of Custer (by 50 to 100 feet) to keep that area clear for turning movements and traffic. Engineering Department has the discretion for any setback of future driveways.

J. Sladky made a motion to allow access at the original cost of \$11,831.68 with the driveway access being contingent on approval from engineering. J. Brey seconded the motion.

Discussion followed.

Attorney Ruenzel stated that this should be brought to Council for final approval.

J. Brey stated the agreement was signed for the 6% interest, but it will be potentially sold and developed, therefore increasing the tax base. So, he feels it is a fair compromise to pay for the initial assessment.

Motion carried unanimously.

This issue will be sent to Council for final approval.

Discussion and possible action in regard to the City's Fleet Vehicles After the Reorganization

K. Glaeser stated that they have looked at all the vehicles left over from the re-org and handed out a list of the vehicles which included City vehicle number, a description of the vehicle, mileage and the estimated auction value. He stated that they have looked at possibly reassigning some of these and two have been reassigned per the Mayor and Kevin. Chief Manis requested two additional vehicles, a replacement vehicle for Deputy Chief Kadow and a vehicle for Deputy Chief Blaser.

A. Olson questioned the need for two vehicles and the types of vehicles Fire Department needed. K. Glaeser indicated that the Fire Department mainly wanted four wheel drive vehicles.

J. Sladky stated that it never made sense why Kadow had a car and Blaser didn't but he questions if Kadow really needs a car. Blaser operated just fine as Deputy Chief without a vehicle. He takes issue with some of the other vehicles and why the City owns all these vehicles in the first place. He works in other Cities where employees drive their own vehicles and get reimbursed mileage.

After some additional discussion, K. Glaeser clarified that technically they are giving an additional vehicle now to the Fire Department that will eventually have to be replaced.

K. Glaeser reiterated that a majority of the vehicles on this list will likely go on the auction block. There may be one additional possible reassignment.

J. Sladky stated that he is inclined to take away more vehicles. He asked what the standard is for mileage allowance right now. It was indicated that it is \$0.55/mile.

A. Olson asked if there is a need to exchange the 2003 Dodge Neon in for a bigger vehicle. He also asked if this reduction in vehicles and the need

for maintenance helps with the reduction in mechanics needed to maintain the vehicles.

K. Glaeser answered that the vehicles that are being discussed aren't very high maintenance vehicles. But it all helps a little.

There was further discussion about the need for an additional vehicle for the Fire Department and any expenses related to this. It was suggested that there should be more discussion with Chief Manis regarding this.

K. Glaeser stated that his plan was to wait until spring and then proceed with the auction to get rid of the extra vehicles.

Discussion and possible action regarding salting, sanding and/or plowing operations on residential streets.

J. Sladky stated that he thinks it's time to relook at how we do snow removal. He is concerned with the City salting areas that he doesn't feel need to be salted.

D. Soeldner handed out some recent intersection crash history information that was provided by Chief Tony Dick.

D. Soeldner asked about the need to salt some of the smaller residential streets. He questioned how the City makes the decision to salt certain areas.

V. Mellon stated that she checked with comparable cities, Green Bay, Appleton, and Marinette being that they are snow belt communities as well. They do what we do for snow plowing the residential streets, except that their threshold is 2" and continuing snow where ours is 3" and continuing to snow. They are actually doing a little bit more than we do. They are salting the hills, curves and intersections just like we do. V. Mellon feels very strongly about salting intersections for safety.

There were questions about the park shop on Fleetwood being plowed on after hours on overtime. V. Mellon stated that the parks shop was plowed by the Fire Department.

K. Glaeser clarified that the Fire Department has access to a truck with a plow and has been trained to use this equipment. So as a favor to us they plow the Fleetwood shop lot when appropriate.

D. Soeldner wondered why it was plowed at all and indicated he thought we weren't going to be using the Fleetwood shop anymore.

V. Mellon stated that yes we are using the Fleetwood shop. They are currently using it to fix benches, park playground equipment and fixing other park equipment such as mowers and ball diamond groomers. That is also the City's major salt storage facility. In an effort reduce cost,

they have drastically cut utility costs by installation and building maintenance projects and turning the heat way down in the upper floors.

K. Glaeser stated that from a manager's perspective it makes no sense to close this shop. Last year, the utility cost for that facility was \$16,000. They have taken all kinds of steps to reduce these costs. There is no doubt that they will be at 50% of that cost this year so down to approximately \$8,000. You can't make that building cold and not expect any kind of repercussions. There is still some separation of these divisions (Parks and DPW). Equipment needs are different for parks. They don't have the room at DPW for everything to be out there. The DPW does not have enough floor space to fix all of this equipment at once.

A. Olson indicated that there is still cost to keeping that facility open and the budget did not include this cost. Where is the money coming from to keep this facility open?

There was additional discussion about the Alderman's assumption that the Fleetwood shop was going to be closed per the Mayor's Budget. They were concern that it hasn't been closed when they thought it was closed.

Discussion went back to the City's salting operations.

R. Junk stated that 26 years ago they put sand down on approximately 100 miles of street. They literally poured the sand on and then in spring it took 2 to 3 weeks with two shifts of trucks and sweepers to clean up the sand. Ten years ago they changed to salt. Now, they plow and salt through the intersections. It does a really good job of melting snow. It has helped reduce overtime and improve safety. They don't plow the entire street with the exception of a few operators; they usually just salt it. Some of the operators find it easier and safer to go around an area verses backing up which is why you see them on some of these streets.

J. Brey stated that he thinks the guys are doing an excellent job and is satisfied with what is being done.

J. Sladky stated he wants to see less on the side streets (i.e. Lee Circle, Hubbard Circle, Rosemere Circle, & other short cul-de-sac streets).

R. Junk reminded the committee that by state statute the City is required to keep the streets safe. We don't want to put ourselves in a liability situation where we did something before and no longer do it which results in an accident.

V. Mellon stated that so far this season we have spent approximately \$130,000 on snow removal. This time last year we spent \$850,000 on snow removal.

D. Soeldner stated that if our trucks are going to be out salting the intersections and salt routes he doesn't know what kind of marginal saving it would be to not salt certain areas. The truck is out there anyway.

No further discussion.

Discussion and possible action regarding weed assessments for 1328 S. 21st Street.

Mary Flegel, property owner, stated that she has had Town and Country hired to do the lawn care and snow removal since about 2005. They indicated that they have been taking care of the property this entire time. She was astounded when she saw the cost for weed removal added to her tax bill in 2011. She was unaware of any problems since she contracted with Town and Country. She stated that these cost were added to her tax bill without her knowledge.

D. Soeldner stated that typically by rule the City's process is to notify the property owner by mail that they are in violation and then we document it. D. Soeldner noted that her mailing address is PO Box in Milwaukee.

G. Minikel asked M. Flegel if that was the correct address. She stated it depends on when it was mailed. G. Minikel stated that the letters are sent to the owner of record at the address listed in the Assessor's office.

A. Olson asked if M. Flegel received the letter that was sent out on May 25, 2010. M. Flegel stated she received only one letter and when she did she talked to Town and County about the weed notice. She received nothing else, no bill.

M. Flegel suggested that invoices be sent out for weeds similar to what is sent out for snow removal.

A. Olson stated that if she received the letter he feels her issue is more with Town and Country not with the City.

J. Brey clarified that our weed policy is the same as our snow policy. A first notice is sent out and after that notice no additional notices are sent out.

G. Minikel indicated that a bill would have been sent out and if they didn't pay it, it goes on their tax bill

M. Flegel stated she didn't receive a bill.

A. Olson asked if we had copies of the invoices that were sent. It was stated that the City does have copies.

D. Soeldner stated that as a common courtesy we could possibly send out an invoice. However, the issue is whether or not there was a weed violation. The weed violation notice that was sent in May of 2010 specifically says that you have a weed violation and you have five days to fix it. If not in compliance, the City Department of Public Works (DPW) will cut and destroy the weeds and assess the expenses against the property. Notification for subsequent cuttings will not be given by the DPW.

D. Soeldner stated that she received notice as she contacted Town and Country when she received the notice. He agrees with A. Olson that if she trusted Town and Country to take care of her property and they didn't then her issue is with Town and Country.

Diane Ouradnik stated she lives right next door and that Town and Country has not been over for years. She said they look from her driveway but she cuts about 2 feet over on her side so it looks good unless you actually go back there and see it.

Another neighboring property owner stated that he spoke to the owner Town and Country and found out that they won't cut the grass until he is paid for the snow. That's his reason why he didn't cut it.

There was additional discussion about the charges and when they are placed on the tax role.

A. Olson stated that he believes that this is an issue between the Lawn Service and the Property Owner. M. Flegel acknowledged receipt of the City's letter and he doesn't feel the City can go much further with this.

J. Brey stated that the documentation clearly shows there was grass above 8 or 10 inches which is a violation of the ordinance. He was sympathetic that she has an issue with her Lawn Service but we have an ordinance and the City follows that ordinance.

M. Flegel stated that she would prefer making a negotiation in lieu of suing the City. Town and Country indicated that they were taking care of it. She feels that the charges are too high.

There was additional discussion about the PO Box number to which the letters were sent to M. Flegel.

No action was taken.

M. Flegel was clearly unsatisfied with the decision of the Streets & Sanitation Committee and indicated her intention to speak at the next Common Council meeting during public input regarding this issue.

Discussion and possible action regarding DNR Urban Nonpoint Source & Stormwater Management Grant Awards for the calendar year 2012-2013

G. Minikel stated that we are going to be receiving grant money for all four ponds that were submitted under this funding program. He recommends accepting the funding for the Dewey Street pond and the West Drive/Dufek Drive pond as these will serve future development. The Oak Park Developers pond could also serve future development, but this pond would require land acquisition in addition to the pond construction.

A. Olson made a motion to not accept funding for the Oak Park Pond and the Rheume Park pond. Seconded by J. Sladky. Motion carried unanimously.

D. Soeldner stated that the West Dr./Dufek Dr. Pond makes sense given the action of the Industrial Development Committee. It provides another incentive for development in the Industrial Park. He is a little more on the fence with Dewey Street Pond. He asked how that pond would affect the Dewey Street reconstruction project.

A. Olson sees the West Dr./Dufek Dr. Pond as a higher priority over the Dewey Street Pond. He asked where the money is coming from. G. Minikel stated that we would bond for them to be built in 2013. So we would have to budget for our share in the 2013 budget.

A. Olson made motion to accept funding for the Dufek Pond. Seconded by J. Brey. Motion carried unanimously.

There was additional discussion about the Dewey Street Pond. The drainage area of this pond was discussed and how it can help development in this area.

J. Brey made a motion to accept funding for the Dewey Street Pond. Seconded by A. Olson. Motion carried unanimously.

G. Minikel stated that when we receive the official paperwork from the DNR we will forward it to Council for final action.

No further discussion.

Motion to adjourn at 8:16 p.m.


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