

**STREETS AND SANITATION COMMITTEE  
MEETING MINUTES**

July 23, 2012  
6:30 p.m.

**MEMBERS PRESENT**

Dave Soeldner  
Jim Brey (arrived 6:48 p.m.)  
Jason Sladky  
T. Martell  
A. Schema

**STAFF PRESENT**

Greg Minikel  
Val Mellon

**OTHERS**

Mike Check, 9140 Hilltop Rd  
Dale Markwardt, 1402 Goodwin Rd  
Anton Doneff, 5160 Expo Dr  
Mary Gammel, 1403 Nagle Ave  
Dan Luisier, 819 N. 12<sup>th</sup> St  
Ben Vogel, 3105 Gass Lake Rd  
Shirley Vogel, 3105 Gass Lake Rd  
Ray Rock, Excel Underground  
Matt Kadow, 2515 Western Ave  
Gary Kennedy, 3500 STH 310  
Mary Jane Flegel, 1328 S. 21<sup>st</sup> St

**MEMBERS ABSENT**

None

**Approval of the Minutes from 06/25/12**

J. Sladky made a motion to approve the minutes from the June 25, 2012 meeting. A. Schema seconded the motion.

Motion carried unanimously, no further discussion.

**Communication (12-417) from Luisier Plumbing relative to sewer repair at 1403 Nagle Avenue**

Dan Luisier was present from Luisier Plumbing to explain the situation at 1403 Nagle Avenue. It is possible that during backfilling, a rock or a chunk of blacktop caused the riser pipe to push down causing the wye to break and backup over the years. Photos were reviewed by the Committee and the Engineers.

Typically, the property owner is responsible for repair of the lateral pipe which includes the wye and riser; however, the city asked if Excel Underground is partially responsible for the restoration costs due to the pavement removal limits. There was an issue with locating the lateral. Luisier was digging in the wrong area because faulty equipment resulted in the wrong lateral marking of about 10 feet.

J. Sladky said that he would like the City to review their current policy. MPU maintains watermain to the curbstop; however pipe in the City right-of-way is the responsibility of the property owners. He is in favor of paying part of the invoice.

J. Sladky would like the Committee to come up with a standard policy in the next couple weeks to follow. He feels we have some responsibility. D. Soeldner recommends putting together a policy and providing a resolution to the property owner.

Dan Luisier said that they would like to know the cutoff point as to what is the property owner's responsibility.

This will be brought back to a future meeting.

**Discussion and possible action on appeal of weed violation for Mary Flegel**

Mary Flegel was present to discuss her weed violation. She said that she hired a contractor to maintain her lawn at 1528 S. 21<sup>st</sup> Street. She said this contractor has been cutting the lawn for many years. She was unaware of any weed violation until she received her tax bill. The Contractor that she hired is retired and has not returned her calls or provided any information. She said that she is in a dilemma with having to pay 2 separate people for cutting.

D. Soeldner explained to her that we have documentation of the times that her property was in weed ordinance violation. The City took the appropriate measures and followed policy and provided notice in accordance with standard procedure unless the property owner can provide pictures or documentation, there really isn't much the committee can do. She said that she didn't receive the notice. The issue is between the property owner and the contractor. There is evidence that the lawn was in violation. The property owner is responsible. This was measured with a measuring stick.

Mary Flegel asked for a partial forgiveness as the lawn is very small and she paid the contractor. The Committee did not make a motion or take any action.

D. Soeldner said the DPW clearly followed the policy that has been approved. Mary Flegel asked each Committee member if they could make a motion, no motion was made and the Committee was clear that this is a private matter that should be handled with her lawn contractor.

**Discussion and possible action regarding Safe Routes to School Grant project**

V. Mellon updated the Committee with the next action and the price that she received for packaging of the grant that the Engineering Dept is no longer able to do. There are additional reports that accompany the plans that need to be put together for the DOT that have to be completed.

J. Brey would like to see the project move forward, but we are unaware of how much right-of-way needs to be purchased. These costs weren't included in the initial grant.

G. Minikel explained that the original project scope had assumed concrete barrier wall would be installed to separate the traffic lane from the shoulder, but now we have learned from the DOT that this would require extensive modifications to the bridge and the DOT would fund the construction of a separate pedestrian bridge; however, the design would be separate as well as the purchase of right-of-way.

J. Sladky asked for an estimate of the City's cost of the project. G. Minikel said that he came up with an estimate of \$25,000-\$35,000. This assumes that we will use the Jim Welding pedestrian bridge plans that are already State approved.

D. Soeldner is worried that the cost is going to spiral out of control. The design of the bridge will need to be approved by the DOT.

Scott McMeans wanted to know what the timeline is for the grant.

G. Minikel said that the project, if approved by the Council will be designed in 2013 and bid in 2014.

Scott McMeans asked about the scope of plans to pull back and place sidewalk to Indian Creek. V. Mellon confirmed that the current project limits are at Indian Creek since most people will use subdivision sidewalks to this point. Also, that the best way to build the sidewalk would be through the safe routes to schools grant since the majority of it is across city property and therefore not able to be special assessed for revenue.

D. Soeldner said that he would like a better idea of the cost of this project. The committee would like to know that we have time to perform the study and will need to work on the design for the bridge with the DOT. The Committee asked what the time line would be for contacting property owners for any purchase of right-of-way.

J. Brey asked what the first step of purchasing property would be. V. Mellon explained that the grant requires us to follow a specific DOT acquisition process with special DOT forms that need to be documented showing the property owner is getting fair market value for the property.

G. Minikel said that typically the City Attorney will have a part in this process.

J. Sladky asked if we would still plan to assess the property owners that we are looking to purchase right-of-way from. He feels we would have a hard time negotiating obtaining property if we intend to assess.

V. Mellon confirmed that any negotiation like that is part of the DOT Right-of-way process.

D. Soeldner asked where we are getting the money to pay Strand Associates. We need to figure out where we would get this from. Scott McMeans said that we would probably pay Strand Associates as they complete on a monthly basis.

The Committee requested bringing back to a future meeting when all the concerns can be addressed and the Engineering Dept has time to provide the answers to all the concerns regarding this project.

**Communication (12-335) from Doneff Companies relative to streetscape improvements and changes to Jay Street between 8<sup>th</sup> and 9<sup>th</sup> Street**

Anton Doneff was present to discuss the parking in the downtown area. He is requesting angle parking and bumpouts to create an effect of a large parking lot to make it more pedestrian friendly. His request is to make it a one-way street in this same location.

J. Brey would like to discuss the entire downtown and angle parking at the next Public Parking & Safety Committee. He asked what the estimate would be for re-striping. V. Mellon said approximately \$1/ft but that price is extremely preliminary.

J. Sladky said other cities have done this and it seems to be working.

V. Mellon clarified that nothing has been budgeted for re-striping in the 2012 budget. She said that if we make too many one-way streets, it will be very confusing; especially to the people from outside the community and that we are concerned about adding traffic to the intersection of 9<sup>th</sup> & Washington Street which has sight restrictions.

G. Minikel isn't quite sure of the dynamics of making it one-way. D. Soeldner explained that other business owners would be brought into the discussion, but is happy we are having these conversations.

Anton Doneff said people will adjust and tourists will have to slow down and possibly decide to spend some time in the downtown area.

This communication will be brought back after the Public Property & Safety Committee meeting on August 1<sup>st</sup>.

**Discussion and possible action regarding the City/County's proposed paving on Nagle Ave**

G. Minikel said that he received a call that Nagle Ave will be paved. The County received DOT TRIP money. The City's costs have not been budgeted and would like to wait until next year. The City's costs would be assessed.

Dale Markwardt explained that the City would not need to budget for the money as the County has the money to reimburse the City for the project.

J. Brey made a motion to approve the request and instruct the City Attorney to draft a 3-party agreement with the City of Manitowoc, the Town of Manitowoc and Manitowoc County on how to structure the payment. J. Sladky seconded the Motion.

Gary Kennedy is going to see if the County Corp Counsel could draft the agreement for review by the Assistant City Attorney due to Juliana's retirement and a potential backlog in that office.

Motion carried unanimously. No further discussion.

**Discussion and possible action regarding the unauthorized driveway and improper construction at 1010 South 12<sup>th</sup> Street.**

D. Soeldner explained that the property owner built a driveway without a permit from city. It is taking away 2 parking spots, there was no curb cut. The question is who should pay for the replacement of this work and should the permit fee be doubled.

J. Sladky questioned how many driveways were at this location. V. Mellon explained that she believes that this is the second driveway.

D. Soeldner suggested billing the property for the 2 parking spots that have to be removed due to this driveway and the unpaid permit. G. Minikel said we have tried contacting the property owner and can't reach him.

J. Brey made a motion to instruct the Engineering Dept to have the driveway removed at 1010 South 12<sup>th</sup> Street. J. Sladky seconded the motion.

The proper notifications have been sent to the property owner.

T. Martell asked if we will have him remove it, or would the City do the work and assess the property owner. If this is not paid, it will be included on the tax bill.

D. Soeldner said that because it is affecting 2 parking spots, it will need to be removed.

J. Brey said we can send another letter and allow them 2 additional weeks for removal of the driveway.

Motion carried unanimously, no further discussion.

**Discussion and possible action to approve and establish a rate for the Fee In-Lieu of On-site stormwater management for a new site development along Dewey Street in Harbor Town**

D. Soeldner explained that this is for Powers Tire and that they are requesting a payment in lieu of on-site stormwater management similar to the agreement that is currently with Panda Express.

V. Mellon said that the City approached Harbor Town to provide proof that the pond is getting 80 percent TSS. They came back and said the pond is not getting the requirement.

J. Brey made a motion to allow the amount of \$ 37.5 per square foot. A. Schema seconded the motion.

Motion carried (4 ayes; 1 abstain (J. Sladky)). No further discussion.

**Discussion and possible action regarding Red Arrow Roadway Project**

G. Minikel said that the Mayor would like something done at Red Arrow. We are currently looking at getting a portion of the roadway completed this

year. The proposed infiltration basins that are needed to treat the water are currently on hold while waiting to see if there is funding for this portion. We could provide temporary drainage.

G. Minikel estimated that half of the paving project costs approximately \$175,000 which includes storm sewer, grading and graveling and paving.

J. Sladky asked why we have to change the drainage. G. Minikel said we are trying to correct a problem where the lot washes out the slope and pathway below and he understands that because of the grading and graveling this creates additional DNR permit issues. We don't have a cost right now for the infiltration, waiting to hear back about the grant.

D. Soeldner suggested doing all the paving at once instead of mobilizing twice.

The Committee was hesitant of doing the project this year. Next year we will know if the funding will be approved. The Committee recommended waiting and holding the budgeted amount from this year and adding to it.

J. Sladky asked what timeframe we would be looking at if we did go ahead. G. Minikel said that we could bid at the end of August and award in September. By the time the work is complete, summer will have ended and the park will not be used as much.

J. Sladky made a motion to delay any construction until 2013. T. Martell seconded the motion.

Motion carried unanimously, no further discussion.

#### **Discussion and possible action on the 5 Year Capital Works 2013-2017**

G. Minikel reviewed with the Committee the revised plan and said that all unprogrammed items have been removed. The changes are as follows:

- \* Dewey Street - Engineering has not had a chance to look at. There is a high slab replacement and will possibly wait until 2014.
- \* S. Alverno Rd - will put on hold
- \* Railroad Crossing on Fairmont - moved back
- \* Added S. 7<sup>th</sup> from Madison to Marshall Street  
Possibly add all of S. 7<sup>th</sup> Street
- \* Looking to add all of S. 7<sup>th</sup> Street
- \* Move Edgewood to 2014
- \* Drainage ditch on Ridge Court (overgrown)
- \* 10th Street Bridge re-evaluation
- \* Safe Routes to School - bond in 2014
- \* Land Acquisitions to \$10,000 for 2013

J. Brey made a motion to approve the 5-Year Capital Works 2013-2017. J. Sladky seconded the motion.

D. Soeldner amended the budget to eliminate #392 and #393, 9<sup>th</sup> & Maritime

Parking structure. It has not been discussed at Council.

G. Minikel explained that D. Less suggested putting in the budget. D. Soeldner said that it can always be added at a later date.

The motion has been amended to include removal of the 9<sup>th</sup> & Maritime Parking Structure.

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**

Committee placed on file

**Lease (11-746) between Lease Finance Group and City of Manitowoc Evergreen Cemetery for credit card equipment**

Committee placed on file

*J. Sladky made a motion to adjourn at 8:05 p.m., A. Schema seconded the motion.*

  
Valerie Mellon, P.E.  
Director of Public Works/  
City Engineer/  
Director of Parks & Recreation