

**STREETS AND SANITATION COMMITTEE  
MEETING MINUTES**

October 8, 2012  
6:30 p.m.

**MEMBERS PRESENT**

Dave Soeldner  
Jason Sladky  
Jim Brey  
Allan Schema  
Tyler Martell

**STAFF PRESENT**

Val Mellon  
Greg Minikel  
Karen Dorow  
Randy Junk  
Kathleen McDaniel  
Tony Dick  
Brian Helminger

**OTHERS**

Dan Gallagher, 925 N. 22<sup>nd</sup> St  
June Gallagher, 925 N. 22<sup>nd</sup> St  
R. Kunz, 4022 Delta St  
Alderman Eric Sitkiewitz  
Mike Check

**MEMBERS ABSENT**

**Approval of the Minutes from 09/10/12**

J. Sladky made a motion to approve the minutes from the September 10, 2012 meeting. T. Martell seconded the motion.

Motion carried unanimously, no further discussion.

**Discussion and possible action regarding the Slurry Seal Complaint from Dan Gallagher at 925 North 22<sup>nd</sup> Street.**

D. Soeldner introduced the property owners that were in attendance to discuss the quality of the slurry seal work and the cost of the assessment. D. Soeldner said he checked out some of the quality of the work that was done. And he felt that the quality was typical for seal coating.

V. Mellon said the surface treatment that was applied is doing what it is intended to do. The purpose of this maintenance treatment is to extend the life of the asphalt pavement. All of the cracks were sealed and she informed the Committee and property owners that the slurry seal doesn't correct the profile of the street; it follows the existing profile of the street. If there were ponding problems where water isn't draining, we would certainly fix these problems, but she didn't see this being a problem in this area.

J. Sladky asked how soon a street could be re-slurry sealed after it has already been done. G. Minikel said he would not look to slurry seal within 10 years.

D. Soeldner would like to suspend the discussion until another agenda item can be discussed (next item).

**Discussion and possible action on Chapter 7.320 Seal Coating (Special Assessment Rate)**

D. Soeldner briefly explained that during last year's budget, the Common Council passed through an Ordinance that allowed assessing for seal coating based on the contractor's low bid, and in addition all labor and equipment cost incurred from DPW to prepare streets for seal coating. There used to be a set rate, and passing of this Ordinance more than doubled some of the assessment rates.

J. Sladky said that he may have supported this by mistake, he never intended to assess for City staff and equipment. He felt very strong about revisiting this Ordinance. D. Soeldner said that this was done at the last minute and regrets passing this Ordinance as well. He asked the Assistant City Attorney if there was any way to remedy the constituents for the assessment. Assistant City Attorney Kathleen McDaniel said that the Resolution enacted setting the rates would need to be rescinded and the Ordinance enacted setting the procedure for the rates. A new Resolution going back to the policy that was approved in 2009 would need to be approved by the Council. The City staff would need to issue refunds and she also worries about the precedence this sets. D. Soeldner and J. Sladky both apologized for passing through an Ordinance that they were not clear on and feel they need to correct this.

J. Sladky made a motion to instruct the City Attorney to prepare a summary of what needs to be done to fix the problem. J. Brey seconded the Motion.

K. McDaniel said that there were 3 Council actions. The Committee of Whole (December 1, 2011) unanimously voted to increase the Revenue line related to sealcoating by \$51,000. Ordinance (March 2012) unanimously approved the policy for determining the assessment rate for sealcoating. And the final Resolution was unanimously approved setting the rates for the streets included in the 2012 program.

K. McDaniel said that as a Committee they should determine what they want the rates to be set at.

D. Soeldner said they would like to go back to what was approved in 2009, which was based on the annual bid results and no extra costs of City labor, material and equipment that was used to do the preparation work that included asphalt patching, curb and gutter repairs and crack filling.

J. Sladky amended his motion to change the Ordinance back to the policy that was approved in 2009 and base the sealcoating assessments on the annual bid results. J. Brey seconded the motion.

E. Sitkiewitz thanked the Committee for addressing this issue as most of the 2012 sealcoating streets were in his district.

The Committee discussed how they should handle the assessments as new invoices will need to be created and refunds will need to be made if passed by full Council.

Motion carried unanimously, no further discussion.

**Discussion and possible action regarding limiting/regulating oversized loads through the city.**

T. Dick was invited to discuss the oversized loads that are maneuvering throughout the City.

He explained that they can't regulate when the loads are coming through town. There are many times when traffic has been delayed by some of the oversized loads and the MPD doesn't always have the manpower to provide a police escort. As of now, the City of Manitowoc does not have a permit system in place and therefore no policy is in place that requires the truck drivers to notify the MPD about the loads. T. Dick said if we had some type of permitting system in place, it might help to regulate the loads. There have been signs knocked down, moved or removed in some instances. He would also like to regulate the times they travel through the City.

V. Mellon said that Randy Junk contacted the DOT to discuss the possibility of tying into their permitting system. We could possibly utilize our ROWAY Permit System. V. Mellon questions what would the charge for the permit fee be.

J. Sladky said that he wasn't looking for a revenue source, unless we were contracting out labor for them. His problem was with oversized loads coming through school zones, such as Jackson Elementary School on North 18<sup>th</sup> Street, during dismissal times.

G. Minikel said that Tower Tech has a company hired and many different trucking companies are moving the towers. Some of these trucking companies have contacted the City and G. Minikel would give them the route and ask them to avoid the peak hour traffic periods.

V. Mellon pointed out that if we don't have a police escort, we wouldn't know if we issued a permit if we saw an oversized load. Our goal is to have a permit or a record of each load as it passes through town so we can track any damage they may cause or signage they may remove.

D. Soeldner explained that he doesn't want to restrict the times they come through town, but doesn't want to endanger the citizens.

J. Brey would like the police escorts to stay consistent.

D. Soeldner said we could possibly tighten up our code and fine for incidents that could pose harm to someone.

V. Mellon explained that she thought if we could piggyback on the State permit then the escort that was with them along the interstate for the State permit would stay with them throughout the city.

A. Schema said we should fine them, if there is damage or if they are doing wrong.

G. Minikel said that the State is concerned with the wind towers as well.

J. Brey said if the MPD is part of the process, some of the things that are occurring will stop.

T. Martell said he is not in favor of a permitting system, too many trucks passing through.

J. Sladky said there should be a registration of an oversized vehicle that is coming through the City.

D. Soeldner said he would like to delay conversation until Engineering/DPW has a chance to meet with the State to discuss the oversized loads and permitting issues in more detail.

#### **Discussion and possible action on Wastewater Treatment Plant Mercury PMP/Comfort Resolution**

B. Helminger explained that this is an unfunded mandate to regulate mercury discharge into the sanitary sewer. The current local limits are set at 0.1 milligrams per liter for mercury discharge. Fifty (50) percent of the mercury comes from dental offices. We need to encourage the dental offices to implement Best Management Practices and collect mercury from within piping and recycle. This will not allow them to dump anything into the sewer with no regulation.

B. Helminger wanted the Committee to be aware of this issue as the Alderpersons might be receiving phone calls. The first year is to collect data and distribute information and the 2<sup>nd</sup> year is to allow businesses to install the amalgam separators and incorporate the program. The 3<sup>rd</sup> year of the program, we will have the right to test the discharge. If it exceeds local limits, we would have the right to shut them down. Dental offices might in return get away from using mercury.

B. Helminger is receiving pressure from the DNR and the DNR's discharge permit that was recently reissued to the City includes this requirement. The Internet will provide a good source of the information needed. This is a departure from what people are accustomed to, but we need to meet the minimum requirements that are imposed by the State.

B. Helminger will meet with the dental offices.

Further discussion continued regarding the separator that B. Helminger informed the Committee that should be used by dental offices and will be a requirement if they continue using mercury.

J. Brey approved the Resolution to Common Council. A. Schema seconded the motion.

J. Sladky requested to amend the Resolution to change the language from this being "City of Manitowoc requirement" to the "Wisconsin Department of Natural Resources requirement". T. Martell seconded the motion.

Motion carried unanimously. No further discussion.

**Discussion and possible action on sanitary lateral repair reimbursement policy.**

B. Helminger is concerned that we are taking a risk if we take over the repair of laterals. There may be complications and how do we plan and adequately fund these laterals.

J. Sladky explained that his main concern is that there are laterals that are failing that aren't that old. He was looking at lateral failure within 25 years or tying into modern materials only.

G. Minikel presented a list of about 6-7 recent laterals that failed and were repaired based on complaints that the City received from the property owners.

D. Soeldner questioned the cost if there are only 1-2 lateral failures per year. G. Minikel stated that the cost of one of the recent repairs was approximately \$9,000.

J. Brey asked if we are talking about the new ones or the old laterals.

G. Minikel brought to the attention of the Committee the ones that property owners came in and complained about; however, we don't know how many more are out there that were just fixed by the property owner and they never called the City to complain about it.

V. Mellon said that when a backup occurs, the crew finds out whether or not there is blockage in the main, if there is no blockage we inform them that they will need to hire a plumber and then our crew goes home. V. Mellon's concern is if we repair these laterals at the City's expense and we don't have an inspector on-site, won't all blockages be out in the street and not on private property?

D. Soeldner thought it would be a good idea to check into other cities to find out how they handle lateral failures.

B. Helminger's idea was to allow for a percentage per year of the lateral, until after a certain amount of years at which time the lateral will be the full responsibility of the property owner.

B. Helminger said all laterals should be replaced during paving projects. We should special assess for these laterals.

J. Sladky mentioned that for any sewer or relay there should be a cleanout mechanism placed to the curbstop.

G. Minikel said that it has been the policy of the City to relay the sewer laterals as part of reconstruction projects, so that there is new pipe below the new pavement.

B. Helminger will be attending a conference where he can meet and discuss with other cities their policies and how they handle laterals issues. He will report back to the Committee his findings.

**Discussion and possible action regarding re-filling the DPW Laborer position that occurred due to a retirement.**

V. Mellon explained that because this was discussed in the past, she will leave it open for discussion.

J. Brey expressed his concern that this was discussed at the Personnel Committee before action was taken at the Streets Committee. V. Mellon clarified that they made a presentation at the Personnel Committee regarding the things that weren't getting done since the re-org. The Personnel Committee had requested this information from all Department Heads. This was only part of that discussion.

Allan Schema said that the Personnel Committee approved it and then sent it back to the Streets Committee.

R. Junk explained that this presentation made it clear that the Streets Laborer has not been approved at the Streets Committee, but the Personnel Committee discussed it and lumped it with the Mechanic Position.

J. Brey explained that we were fortunate last winter as we didn't have much snow. He feels that since this position has already been included in the budget he is in favor of filling this position. This position is included in the Mayor's budget; however, D. Soeldner reminded the Committee of the \$50,000 that was removed with the sealcoating assessments, which we now need to come up with.

J. Brey made a motion to refill the DPW Laborer Position. Allan Schema seconded the motion. Motion failed (3-2; Ayes-J. Brey & A. Schema; Nays-J. Sladky, D. Soeldner and T. Martell).

J. Brey questioned what would be the future filling process of this position. D. Soeldner said it wouldn't be any different than any other position that is currently open and included in the budget.

D. Soeldner suggested moving on to another agenda item that he feels ties in with this position request (next item).

**Discussion and possible action on DPW operations and staffing (Discussions to include but not limited to: Snow Removal Policies for 2012-13 and Management of Tasks for 2013).**

D. Soeldner asked if the same plow drivers are in place for the upcoming year. R. Junk informed him that they will be utilizing the same people. D. Soeldner said that he would like to have on-call snow plow drivers in place (i.e. retired DPW Laborers). These on-call drivers would be seasonal/temporary employees that would get paid an hourly rate for while they are on-call and then paid a higher wage when they are called in.

J. Sladky said he liked the idea and within the school district they have on-call custodians.

D. Soeldner explained that he feels it should be all hands on-deck during major snow storms regardless of department. We have many people within the City and should utilize them during the snow storms, not limited to plowing, but for answering phone calls as well.

J. Sladky asked if it would be possible to work with the MPU Lineman that currently holds CDL's.

A. Schema asked what the City of Two Rivers does for snow plowing. R. Junk explained that they have a group of their own and hire retired employees that ran the small trucks.

J. Sladky said he is not comfortable paying someone to be on-call.

J. Sladky made a motion to have the City Attorney look into insurance and other implications of hiring part-time snow operators and supply a list of credentials that they need. T. Martell seconded the motion.

J. Brey said that in an essence this money is not in the budget.

V. Mellon wanted to clarify the budget. She said that there was \$100,000 in the line item to hire for privates, but in the Mayor's budget it is reduced to \$10,000. V. Mellon said that the full \$100,000 was used each snow season.

J. Sladky said that December can be the largest snow month.

V. Mellon also explained that the assessments for the downtown snow removal have been cut from the Mayor's budget as well.

D. Soeldner said the 2013 budget is a proposal and changes can occur.

R. Junk explained that if we can't hire for privates to pickup snow anymore and the DPW can't pickup in a timely matter, he wants to make sure the fingers aren't pointed at DPW. He also expressed his concern for being down in plow drivers. He feels it is getting late to bring in new people to train to be on-call for plowing.

D. Soeldner said he doesn't want to dismiss any discussions and possibilities. J. Sladky said he is willing to take the calls and complaints from his constituents. He would like to try and explore other options.

V. Mellon wanted to make sure she was clear of what the Committee wanted. They wanted to explore part-time employees and the budget implications and qualifications required to bring in part-time snow plow operators.

The Committee unanimously approved the motion. No further discussion.

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The second issue that D. Soeldner wanted to discuss was the possibility of contracting out for slab replacement, line painting and crack filling. He would like to investigate bidding out at the beginning of the year, similar to the sidewalk bid. He said that these are the things that were identified as not getting done since the lay-offs.

J. Sladky made a motion to prepare three (3) separate Requests for Proposals for (1) slab replacement, (2) line painting and (3) crack filling for the Streets Committee to review at the next meeting. T. Martell seconded the motion.

A. Schema said that this will show if it will be cheaper to contract out or do in house. D. Soeldner said yes and if the laborer position would need to be filled.

G. Minikel explained that he didn't feel it would be enough time to prepare by the next meeting. D. Soeldner would be ok with the first meeting in November.

G. Minikel wanted to know if this would be bundled together or be separate. D. Soeldner would like to bid separately.

G. Minikel said epoxy paint works great on new pavement construction, but has not been as successful on existing streets that haven't had it before. A. Schema asked about using other entities (Counties or Cities) to do this work. R. Junk said that the work the County contracts out for is for centerlines only.

V. Mellon asked if we did bid out the preparation work for slurry sealing project, then could we assess for the prep. work? D. Soeldner said it could be possible to incorporate the prep. work within the bid and if the City didn't do the work they could hire a subcontractor to do the prep

work. The Committee felt we could assess the prep. work if it were part of the bid.

No further discussion, motion carried unanimously.

**Discussion and possible action regarding update on Waldo Blvd reconstruction.**

The public meeting is set for November 1<sup>st</sup>, 2012 from 5:00 pm to 7:00 pm. G. Minikel said that roundabouts are proposed for the east and west ends of Waldo Blvd. They also have new concept ideas for the intersection at Menasha Ave. and Waldo Blvd. Some changes on N. 12<sup>th</sup> and N. 13<sup>th</sup> Street have been proposed (right in, right out only). G. Minikel asked if the consultant (Ayres Assoc.) should give a presentation at a Street's Committee meeting or at a Council meeting. D. Soeldner said that it doesn't matter and the public is just as interested. He was O.K. with a presentation at a Council meeting.

J. Brey wasn't aware of the roundabout, and would the same design be proposed as it was in the past. He is not opposed to them; however the design should meet a 4 corner (lane) intersection.

G. Minikel stated that there are two different options for the roundabout at the east end of Waldo. The layouts are different than what was proposed the first time. He also pointed out that there has been 50 plus accidents every year for the past 5 years.

A. Schema said people are consistently using the new ones north of town and are getting used to them.

J. Sladky said he regularly uses the Waldo and Rapids intersection and doesn't see a problem with this intersection. G. Minikel stated that the DOT wants to eliminate the high speed right turn lane. The turn lane has had numerous rear end collisions over the years.

D. Soeldner is fine with the consultant's presentation being held at a future Council meeting.

G. Minikel said that there will be more public information meetings held. The public will have their opportunity to voice their opinions.

V. Mellon explained that the procedure the Consultants follow is to present all the alternatives and take feedback from the public at the meetings and then in a Council Meeting in December they will bring forth their design based on feedback they received and recommendations from the DOT and traffic crashes and designs, they will ask for Council approval before any further design takes place.

V. Mellon explained that the DOT is in favor of roundabouts because they eliminate right angle crashes and delay. D. Soeldner said he is worried about the bike lane and only 1 lane of traffic in each direction. This design would also result in less connecting Highway aid funding because of

less travel laneage. Also, that this is a major arterial and escape route for Nuclear Plant incidents.

Further discussion was held regarding the design that has been proposed. The Committee isn't in favor of the bike and parking lane as much as having 2 lanes of traffic like it is now.

**Discussion and possible action regarding the 5-Year Capital Plan related to proposed Executive Budget.**

The Mayor has budgeted 1 million in borrowing for Capital Projects (including Parks) and any subsequent years has budgeted 2.5 million. D. Soeldner explained that the budget amount for previous years averaged 4-5 million.

V. Mellon distributed a summary of what Engineering had in their budget to the Mayor and what the Mayor has in his proposed budget. It includes a breakdown of projects that shows revenue associated with project and cost.

G. Minikel said the things we eliminated first were the projects that didn't have offsetting Revenue.

D. Soeldner would like to find out if it is feasible and responsible to get the borrowing down to \$900,000 for next year. If we take out some of the streets now, eventually the streets will need to get done. We need to manage the infrastructure and doesn't know how we can responsibly handle the amount set forth in the Mayor's budget for borrowing.

A. Schema would be more comfortable with a higher bonding amount. The amount proposed is not remotely enough to resurface roads. We will be in serious trouble later if we don't maintain the streets.

J. Sladky asked how the Dufek and Dewey ponds were a partial match and how much would need to be bonded for. G. Minikel said that we would like to do the Dewey Street pond as the design is further ahead. We have already taken 2 payments "in lieu" from the Harbor Town development. He feels this is the best project to do in 2013.

J. Brey asked if there is any significant project that we would rather see done with the bonding.

G. Minikel explained that any of the slab replacements in order to maintain the streets and any of the resurfacing or paving projects would like to keep in the budget.

The survey work and cutting of trees can be delayed for the gravel pit, G. Minikel informed the Committee.

V. Mellon said that they requested \$20,000 for the Zoo improvements to build fencing for obtaining a male with the female deer and a small herd of offspring. The existing exhibit is low and wet and not suitable for planting grass. Creating a new spot for the deer in the woods will

provide for a better use for the existing deer exhibit. The Mayor has requested moving these funds to the Silveridge Park Development.

D. Soeldner would like to revisit this issue at the next meeting. He requested for all Alderman to take a look at each line item and bring back any discussion at the next meeting. D. Soeldner said we are not going to get out of debt overnight, and with respect for the budget process and the Mayor we need to further look at the proposal from engineering in reference to the bonding and projects they recommend.

J. Sladky said if we are continuously maintaining and flushing a sewer, we won't be better off delaying any sewer project.

*J. Sladky made a motion to adjourn the meeting at 8:35. T. Martell seconded the motion.*



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