



Public Works Committee
Tuesday, September 12, 2023
6:00 p.m.
Cravath Conference Room
Municipal Building - 2nd Floor
312 W. Whitewater St
Whitewater, WI 53190

MINUTES

1. Call to order and roll call.

The meeting was called to order by Stone at 6:00 p.m. The meeting was held at the Municipal Building in the Cravath Conference Room on the 2nd floor.

Present: Gerber, Allen, Stone

Others: Brad Marquardt

2. Approval of minutes from August 8, 2023

It was moved by Allen and seconded by Gerber to approve the Public Works Committee minutes from August 8, 2023.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

3. Hearing of Citizen Comments

No hearing of citizen comments at that time.

4. New Business

a. Discussion and Possible action regarding renaming Hyer Lane to Peggy Lane.

Marquardt stated the City received a request from Joseph Schraeder asking for Hyer Lane, from Salisbury Lane to Florence Street, be renamed to Penny Lane in recognition of Leslie Penny.

The City currently does not have a procedure in the Municipal Code for renaming streets. However, according to Wisconsin Statutes section 236.295, streets renamed within a recorded subdivision must be accomplished by the recording of an affidavit of correction with the office of the Register of Deeds. Prior to the recording, the governing body of the municipality must approve of the renaming.

Marquardt turned it over to Joseph G. Schrader, 147 N. Hyer Lane, Apt. 4, Whitewater. Schrader stated Penny is a friend of his and was the manager of Whitewater Court that was built in 1987. Schrader said Penny is a special person who immigrated from London, England.

City staff did not recommend changing the street name for the following reasons:

1. Changing an existing "named" street may remove a historical name already tied to Whitewater.

2. This request could open the door for anybody to request a name change to any street at any time. If Hyer Lane was changed to Penny Lane, somebody could come in next month and request a change to a different name.
3. Everyone with a Hyer address would unwillingly need to update all their documents to reflect a new address.

Allen made a motion to deny the Hyer Lane name change to Penny Lane and seconded by Gerber.

AYES: Allen, Stone, Gerber. NOES: None. ABSENT: None.

b. Discussion and Possible action regarding Johns Disposal rate increase request for 2024.

Marquardt stated the City received a request from Johns Disposal asking for a \$0.42 (2.8%) per unit monthly increase as outlined below. According to the contract, Johns may request an annual adjustment up to the Consumer Price Index (CPI). The CPI as indicated in their letter is 2.8%.

	<u>2023</u>	<u>2024</u>	<u>Increase</u>
Garbage	\$9.00	\$9.25	\$0.25
Recycle	\$4.15	\$4.27	\$0.12
Bulk	<u>\$2.00</u>	<u>\$2.06</u>	<u>\$0.06</u>
	\$15.15	\$15.57	\$0.42

The City is estimating a totor count of 2,770 units for the 2024 budget. The overall increase of \$0.42 results in an overall increase of \$13,961 for 2024.

Since the requested increase is in line with the CPI, Marquardt recommended the committee approve the rate increase for 2024 and move it on to the full Council and include the new rates in the 2024 budget.

Marquardt stated it is still in line with what the contract says. It was brought to the Public Works Committee and then to the Council meeting for formal action even though it is within the combines of the contract.

Allen made a motion to approve the 2.8% rate increase to John's Disposal and seconded by Gerber.

AYES: Stone, Gerber, Allen. NOES: None. ABSENT: None.

c. Discussion and Possible action regarding deferred assessments for Wisconsin Street sanitary sewer and water main.

Marquardt stated Councilperson Allen asked for this item to be on the agenda. Sanitary sewer and water main were extended on Wisconsin Street in 2004 to serve the development to the east of Wisconsin Street, namely the Waters Edge Subdivision. A public hearing was held to levy special assessments to the properties lying to the west of Wisconsin Street since the sanitary sewer and water mains would be abutting their properties. A preliminary and final resolution was passed by Council deferring the sanitary sewer and water assessments to 2024 or upon hook up, whichever occurs sooner. Staff sent out letters earlier this year to property owners reminding them of the special assessment due in 2024.

It was noted on May 4, 2004, Council passed the preliminary resolution to assess for sanitary sewer and water and to defer the assessment to 2024. May 18, 2004, the Council passed the final resolution charging a special assessment of \$7,522.17 to each of the seven property owners along the west side of

Wisconsin Street. This assessment was deferred interest free until 2024 or upon hook up by the property owner, noted as whichever occurs first.

Each property owes \$3,996.16 for the water assessment and \$3,526.01 for the sanitary sewer assessment. Altogether, the Water Utility would collect \$23,976.96 and the Wastewater Utility would collect \$21,156.06.

Marquardt recommended these special assessments be kept in place and collected in 2024, per the 2004 resolution.

Chris Craft, 630 S. Wisconsin Street, spoke regarding documents his grandpa had and the possibility of sub-dividing the property into six lots. If that would have happened it would be more feasible; however, without putting a road in it's not feasible for them to go back that far. He stated he pays a lot of money to keep his septic working and recently just inherited these properties. There are many repairs that need to be done on the house. As a single father of three, it's not possible to pay the \$60,000.

Chris stated his uncle is another owner of the property at 630 S. Wisconsin St. property, which is in a trust. His uncle called about sub-dividing the lots. They asked if they could sell the front lots and were told they could not do that because they would be land locked. Becky stated that never came to fruition and it never will because there will never be another road with sub plots.

Becky Miles, 626 S. Wisconsin St., spoke about the potential road and digging through limestone. They had quotes at one time, which were \$50,000, per household.

Stone made a motion to cancel the special assessments for the Wisconsin Street properties. Allen stated he wanted to talk about it more. Gerber stated she was also not ready to cancel. Allen stated the cost was extremely high and therefore it was deferred for 20 years. The residents have working sewer and wells and don't need to hook up at this time. Allen asked if Stone would retract his motion. Allen would say his motion would be that these homes pay their portion of the 1/7 of the fee, at that time they hook up to City sewer and water. He stated right now, they do not need to hook up to the City. Stone said he would rescind his motion.

Gerber asked Marquardt if there is any reason these property owners need to hook up to City sewer and water that they, the committee, are not thinking of? Marquardt stated the only thing would be in the City ordinance. He believes it states that if sewer and water are available, and you are in the City, you are supposed to hook up.

Allen made a motion to cancel the 2004 special assessment deal and the seven properties on the west side of Wisconsin Street pay their assessment when they decide to hook up to City sewer and water and seconded by Stone.

Gerber stated that the document created in 2004 (from 2004 prices) would have them pay \$7,522 per home for work that has already been done and Marquardt agreed. She stated that is nothing to do with them hooking up to the City. Marquardt stated that is for the sewer and water main that is in the street now. Gerber said the stuff is there and the work has been done. Therefore, the assessment was deferred so they would have time to get the \$7,522 together over 20 years. Marquardt stated that would be the assumption. Gerber stated again that is has nothing to do with them hooking up. Miles stated she agreed if the property owner hooks up; otherwise, why would you pay for something or a service you are not receiving. What would have been fair and correct for everyone when you hook up you are going to pay your share. Allen stated Gerber did have a point. Allen said the owners were all

told 20 years ago that this was coming. Marquardt was also correct that this is how it's done and when it's developed it gets paid. Allen wanted to amend his motion to also say that the charge of \$7,522 remains the charge when someone chooses to hook up, without interest, and seconded by Stone.

Gerber asked for clarification on the amendment. Marquardt stated leave the assessment at \$7,522.17, without future interest due when hooking up to the City sewer and water main.

Gerber asked if there were any other special assessments on the table. Marquardt will have that information at the next council meeting.

AYES: Gerber, Allen, Stone. NOES: None. ABSENT: None.

Gerber asked if there needed to be any timeframe regarding payment. Marquardt stated if they don't pay it goes on their property taxes.

Stone asked if there were any additional comments before voting on the motion. There were no comments at that time.

AYES: Allen, Stone, Gerber. NOES: None. ABSENT: None.

Marquardt stated this item will go to Council in October 3, 2023.

d. Discussion and Possible action regarding Amendment No. 1 to Task Order No. 23-04 for Construction Related Services for the North Side Water Main Extension.

Marquardt stated Wondra Construction was awarded the contract to install water main from the WE Energies property east to serve Johns Disposal and the Wastewater Facility. The project is expected to start in October. The estimated cost to provide the Construction Related Services is \$43,000. The attached Amendment is for Strand Associates to perform Construction Related Services, such as shop drawing review, review of pay requests, construction staking, and construction observation. The Council approved the water main project at their September 5, 2023, meeting. The original Task Order was approved at the March 21, 2023, Council meeting.

Gerber made a motion to approve the Amendment No. 1 to Task Order No. 23-04 for Construction Related Services for the North Side Water Main Extension and seconded by Allen.

AYES: Stone, Gerber, Allen. NOES: None. ABSENT: None.

e. Discussion and Possible Action regarding sidewalk replacement program.

Marquardt stated the Public Works Committee has been discussing changes to the sidewalk repair program at their July and August, 2023, meetings. Since the last meeting, staff reached out to a number of surrounding communities to gather information on what other communities do for assessing property owners. Committee members were provided a list of communities that responded.

Stone thanked Marquardt for collecting this data as it shows that it varies by community. Allen asked if the City could afford to do 50/50? Gerber stated, no. Marquardt stated the estimate he had was for Ward 4 at \$373,000. That was replacing every piece of sidewalk that was marginal. That was a worst-case scenario. If the City only did the major tripping hazards it would be greatly reduced. If they looked at only tripping hazards and no curb ramps that would also be greatly reduced. The curb ramps do not meet the current ADA guidelines, and there are some discrepancies as to when they should be replaced. Marquardt thought we could probably afford to replace sidewalks if we were only doing tripping

hazards. Stone stated he would be in favor of replacing the sidewalk as a tripping hazard. Maybe that means adding additional money yearly to Fund 280. He would be against a special assessment.

Gerber doesn't think the City can afford to even do the tripping hazard sidewalks. When walking around town she stated that a lot of the sidewalk issues are from the terrace trees.

Gerber made a motion to start assessing 50/50 of sidewalk costs. The homeowner would be responsible for 50% of the sidewalk replacement and the City would be responsible for the other 50% of the sidewalk replacement for anything that is considered a tripping hazard; unless a terrace tree is causing the sidewalk issue and seconded by Allen.

AYES: Gerber, Allen. NOES: Stone. ABSENT: None.

Marquardt stated he will start updating the ordinance to reflect a couple of changes and will include the proposed 50/50 on parts of a sidewalk that are a tripping hazard, unless a terrace tree is causing the sidewalk issue. The discussion will be brought back to a future Council meeting.

5. Future Agenda Items

No future agenda items at that time.

6. Adjournment

It was moved by Allen and seconded by Gerber to adjourn the Public Works Committee meeting at 6:43 p.m.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

Respectfully submitted,

Alison Stoll

Alison Stoll, Administrative Assistant
Department of Public Works