

April 10, 2012

2012 Utility & Street Projects Assessment Hearing
Buchanan Street, Sanitorium Road, Polk Street, & Grant Street

Roy Van Gheem, Director of Public Works, began the meeting at 6:00 p.m. He gave a summary of the affected streets and their proposed widths, back to back (Buchanan Street is 31', Sanitorium Road is 35', Sanitorium Court is 29', and Polk Street is 27'. He then introduced Nick Vande Hey of McMahon's.

Nick explained that the Preliminary Assessment Report includes a spreadsheet that shows the properties affected, property owners, front footages, corner lot credits (when applicable), paving costs, storm lateral costs, and sidewalk costs. He said that if you live on a corner, you get a 25 foot corner lot credit. The assessments are based on footage multiplied by the street assessment rate. The street assessment rates are based on the proposed street width, back to back, and the zoning of the property (residential or commercial). The commercial rates are higher than the residential rates. The street assessment rates are as follows:

<u>Street</u>	<u>Residential Properties</u>	<u>Commercial Properties</u>
Buchanan Street	\$87.79/lin. ft.	\$112.55/lin. ft.
Polk Street	\$78.78/lin. ft.	\$101.29/lin. ft.
Sanitorium Road	\$94.54/lin. ft.	\$123.81/lin. ft.
Sanitorium Court	\$84.42/lin. ft.	\$106.92/lin. ft.

According to the Preliminary Assessment Report, the cost of sidewalk is \$5.38/sq. ft., and the cost for each storm lateral is \$1,231.56. The spreadsheet identifies the properties that don't have a storm lateral, but need them.

Nick then explained the aerial photos that were taped to the wall. The photos show each property and the owner of the property.

Nick explained that Buchanan Street will be reconstructed from Main Street to Bluff Avenue. The new street will be slightly narrower than before, with parking on the east side only. The crown of the road will shift further to the west which will impact driveways and sidewalk. Trees in the terrace will be removed – some have already been removed. Stumps will be ground down and removed, and grass will be replanted. Utility work will be done on Buchanan Street between Bluff Avenue and Garfield Avenue. The utilities on Buchanan Street from Polk Street to Main Street will be completed by mid-June. Then the WI DOT will put in the sanitary sewer by mid-July. (There will be no WI DOT contractor doing work from Polk Street to Bluff Avenue.) Following, the street contractor for the Village will come in and complete the street paving by mid-October. Lateral work, etc. will be completed by mid-July.

Don Hietpas and Sons is the Village utility contractor. They are starting utility work on Sanitorium Road on Wednesday, April 11, 2012.

Roy and Nick explained that the contractor will need access to properties during construction. At times, residents may have to park on a side street. The intersections of Garfield Avenue, Lincoln Avenue, and Wisconsin Avenue will be kept open. Emergency vehicles will be able to get through. For about 2 weeks during the actual paving, residents won't be able to access their driveways and there will be some inconveniences. People with special needs should contact the Department of Public works as soon as possible.

Nick explained that the contractor will take down mailboxes and place them on the front lawns. Later the contractor will reinstall the mailboxes.

WE Energies will be upgrading the gas main and services on Buchanan Street only.

Polk Street will be 27' back to back with parking on both sides of the street. The utility work on Polk Street was done last year. This year a new concrete street will be constructed. The concrete work will be completed by October 19.

Grant Street is a short street with only 2 driveways that come off of Charles Street. Grant Street is designed to be an asphalt street with ditches cut in on both sides. There will be no curb and gutter, but a hammerhead will be at the end of the street. Storm sewer work will be completed by mid-July with the asphalt paving being done by October 19.

On Sanitorium Road all the watermain will be replaced by Don Hietpas and Sons from Lincoln Avenue to Main Street. Some sanitary work will also be done, with a utility completion date of July 15 (although it is anticipated that this work will be completed earlier than that). The WI DOT contractor will put in storm sewer from Main Street along the east side of Sanitorium Road and on the west side on Sanitorium Court to Lincoln Avenue. The new storm sewer will also be put through Heesakker Park. All storm work on Sanitorium Road will be completed by August 31.

The Village street contractor will then pave the street with a completion date of November 2. These dates mentioned are contract times. Don and Hietpas and Sons will be giving us a schedule of their timeline. The WI DOT will be advertising for bids for storm sewer in May and that work will begin by mid-June or the end of June. Sanitorium Road will be constructed as a 35' back to back street which is 2' narrower than before. Terrace trees will not be removed on Sanitorium Road. As with Buchanan Street, all mailboxes on Sanitorium Road will be placed on property owners' front lawns and reinstalled later. Sanitorium Road will have parking on both sides of the street, while Sanitorium Court will have parking on only one side.

Roy explained that reconstructed utilities (sanitary, storm, and watermain) cost are covered by the utility and not assessed to the property owners. The cost is built into the rates, including curb boxes. He also said that those people who are not hooked up now

must have a storm lateral installed. Historically, violations occur with properties located by rivers or streams.

Some people received notices that they need their private sanitary sewer lateral replaced. Some of the reasons for this are clay pipes, iron, intruding roots, and leaking pipes. Roy explained that mains have a finite life and there are problems with clear water in the sanitary system. He said the even large pipes can become overwhelmed and we need to get these defective pipes out of the right-of-way. The Heart of the Valley Metropolitan Sewerage District (HOV) is overwhelmed by clear water, and we must reduce this clear water by 30%. Property owners are offered to join our contractor to get the work done. Some laterals on Sanitorium Road will also need to be done. He explained that some homes have foundation pipes or leaking pipes. Property owners own the pipe from their home to the main. The defective pipes need to be replaced from the main into the house. Private contractors can do the work, but they will have to get the work done before our contractor gets in there.

Roy explained the two different ways of replacing the defective sanitary sewer laterals. With the “open cut”, pavement and shrubs are disrupted. If there is a major sag in the lateral, they can have collapsed sections or have too many roots, and therefore need replacing by “open cut”.

The other method of replacing the defective sanitary laterals is to have it “burst by trenchless method”. About 90%+ of the properties will be able to have it done this way. With this method, a 2' square hole is dug in the basement of the home and foundation drains and downspouts are disconnected. A new pipe is pulled behind the old pipe and a backflow preventer is then installed. This preventer is like a cheap insurance policy. The backflow preventer requires some maintenance such as cleaning.

Property owners are supposed to return their Notice of Intent form and their signed Waiver to the Department of Public Works by April 13.

Roy explained that the Village hasn't televised all laterals. The cost of televising ahead of construction time is about \$200-400, and that money could be better used to replace a bad water service. If, however, you want to have your lateral televised, you can hire your own contractor and provide the tape to the Village.

Roy explained that the Phase IV Private Sanitary Sewer Lateral program is part of a different mailing and not part of this Preliminary Assessment Report. He said that only about 6 properties on Sanitorium Road are part of the private sanitary lateral project. Roy also explained that if you have a defective water service and want it replaced at the same time (optional, not mandatory), it would cost an additional \$200-400.

He again reminded the public to sign their Notice of Intent and Waiver and return it to the Department of Public Works by April 13. He then opened the meeting to the public's questions and comments.

Mr. Francis Seiler of 602 Sanitorium Court said the he has tiles that go into a creek. Roy said that the ordinance states that everyone must have a storm lateral connection. Mr. Seiler said that he doesn't have any water problems with his raised ranch (finished basement) house. He said that if he doesn't use it, why would he have to have it? Tammy Frassetto, Village Board trustee, said that the Board will look at individual situations. Mr. Seiler wants us to come out and look at his situation. Jim Peerenboom, Village Board trustee, explained that if Mr. Seiler were to put on an addition to his house, he would need a sump pump and a storm lateral connection.

Chuck and Betsy Hermes of 1734 William Court (northwest corner of William and Sanitorium) said that their sump pump runs to a drainage ditch between their yard and Sanitorium Road. The Hermes' said that years ago they had a river running through there, but a catch basin installed has since solved that problem. Roy explained that this could freeze in winter.

Craig Mattson, 1000 Polk Street, questioned the concrete assessment policy. Roy explained that with the old policy, property owners paid 35% of the cost of the project, which is close to what the new policy rates are now. The Village Board felt that it is fairer if people that have property on the same street should pay the same rate. The new policy rates are based on the width of a street (back to back) and the zoning (residential or commercial).

Roy also explained that if the project costs come in lower than expected and the assessment is higher than the cost, the assessment rates to people will be lowered. He also said the paving with asphalt can be as expensive as paving with concrete. It is the Village policy to reconstruct collector streets with concrete. Also, if more than 30% of the curb and gutter needs replacing, then the street is paved in concrete. Concrete is cheaper because the life and serviceability of concrete lasts much longer.

Greg Feldkamp, 1800 Riverside Drive, came on behalf of his mother, Nola Feldkamp. He said that Sanitorium Road is now asphalt paved and that there are no issues with the surface of the road. He thinks that the road is being replaced only because of installation of reconstructed utilities. Roy asked Jeff Elrick, Assistant Director of Public Works, what the passer rating was for Sanitorium Road and he was told a "5". The street paving was moved up to 2012 for utilities. Mr. Feldkamp sees no need to replace a sound, decent road with another road. He stated that according to Wisconsin Statute 60, there must be a valid reason to levy a special assessment – that the statute required a unique special value to the property owner. Mr. Feldkamp does not see any unique or special benefit or advantage to his mother's property, and therefore, it is not a valid assessment. Roy explained that the new road will be much better than the old road and that concrete can last 50 years. Mr. Feldkamp said that the preliminary assessment for his mother's property is about \$20,000, but that her house won't go up in value by \$20,000 and she won't have \$20,000 worth of benefit from a new road. Mr. Feldkamp said that many other people travel that road more than she does, but they don't get charged for any of it. Roy said that the benefit statute doesn't say that the benefit to the property owner will equate dollar for dollar. Roy explained that the Village Board sets

the Village policies, and that the benefit is there. The Board tries to adopt policies and ordinances that are consistent and fair to most. Mr. Feldkamp said that the northern lot is worth about \$20,000 with the assessment for that portion being at least one-half of the value of the lot. He also said that the ravine probably makes it impossible to subdivide that lot.

A few residents asked why a new policy couldn't be adopted where everybody pays a bit every year, with a ceiling cost of no more than \$10,000 to a property owner having their street done.

Another resident asked about storm sewer going through Heesakker Park. Roy explained that Lincoln Avenue is having trench repair, but the street is not being replaced at this time.

Patrick Johnson of 614 Sanitorium Court said that about 15 years ago when Kaukauna Utilities build the dam they weren't assessed. Roy said that they must not have significantly damaged the road. Mr. Johnson then said that the road wasn't properly rebuilt. He then asked how many roads have been torn up again with the last 30 years. Roy explained that storm laterals and other utility reconstruction make the road not salvageable. Mr. Johnson said that he hasn't had a storm lateral for 35 years and that Sanitorium Court is 30 years old with asphalt and hasn't been redone yet.

Tammy Frassetto said that Public Works is trying to do the right thing by installing concrete so that no other street assessments will affect them for the next 50 years. Mr. Johnson said this is a hardship for older people on a fixed income. He said that the State should repair the road and not assess at the rates listed in the concrete paving policy. He knows that Sanitorium Road does need a new watermain. Roy said the State is giving the Village a lump sum that is spread throughout the project. Roy said that you don't put in a new street over old infrastructure. Mr. Johnson said that State funds should go to the property owners. Roy said that is fine in theory, but that wouldn't reduce their assessment. The complete street has more needs than just one utility and one patch. There wouldn't be enough of the road left.

A resident that lives at the corner of Riverside Drive and Lincoln Avenue stated he dislikes how the Village runs the town. Tammy Frassetto said that the Village Board has to decide from which pot to take money from and that the special assessments are a way of collecting those dollars. A few residents said that they want everyone to pay, not just them and that the cost should be put on the tax roll. The money has to come from somewhere and if special assessments are not levied, then other areas will suffer, such as parks and services. A resident asked what tax dollars are going towards the new windmill and was told that no tax dollars are being spent on the windmill.

Brad McMahon who owns property at 217 Buchanan Street asked how much the private sanitary lateral and defective water service replacement would cost. He was told \pm \$2,500 for the lateral and \$300-400 for the water service. Tom McMahon asked why the Village couldn't add \$100 to each tax payer's bill each year to help pay the cost of

new roads. He said that his house is worth about \$80,000 and his \$6,000 assessment will not add \$6,000 to his property value. He also said that everybody uses the street.

Nick said that times have changed and that most people don't stay in their homes for 35 years. He also said that a house will sell easier with a better street.

Karen Schuh of 1023 E. Main Street asked what year was Buchanan Street asphalt paved. She also asked if the Polk Pond caused this road work to be done. Roy explained that 15 years ago, there were not laws like there are now... 10 years ago we didn't have to treat stormwater... 5 years ago we didn't have to replace laterals. Roy explained that the storm water fee of \$7.00 is a monthly charge on your Kaukauna Utility bill. He said that the wastewater treatment plant will need to be rebuilt sometime in the future, and that is a big expense and will have to be expanded earlier if we don't reduce the amount of clear water in the sanitary sewer system.

Roy explained that you can pay your bill within 60 days or finance it for 5 years. He said that for unique situations, you should speak to the Finance Director for a longer period of time – can be up to 10 years. Teri Matheney, Finance Director, said that the interest rate of 3.5% remains the same for the life of the special assessment. She said that the interest rate is established at a fixed rate for what the money costs the Village. The Village uses it to cover costs, but does not make money on it.

A resident asked about the choice of contractor because Don Hietpas and Sons is a local contractor. She wanted to know if we take the lowest bidder. Roy explained that we have sealed bids and that competition lowers costs. He said that it is Village policy to take the lowest responsible bidder.

Tammy Frassetto said that if the public wishes to change the assessment policy, that the Board can put the item on a future agenda. She said that if you want the Village to pay for the streets, then everyone's taxes would be raised.

Mr. Feldkamp asked for a show of hands indicating how many people want the Village to pay for the entire road because everyone uses the road. Many people raised their hands.

Teri said that she has worked for several communities in the past and that the levy limits make it impossible for communities to not have special assessments. She said that you would need a referendum to exceed the State tax levy. She said this hasn't worked in other communities. She said that anyone who already paid an assessment, vetoed it and the referendum failed. Teri also explained the with the assessment policy, people already paid would be in strong objection to taxing everyone. She said that we can look at extending the payment period from 5 to 10 years.

Mr. Feldkamp said that it's never too late to do the right thing. He said that there was a design change for Sanitorium Road, diverting drainage water to his mother's backyard at 1800 Riverside Drive and a few other properties. He said that the courts said this

isn't right and the insurer also said this was wrong. Mr. Feldkamp said that we (the public) can ask them to do the right thing or we can ask the court. He said that the court said put the pipes in and they go all the way to the river. Now a new pipe is to go along Lincoln Avenue and then into Heesakker Park. He thinks this is being done because to put it down Sanitorium Road (south of Lincoln Avenue) would be an inconvenience to those living on that portion of Sanitorium Road. He also said that he read the minutes of a Board meeting and found that the cost will be greater because of going through the park.

Tammy Frassetto said that due to the steep pitch of that portion of Sanitorium Road, the contractor would have to dig deeper. She said that the surface of the road is okay there and that they don't need sidewalk there so there is no reason for redo the road.

A resident who lives on the south side of Sanitorium then said that she thought that portion of Sanitorium Road wasn't getting their road redone, storm sewer, or sidewalk because the "President of somewhere" lives there and he didn't want it. Village President Mike Vanden Berg then acknowledged that he lives there but said that he has abstained from voting on that issue.

Vicky Earle, 526 Buchanan Street, asked why a collector street is done in concrete if the road will be redone in 15-20 years. Roy said that we don't plan on redoing the street in 15 years. He said that we have to address infrastructure and put down good pavement.

A resident asked why 7" concrete is being placed on Buchanan and Polk Streets – isn't less depth cheaper. Roy said that the baseline for residential streets is 7" and that 6" wouldn't save you that much. Roy said that Grant Street is getting asphalt paving. There's only 2 homes on that street and their cost is more, based on an asphalt rate. Roy said that Polk Street is getting concrete. Polk has only 4 houses there now, but will have 4 more houses later. Four new lots will be sold to cover the cul-de-sac cost.

John Schuh, 612 Grant Street, said that the rate for his asphalt street is \$126/lin. ft. which comes to \$12,000. Why is it so expensive? Nick Vande Hey said that transitions at side streets with small patches are pricey. He said that it is a short road and bringing the equipment there and setting up is expensive. If the volume was bigger, it would bring the cost down. The grade needs to be changed for drainage and that is costly. Mr. Schuh now wants a concrete street instead of an asphalt street. Mr. Schuh asked how he can sign up for that. Roy said that the whole Board would have to discuss it.

Another resident said that everybody in the Village should pay and that a new policy should be adopted. She said that special assessments should be taken away and the cost evenly distributed to tax payers. She also said that people who have already paid should get monetary credits. Tammy Frassetto said that the Board can try to come up with a better policy.

Mark Gloudemans, 707 Sanitorium Road, asked about the lateral. Roy said that you can install the lateral from the sidewalk to the house on your own, but the contractor

installs the part from the main to the inside of the sidewalk and that is the assessment that appears on the Preliminary Assessment Report.

Nick explained that the old pipe goes from the ravine to the river and will inter-connect with a new DOT pipe and both will empty into the river. He said that the low flows and the high flows will get mixed together. He said we treat low flows to reduce clear water.

Mr. Gloudemans asked about parking during the construction phase. He was told that you can park in the driveway, but not on the streets. There will be a 2 weeks period where there will be no access to your driveway apron. The street will be paved one side at a time. The intersections of William Court, Wisconsin Avenue, and Lincoln Avenue will be kept open.

Mr. Otto of 704 Buchanan Street asked why are these 2 streets being picked on to do this project and why was money spent on the Polk Pond.

Mr. Gloudemans asked about design flaws on Sanitorium Road because of so many waterbreaks that have occurred there. Roy said that materials from the 50's, 60's, and 70's didn't work well or last very long. He explained that new materials come out – some work better and some don't. Roy said that materials evolve through the year – some for the better, some for worse. Roy also said that there other streets that have had more waterbreaks than Sanitorium Road, such as Main Street.

Someone asked about corner lot credits. It is Village policy to allow for a 25' corner lot credit to those applicable properties. Roy and Nick said that corner lot credits vary by community.

Jeremy Vandera, 702 Sanitorium Court, asked how long people had to hook onto the lateral. Roy said that within 45 days you should be hooked up. Roy explained that the lateral is only placed about 40" deep. If you do the work yourself, it is best to use a trencher, not a shovel. Sidewalk is to be replaced under the Village contract.

As the meeting was coming to an end at 8:15 p.m., Mr. Dennis Van Eperen, 516 Sanitorium Road, and Mr. Francis Seiler, 602 Sanitorium Road, both said that they don't have sump pumps and want the Department of Public Works to come over and look at their individual situations.