

**Item 24-0102: Final Resolution 1-P-24 Concrete Pavement, Driveway Aprons, Sidewalk Construction**

**Item 24-0103: Final Resolution 2-P-24 Sanitary Laterals, Storm Laterals, and Storm Main**

**Common Council**

Wed, Mar 06, 2024 7:00PM

**Mayor Jake Woodford 08:25**

With that, I have no further business to present to you this evening, so we can move on to public participation. I do want to make a note for members of the public who are here to speak. I believe a number of you are here to speak during the public hearings that we're holding on the special resolutions 1-P-24 Concrete pavement driveway Princeton sidewalk construction, in particular. We will be holding a separate public hearing for that after we finished regular public participation for any other items on the Council agenda. That'll come right after this in the agenda. So, if you're here for that item, we just ask that you hold your comments until we get to the public hearing in just a moment.

**Mayor Jake Woodford 09:07**

And with that we do have no members of the public signed up to speak on items that appear on the Council agenda except for the item I just noted. Is there anyone here who wishes to speak on an item that appears on the agenda that is not the special resolution? All right, hearing none, we will then close public participation and move along in our agenda to public hearings.

**Mayor Jake Woodford 09:35**

The first public hearing is item 24-0100. This is a public hearing on sidewalk resolution 1-P-24 Concrete pavement, driveway aprons, sidewalk construction. This is a public hearing anybody who wishes to speak. If you'd like to please come on up, approach the podium, state your name and address for the record, please.

**Gary B. (Resident) 10:03**

My name is [Gary B.]. I live on Perkins street. I went around got a petition. I like to serve it to the city. It's for the sidewalks. All my neighbors and I do not want the sidewalk. I don't know why we're having a sidewalk, but somebody did not investigate the sidewalk problem. Because on the west side of Perkins street towards the railroad tracks, there's no driveways, there's no way, because they all live in the alley. So, there's no way to shovel that sidewalk, and there's no schools or nothing over there. But I don't know why we're putting a sidewalk in. Can anybody tell me why?

**Mayor Jake Woodford 10:48**

During the during the public hearing, this is an opportunity for public to share your feedback with the with the Council, and then when the Council takes up the special resolution, if a member of Council wants to ask that question, we can we can certainly address that to staff. So, for now

**Gary B. (Resident) 11:05**

Can I submit this?

**Mayor Jake Woodford 11:06**

Yep, we'll take it here. You can leave that with the clerk. Thank you [all people.]

**Gary B. (Resident)** 11:25

That's probably our biggest problem that we can see. You'd have to—do they have a timeline now for when they're going to put the new sewer in and cut trees and so forth?

**Mayor Jake Woodford** 11:38

We'll answer that question during the during the discussion of the resolution. So, we'll get to that.

**Gary B. (Resident)** 11:43

All right.

**Mayor Jake Woodford** 11:46

Thank you.

**Mayor Jake Woodford** 11:54

Anyone else? Thank you and your name and address for the record, please.

**Kevin K. (Resident)** 12:00

Yup, [Kevin K.] got a property on—it's actually on Charles Street. It's on the corner of Charles and Perkins. Another one of those issues where they're putting the sidewalks in and the driveway is actually on Charles Street so there's no way to get to the sidewalks to blow them or whatever in the winter. There's been discussions, I guess, about putting sidewalks around the corner or whatever, but just like everybody else, we see no point in putting sidewalks here and running sidewalks up to the railroad tracks that lead to the industrial park. Doesn't make any sense. That's on the sidewalk issue.

**Kevin K. (Resident)** 12:36

And then I have an issue with the sewer. They want to charge a premium to dig up your basement and run it into your basement versus—or you get a discount then versus if you run it to the property line. But I already have new plastic run out to the property line. Doesn't make any sense to dig up the basement and run it all the way in. I've got a video from my sewer contractor videoing the drain all the way out to the street, showing my plastic pipe where it turns into cast at the property line and then out to the street. And you can see the cracks and the problems out there a little better. But I don't understand paying more money to have it put into my property line versus less money if I have them, dig it up and put it in all the way to the basement, and I've already got brand new plastic in there. Doesn't make any sense. So, I need to know who to deal with, and I've already talked to him about it, but nobody seems to listen. So, I guess that's what I got to say.

**Mayor Jake Woodford** 13:45

Thank you

**Abel M. (Resident)** 13:55

I'm [Abel M.] on Amethyst drive. I'm a little bit frustrated. Last year, our property—that area—was supposed to be under construction. However, they pushed it out to this year, and in looking at the figures from last year versus this year, it's about \$1,000 difference, which is pretty significant. At least I feel like it's pretty significant. Also in regards to the property that they—and the area that they ended up fixing—there are still houses that need to be built in that area and that are being worked on. So, I don't know why they did that area first opposed to our area on Amethyst drive. So those are the areas where I'm frustrated.

**Mayor Jake Woodford** 14:42

Thank you.

**Mayor Jake Woodford** 14:48

Others? Welcome.

**Bryan H. (Resident)** 14:53

Good evening. My name is [Bryan H.]. I'm on [XXXXX]. My concern is about a written estimate I had received, before purchasing that property in 2021. The property was vacant when we were considering purchasing it. I sought a written estimate from the Department of Public Works. I was not naive in the idea that I would not be eventually assessed if I purchase that property. After some back and forth with the department, I did receive a estimate in writing prior to making an offer to purchase that property. The estimate I was given was 7975— \$7,975. I proceeded with my offer to purchase that property and build a home. That was life changing choice. It affected my family in a number of different ways, specifically financially and the decisions we made and how to finance that property. And was notified in the last two weeks that that assessment is actually going to be \$19,000, closer to 20.

**Bryan H. (Resident)** 16:11

So, I would put it to you as members of the Council, if you were told in writing, that your estimate would be \$7,975 and then later told, three years later, that your estimate is now upwards of \$19,000 how you would respond to that emotionally, financially? It's a pretty big shock. And it's going to affect me and my family for years if not a decade to come. I don't disagree with the with the special assessment—right?—so I understand it's a state statute. Municipality has every right to do that. In fact, we were looking forward to it and plan for it.

**Bryan H. (Resident)** 16:58

We've been living in a mud hole for three years. The city cannot even plow that cul de sac. The plow drivers gets stuck. I've been paying, in my opinion, relatively high, North Appleton taxes for three years to live in a mud hole. If any of you have been around construction, it's always dirty, no matter what. Our house is fil—it's just not—I'm paying top dollar for amenities, and I don't have them. It's more of a complaint, but the fact of the matter is I was misinformed, grossly misinformed by the city, border line negligently misinformed by the city. I did every due diligence, went to the appropriate departments, asked the right questions. I made all the right decisions, and I'm now being penalized as a result of that. I've shared a number of correspondence with my alderperson who has been very helpful and responsive. I appreciate that very much. Public Works Department has been also very responsive. But it does not dismiss the fact that I was grossly misinformed after a formal inquiry and receiving written estimate. If anybody wants to talk to me after this, I am more than open to anybody's conversation. Thank you for your time.

**Mayor Jake Woodford** 18:48

Who else? This is a public hearing. Is there anyone who wishes to speak?

**Alex P. (Resident)** 19:00

[Alex P. on XXXXX]. I'm Bryan's neighbor, and my parents bought a lot adjacent like right next to his. So, if I—so my family and I have to put in \$20,000 like the estimate was given, and then the other \$20,000 that was another for Edgewood drive, that's 40 grand. So, it's just a lot of money for something that's a cul de sac that not many people even use. I mean, probably year-round, there a minimum we'll say 100 cars go by for a little cul de sac that's just—I mean, I don't think it's reasonable. That's what I feel. But that's just my opinion. That's all I really got. Thank you.

**Mayor Jake Woodford** 19:54

Anyone else wish to speak? Yes, please. [Someone spoke off microphone.] We're not to the laterals yet. We'll get to that. That's the next hearing. This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Alright, hearing no further and declare this public hearing closed.

**Mayor Jake Woodford** 20:24

And if it's alright with the Council, we'll just move on to the next public hearing, take care of the public hearings, and then we'll move on to the associated action items. All right, hearing no objections, we'll continue on to the next public hearing. This is item 24-0101 public hearing on special resolution 2-P-24 sanitary laterals, storm laterals, and storm main. This is a public hearing. Is there anyone who wishes to speak?

**Adam K. (Resident)** 20:58

Hi, my name is [Adam K.]. I live at [XXXXX]. Just two suggestions to the Council. Overall, I think the wheel tax was a wonderful thing. I think the special assessments that were in place prior to 2014 were a bit egregious for the homeowners that were subject to them. That's been a wonderful thing. But the \$20 per vehicle has been in place now for a decade, and special assessments, clearly based off the letter from the city, are not covering—or the wheel tax is not covering all the road projects. So, I would ask the Council to explore either raising the wheel tax or exploring other options to increase funding for road projects. Obviously, the special utility funds like the Town of Buchanan has been struck down by the state Supreme Court. So that's unlikely. And then also to reduce for those that defer payment to reconsider prime plus three. I think 11 and a half percent today, under current interest rates is pretty high for people to pay over a five-year period. So that's all I had. Thank you.

**Mayor Jake Woodford** 22:01

This is a public hearing. All right. Welcome.

**Ken M. (Resident)** 22:11

Good evening, my name is [Ken M.]. I live at [XXXXX]. I appreciate your time in letting us speak. To reiterate what he said, if people in the in this street are not able to pay the assessed value or the cost, this 11% plus three, that's going to cause a lot of people a lot of heartache. We're living in hard times. People can't afford to even buy groceries, and now you're setting us to even go further in debt. And for those people that live on that street that cannot afford it, they're going to be putting into a real hardship. The taxes are higher, everything's higher, and you're gonna burden people that can't afford it that are living on budgets. It needs to be lower.

**Ken M. (Resident)** 23:01

Another thing I moved to Morrison street and just recently, and I've already dealt with lateral and storm repairs in Fox Crossing, and there's a lot of lessons I learned in that process. One, the grass and the dirt that's put in is the most—excuse my language—crap that will ever be put in. All they're putting in is the garbage they took out, clay, whatever. It is not topsoil. It is not good seed. First thing that pops up is weed. So now I have to dig it all up again, grass it over. That cost me a lot of money. It's one of the reasons why I moved out.

**Ken M. (Resident)** 23:41

Another is the warning about coming into your house and checking your sewer going into the sewer main. There are times when people need to be there in their house and get their animals ready. When you get a knock on the door, "Hey, we're here to do it," sure, the notice is a day ahead of time, but contractors get backed up, weather moves them back. We need a little bit more of a warning of when you're coming into the house or coming to people's houses then a day or two days. People got to take off if they have animals kids or whatever. But a knock on the door and say, "Hey, we're gonna come in tomorrow and work on your basement," that needs to be a week or two weeks ahead of time so people can make arrangements.

**Ken M. (Resident) 24:29**

Another thing is the issue with the trash cans and where to park and everything else. It needs to be a little bit more specific. It says "put your trash cans on the end of your block." Which end? Where do I put them? Do I put them in the street? Do I put them on the sidewalk? Where am I gonna put them? There's not designated areas—"Hey, if you live in this area, put it over here." So, it's gonna be willy nilly garbage cans all over the place. There's no specifics on it.

**Ken M. (Resident) 24:56**

The other is if the contractor is coming out in your front yard and they're gonna block your driveway. That was an issue where I had to park two blocks down because I couldn't get to my house because they were working until seven o'clock at night. Again, warning, "hey, you may not be able to park in your driveway for the next couple days because we're gonna be digging it up." That's all I have to say. I appreciate your time. Thank you.

**Mayor Jake Woodford 25:28**

Does anyone else wish to speak? Yeah, come on up.

**Jan D. (Resident) 25:36**

[Jan D.]. I live at [XXXXX]. I'm 80 years old. Talked to a contractor today, and I was—I have asbestos all in the first room in my basement, and because it would be so expensive, I'm now thinking of just getting the asbestos removed around the area that the city requires it be removed. But talking to this contractor, he said, "You have got to get an engineer from the city to come in and mark on the floor where the asbestos, you know, has to be removed according to the city. Because if anybody gets—if it's not right, if it's not, you know, figured out right, and somebody has to come back a second time, then the price starts all over again from the beginning." So tonight, I hope to make contact with an engineer from the project. The original one I saw was a wonderful gentleman, but I guess he's retired. So tonight, I just want to leave knowing that somebody will come and draw on the floor for me. And I also heard some weird, probably misunderstood rumor, that the city was given funds by the government to do some of this, and if you could clarify that for me. Thank you very much.

**Mayor Jake Woodford 27:20**

Sure thing. And, Jan, we'll make sure Director Block gets connected with you before you leave, just to get you some contact information. Okay, thank you.

**Mayor Jake Woodford 27:34**

Anyone else wish to speak on this item? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? This is a public hearing. Is there anyone who wishes to speak? Hearing none, I declare that public hearing closed.

**Mayor Jake Woodford 27:59**

All right, moving on to special resolutions. The first is item 24-0102 final resolution 1-P-24 concrete pavement, driveway, aprons, sidewalk construction. Need a motion. We have a motion and a second to approve, and we will open the floor for discussion.

**Mayor Jake Woodford 28:31**

And if it's all right, there were a number of questions that were posed during the hearing, and I think we were gathering notes as we went, and maybe Director Block if you could try and address a couple of the questions and issues that were raised just for the benefit of the Council as they get into their discussion if that's all—unless

there are any objections to that. Okay, want to make sure we get to those as best we can. Director Block, your mic number? Okay.

**Director Danielle Block (Department Of Public Works) 28:58**

So, the comments and questions—or more so comments that I heard during the public hearing related to the concrete work concrete roadway, sidewalk and driveway, a lot related to scheduling, special assessment policies and procedures, and just overall timing. I will say that due to budgetary constraints last year, that is why Amethyst was delayed until this year, and we held the special assessment policy that was in place last year to the special assessments that are being applied to Amethyst this year.

**Director Danielle Block (Department Of Public Works) 29:40**

In terms of special assessments and estimates as requested from the Department of Public Works, we field many phone calls and emails from realtors and prospective buyers every day regarding potential estimates and where a project might fall within the five-year plan. I did review the emails related to **[Bryan H.'s address]**. They were between the prospective buyer, the realtor, and our special assessment technician. I believe that clarification when requests come in from our staff in terms of the information we're sending out is imperative, especially with the assessment values we're talking about on new construction, that that's very important. It's always important—clearly defining (which I think we did in this case) that these are estimates only. We can only share bid items—bid prices—that we had. At that time, we had 2019 information related to sidewalk, driveway aprons, and concrete pavement. And we can share the most current special assessment policy with disclaimers that estimates policies are subject to change. Also scheduling of the projects are subject to change each budget year by Council.

**Mayor Jake Woodford 31:13**

There were also questions related to Perkins Street and sidewalk installation there.

**Director Danielle Block (Department Of Public Works) 31:21**

I believe that's the next one. Actually, Perkins street sidewalks would be done the following year. This is only for the lateral work on Perkins and Morrison. I can speak to the sidewalks just in terms of the design hearing was held—the public hearing related to the design elements—and approved by Council already.

**Mayor Jake Woodford 31:43**

Okay. Thank you. All right. With that we'll open the floor for discussion. And first in the queue is Alder Hayden.

**Alderman Patrick Hayden (District 7) 31:53**

Thank you, Chair. I want to start by just saying thank you to staff. They have just been on top of answering questions really, incredibly fast and have been more than willing to meet with constituents that had questions. And to my constituent at **[Bryan H.'s address]**, I did want to express my empathy in understanding your situation. I would be very hard pressed to pay that if it happened to me, but at the same time, it's—I want to try to be consistent across the city. So, I'll probably be voting in favor of this, but I wish I could do more for you.

**Mayor Jake Woodford 32:36**

Alder van Zeeland.

**Alderman Katie Van Zeeland (District 5) 32:40**

Thank you, chair. I believe I heard that Director Block say that the estimates or bids for Amethyst Drive were carried over. Did I understand that Clearfield was in the same situation as Amethyst, but we did not carry over there?

**Mayor Jake Woodford** 33:01

Let's get some clarification, because I don't think it was a carryover. So go ahead.

**Director Danielle Block (Department Of Public Works)** 33:05

Yeah, let me clarify. The bid prices, no, were not carried over. The project was delayed and the bid went out this year; it was rebid. So, the prices are the current year bid prices. What we did was use the special assessment policy from 2023 for Amethyst. So that change in the r1 zoning special assessment of new concrete at 100% was not used; that was just approved. We use the 75% that it would have been. I would also point out that the cul de sac, we use 75% as well. Our reason for that was this project was advanced from beyond the five-year plan forward this year. So, recognizing that usually there's more of lead time for these projects in terms of planning and public notice, we used the 75%. So, both projects, same assessment.

**Aldersperson Katie Van Zeeland (District 5)** 34:13

May I?

**Mayor Jake Woodford** 34:15

Please.

**Aldersperson Katie Van Zeeland (District 5)** 34:15

So, as I understand it, the special assessment would have been higher, but we are—with the changes to the 2024 policy—but we're leaving them at the previous rate of 75%. What is the difference—we had Bryan who is speaking who said it cost him—or the estimate was \$7,975 and now it's \$19,000. What is the cost difference from—is it just bidding the concrete? Is there any more information you can give me on that please?

**Mayor Jake Woodford** 34:50

Director Block?

**Director Danielle Block (Department Of Public Works)** 34:51

Sure. So, the concrete numbers are certainly more expensive now versus 2019. So, inflation is a part, but probably the largest part is that dollar figure that was given—that was roadway only. There's 167 feet of sidewalk along this property and a driveway apron to be poured. So, sidewalks and driveway apron. Sidewalks for this property seven—approximately \$7,000, and the driveway apron being approximately, estimate only, \$2,460.

**Aldersperson Katie Van Zeeland (District 5)** 35:28

Thank you.

**Mayor Jake Woodford** 35:32

Further discussion. All right, we have a motion and a second to approve. There being no further discussion please cast your votes. Alder Croatt, we've got you. The motion passes 11 to zero with Alder Schultz abstaining.

**Mayor Jake Woodford** 36:16

Alright, moving on then to the next special resolution. This is item 24-0103 final resolution 2-P24 Sanitary laterals, Storm laterals and storm main. Need a motion. We have a motion and a second to approve. Open the floor for discussion. Alder Fenton.

**Aldersperson Denise Fenton (District 6) 36:44**

Thank you, chair. And hopefully this was on the list that Director Block and other staff were taking. But my question was related to the notice given residents about the city workers coming in. Could I get Director Block or somebody on staff to speak to that?

**Mayor Jake Woodford 37:05**

Director Block.

**Director Danielle Block (Department Of Public Works) 37:07**

So, I can't answer the exact timeframe that we give or the notice that is given. Following the contractor's schedule, a pre-construction meeting, there's additional follow-up details provided to the property owners once we have firmer schedule. So, the notification they've received to date is in general terms, which there were a lot of questions related to garbage can placements and things of that nature. I will pass the note along to our project manager requesting that there's more advanced notice given. If a resident could not meet at the time that the contractor was asking, we'd of course reschedule and work around their schedule. So, I'll emphasize that to the project manager that's assigned to this project.

**Aldersperson Denise Fenton (District 6) 37:55**

Thank you.

**Mayor Jake Woodford 37:57**

And we do appreciate the feedback on the communications related to the project and logistics in neighborhoods. So, we will also pass that feedback along. Further discussion? Alder Schultz.

**Aldersperson Alex Schultz (District 9) 38:15**

Thank you, Chair. If I could ask staff to weigh in, we've heard some concern from constituents, property owners that the city is going to be coming into their basements and digging up—essentially entering in the private space to remediate some things that exist to connect with the city laterals. I want to understand what the scope of the project is and whether that's the case, or are there specific instances where the city will be working with property owners to go beyond the space between public and private property to remediate situations with sanitary sewers? I just want to get a better understanding of what the scope of the project is, if I could please.

**Mayor Jake Woodford 39:01**

Director Block.

**Director Danielle Block (Department Of Public Works) 39:03**

So, under our sanitary sewer lateral replacement policy, that in—that inspection is standard in order to ensure that we have a consistent lateral material if needed from the inside of the home to the main. So, prior to any work being done or work being scoped, that's why we need to get in and do that actual physical inspection. So, it's difficult for me to answer in every case, you know what, what the scope of work may be. And I believe that's why the letter lays out kind of the case where it needs to be replaced all the way into the basement. So, it's really going to take some work with our engineer, the contractor, and the homeowner in in terms of the proper replacement of the sanitary lateral.

**Aldersperson Alex Schultz (District 9) 39:52**

So, if you'll allow me a follow up.



**Mayor Jake Woodford** 39:54  
Please.

**Aldersperson Alex Schultz (District 9)** 39:55

So, two things could be true. One, the homeowner's lateral connection to the city could be in good shape and it wouldn't require any replacement from that connection from the city to private property. The other case may be true where the homeowner's connection to the city might need some upgrade because of, you know, the concerns with the connection and making sure that it's [indecipherable]. What's the process for negotiating that change with the property owner? And what's the notification, I guess? I want to understand how that works if the city determines that, from the point where the city connects with the private property owner—how are they informed? What's the process for making that change and upgrading what they have as a property in order to make sure that the system functions well?

**Director Danielle Block (Department Of Public Works)** 40:44

Sure. So, the visual inspection is important. Our policy talks about if the lateral is of certain materials— schedule 40 PVC, ABS material, properly sized, as long as there's no evidence of infiltration, structural defects, because what we're really trying to do is reduce that I&I in the system, so infiltration into the system. So, it's going to take a survey—visual inspection, each property. That's why everybody's estimate at this time is pretty much consistent across the board.

**Aldersperson Alex Schultz (District 9)** 41:21

Thank you. I appreciate that actually, the city is making this effort to inspect this connection because I would think the property owner should have some ownership of it that intersection between their private property and the public space. So, I mean, I appreciate the city's gonna do this work. And as long as there's some more communication to the property owner, I don't I don't feel that there's any issue with how we're moving forward with this. So, thank you for the input. Appreciate it.

**Mayor Jake Woodford** 41:50

Director Block, there was a question during the public hearing about funding sources for laterals and where there's federal money available and other support for those projects. Could you just speak to that to address the question that came up?

**Director Danielle Block (Department Of Public Works)** 42:06

Sure, that that funding source that I believe is being talked about is the bipartisan infrastructure law funding and that is for water service lines not sanitary service lines. So that is lead and galvanized service replacements for water service into your home.

**Mayor Jake Woodford** 42:28

Thank you. Any further discussion? Hearing none, we have a motion and a second to approve Please cast your votes. Motion passes 12 to zero. The item has been approved.