15-085

Greg Minikel

From:

Grea Minikel

Sent:

Friday, January 30, 2015 12:10 PM

To:

Al Schema - D9; David Soeldner; James Brey; Jason Sladky; Jill Hennessey

Cc:

Greg Minikel; Dan Koski; Sonja Birr

Subject:

Last Court Drainage Issue (Communications from John Thompson & Tim Kaiser) - Staff

Recommendations

PI Committee:

The Last Court Drainage Issue was brought to our attention by Mr. Kaiser on or about April 1, 2010.

This issue has been discussed at several PI (fka Streets) Committee Meetings since then. I have included those minutes in Granicus as well as some additional documents and photos.

We included funds in the 2012 storm sewer budget to do this work.

The problem was that we needed to obtain temporary and permanent easements from Tony Butala whose was the owner at that time. He was not willing to grant an easement for just the Last Ct. ditch only. He would only grant an easement if the City was going to re-ditch all 3 of the drainage ditches (ditch to the north of Last Ct. and to the south of Last Ct. all the way to Menasha Ave.).

Based on past discussions with the DNR, they will not grant the City a permit to dredge (re-ditch) the areas that have never been previously dredged. These are the ditches to the north and south of Last Ct.

As a result of this, the discussion and project died back in 2011/2012.

Now, that John Thompson owns the property and I believe he is willing to grant an easement for the work, we can once again look at getting this work completed. However, we do not have any funds in the 2015 budget for this project. We could possibly pursue an unbudgeted request through the proper channels or simply include it in the 2016 budget.

The ditch area is approx. 430 feet long. We have surveyed the area already and have determined that we need to dredge out (excavate) approx. 430 Cubic Yards of material.

According to the August 29, 2011 e-mail from Carrie Webb of the DNR, we would not need a permit for this work.

I believe that Mr. Kaiser would also like to have the City extend the existing storm sewer for about 30 feet to the east, so that we can eliminate the current outfall that is basically in his front yard.

We still believe that \$30,000 is a reasonable cost estimate for this work.

See you on Monday night for our discussion.

Have a great weekend.

Greg.

Greg Minikel

From:

Greg Minikel

Sent:

Thursday, June 05, 2014 11:49 AM

To:

David Soeldner

Cc:

Dan Koski; Sonja Birr

Subject:

FW: KAISER - 4251 Last Court

Attachments:

20140508164253271.pdf

Hi Dave.

I sent the attached information to the Mayor and Ald. Sladky. I should have copied you as well.

We will remove the Last Ct. subject from the agenda unless you would like us to keep it on there to revisit the issue.

Let us know. Thanks.

From: Greg Minikel

Sent: Thursday, May 08, 2014 4:53 PM **To:** Jason Sladky; Heather Sohlden **Cc:** Justin Nickels; Matt Smits; Dan Koski **Subject:** RE: KAISER - 4251 Last Court

As requested, here are copies of minutes from the Committee meetings where we discussed the Last Ct. drainage ditch. I also included the minutes from a 2008 meeting about the Knuell St. drainage ditch as well.

I do not believe that the DNR will allow us to dredge areas that have never been disturbed. The area west of Knuell St. was ditched prior and that is why we were allowed to reditch it in 2008.

We could ditch an area east of Last Ct. for about 150 feet because this is dedicated right-of-way and I believe it was already ditched when Last Ct. was built.

The last discussions on this issue were just prior to the reorg. The Committee only wanted us to dredge the ditch if we could go all the way to the abandoned RR bed, but that would have required an easement from Tony Butala (property owner at that time) and he did not want to grant the City an easement, so this project is basically in a holding pattern and do nothing mode at this time.

I looked at my e-mail file on this issue and there are no new emails since the fall of 2011.

From: Jason Sladky

Sent: Thursday, May 08, 2014 9:18 AM

To: Heather Sohlden

Cc: Justin Nickels; Greg Minikel; Matt Smits; Dan Koski

Subject: Re: KAISER - 4251 Last Court

The history is extensive and I spoke with Alderman Soeldner yesterday about it as well. We thought it would be best to have staff review any new developments prior to committee discussion.

Jason

Sent from my iPhone

On May 8, 2014, at 9:14 AM, "Heather Sohlden" < hsohlden@manitowoc.org > wrote:

Mayor Nickels,

Today, 05.08.14, at 8:43am Mr. Tim Kaiser of 4251 Last Ct called requesting to speak with you regarding a drainage issue on the cul de sac. Currently the storm water runs to an open field however there is a drainage issue that appears to be in the City ROW. Tim stated he attempted contact with Alder Sladky both before Easter and after Easter this year with no response. Tim has had contact with both the Streets Dept and Greg Minikel in Engineering last year stating they acknowledge the issue however nothing has been or is being done to correct it. Tim would now like to speak with you and would like a call back at either home: 920.682.7088 or on his mobile: 920.323.3329. I have copied those that have had previous contact per Tim to provide you with further background information prior to you returning your call.

Greg,

Can you please provide the Mayor with your background information on this issue prior to him returning the call to Mr. Kaiser? Thank you.

Heather L. Sohlden
Confidential Secretary
City of Manitowoc www.manitowoc.org

Mayor's Office: (920) 686-6980 Attorney's Office: (920) 686-6990 Attorney's Fax: (920) 686-6999 Email: hsohlden@manitowoc.org

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STREETS AND SANITATION COMMITTEE MEETING MINUTES

October 13, 2008 6:30 p.m.

MEMBERS PRESENT

Tom Frieder(arrived 6:44 p.m.) Valerie Mellon Rick Sieracki Ray Geigel Dave Soeldner(left 7:50 p.m.)

STAFF PRESENT

Grea Minikel Sonja Birr

OTHERS

Joan Clay, Wilson Street Sidney Hutchins, Lakeside Rebecca Hein, Andrea Ct. Dan Hornung, Waldo Blvd Pete Hammill, Knuell St.

MEMBERS ABSENT

Jim Brey

Approval of the Minutes from 9/22/08

R. Sieracki made a motion to approve the minutes from the September 22, 2008 meeting. D. Soeldner seconded the Motion.

Motion carried unanimously. No further discussion.

Lakeside Boulevard Erosion Problem

R. Geigel explained to the Committee about the erosion problem that has been happening for years on Lakeside Boulevard. The wave action and ground water have been the major contributors to the erosion. G. Minikel briefly discussed results from a report that was done in 1989. The slope is steep and unstable, losing approximately 1 foot per year. The lower lake levels are beneficial to slowing down the erosion. G. Minikel recommends repairing the bottom part of the slope while lake levels are low. There are a few options for the top portion of the slope. This will be a costly project approximately 3-4 million dollars. There is a program for Coastal Management Funds that we could apply for.

Joe McLafferty from the Parks Dept was present to discuss. G. Minikel isn't sure if this is more of an Engineering or Parks budget issue.

A couple residents from the area of Lakeside Blvd were present. are certain areas that are worse than others. They feel the areas with the big trees are worse than areas without.

J. McLafferty explained the trees have been shaped over the past 10 years; however, these are weight bearing trees.

- V. Mellon said there are areas of the slope that are eroded right up to the guardrail.
- R. Sieracki recommended bringing someone from the DNR to discuss our options. The Committee would like for the Engineering and Parks Departments to check with the DNR and for funding this project. Bring back in the near future.

Knuell Street Drainage Ditch

Pete Hammill of 2505 Knuell Street was present to discuss the drainage ditch to the east of Knuell Street. P. Hamill feels that the flow pattern has changed since Vinton constructed a large berm surrounding their property and the berm has pipes that allow water to flow thru the berm.

P. Hamill is also concerned now that the ditch to the west of Knuell Street has been regraded to allow stormwater to flow at a much greater or faster rate to the 2 box culverts crossing at Knuell Street and that the poor condition of the existing ditch to the east of Knuell Street will be a bottleneck or restriction to the flow and the water is going to end up in their back yard. He stated that the water has been in there backyard several times in the past two years.

The Engineering Department personnel met with the Hamill's twice to look at and discuss the situation. There is a topsoil pile located in the drainage easement. The City was suggesting that we remove the topsoil pile and use some of the material to build a small (approx. 1 foot high) berm along the north bank of the ditch to keep the water from entering the Hamill's backyard. V. Mellon recently received a quote from Vinton to do this work. The total quote was approximately \$8,500. It was noted that there was no money in the 2008 budget for this work.

The DNR was contacted and dredging can only take place in front of culvert. The DNR will not allow the City to regrade this ditch the same way that we reditched to the west of Knuell Street. The DNR also will not allow a new berm to be built in a wetland so a wetland delineation needs to be done before we could build anymore berms in our drainage easement. The City and the DNR recommended brushing out area. Currently, debris is getting caught up in willow brush. The City and the DNR feel that ditch will dredge itself out once the brush is cut and the flow of water has a clearer path to follow.

The Committee recommends that our DPW crews try to rectify the problem by cutting the brush out of this area. T. Frieder recommends that they start and we can see what happens. This will be done sometime this month.

STREETS AND SANITATION COMMITTEE MEETING MINUTES

August 9, 2010 6:30 p.m.

MEMBERS PRESENT
Dave Soeldner
Jason Sladky
Allan Schema
Jim Brey
Nic Levendusky

Valerie Mellon
Greg Minikel
Sonja Birr
Derek Muench
Bridgett Brennan

OTHERS
Richard Hall
Vic Naidl
Elaine Naidl
David Naidl
Michael Check

MEMBERS ABSENT

None

Approval of the Minutes from 7/26/10

J. Brey made a motion to approve the minutes from the July 26, 2010 meeting. N. Levendusky seconded the motion. Motion carried unanimously, no further discussion.

Request from Maritime Metro for Temporary Parking Restrictions on S. 9th Street from Madison to Columbus Street

- V. Mellon explained that this area has parking on both sides and is too narrow for the buses that need to use S. $9^{\rm th}$ Street in their daily route until $10^{\rm th}$ Street is re-opened in late October.
- D. Muench is concerned because of the 3 minor accidents that occurred and the negative image it portrays on the City Transit System.
- Mr. Richard Hall, one of the residents of this block, was present and recommended "No Parking" on one side of the street. This will allow the bus plenty of room.
- Mr. Vic Naidl, also one of the residents of this block, was also present and agreed with parking on one side of street as well, only he recommended it be instituted as a permanent situation.
- G. Minikel explained this will be only temporary during the construction of S. $10^{\rm th}$ Street. Greg also pointed out that the proposed one hour parking is only during school hours. And also that any permanent parking changes will need to go through the Safety, Traffic and Parking Committee.
- D. Muench is not at all opposed to only parking on one-side of the street. Preferably the West side as this will be a continuation of the area to the south in front of Lincoln High School and allow the bus to come through with no problems.

<u>Discussion of Lakeside Boulevard Bluff Erosion Issue - Submittal for</u> Coastal Management Funding

V. Mellon explained to the Committee that the trees are affecting the erosion issue on Lakeside Blvd. Property owners are putting saw cuts in the trees for the wind to take down. The Police Department is aware of this, but can't pinpoint who is doing it. When the roots die, the slope is exposed and is further eroded.

Many years ago AECOM performed a study of the erosion issue in this area. V. Mellon said for \$1500, AECOM could dust off the old study, modify it to reflect current conditions enhance it with new suggested BMP's over the past 20 years and submit the study to Coastal Management for possible funding. Funding may be possible for completion of a revised study and also for the construction to restore the slope, plant appropriate materials and build a retaining wall at base of slope to prevent further degradation when water levels rise.

J. Sladky questioned why the Engineering Department couldn't refresh the study in house. V. Mellon explained that we could do it on our own; however, AECOM has the advantage of submitting these grants as they have the experience with numerous other communities and possible political connections to receive funding.

The study was last done 20 years ago, before the large trees were present. D. Soeldner thought \$1500 was a small amount to actually update the study. He questioned how long the application is and V. Mellon explained that she doesn't have a copy and repeated that she is confident the Engineering staff could put this grant application together, however, AECOM really has the upper hand when it comes to receiving grants. Often it comes down to relationships with grant selection team members.

D. Soeldner asked if there is a deadline. V. Mellon said November 1st. D. Soeldner wants to know if this grant will cover Engineering as well as construction. V. Mellon said that she will compile information for the next meeting.

Discussion of Drainage Issues on Last Court

- J. Sladky was contacted by Mr. Tim Kaiser, property owner on Last Court. This was ditched out in 1996 by the developer and erosion has since slowly filled it back in. The outfall is almost ½ full and he is concerned with flooding issues. The City has cleaned out around the end wall per G. Minikel.
- G. Minikel explained there is not enough elevation to get the depth on the sewer. V. Mellon explained this whole area is low. From an engineering standpoint, it isn't impacting the road or other properties. We could clean out the culvert, but if the whole down

stream area isn't cleaned out it defeats the purpose. She thought we could apply for a permit to re-ditch this area, but there are no guarantees the DNR would grant it and it seems to be a waste of money since we aren't actually experiencing upstream flooding.

D. Soeldner said the water didn't make it up to his property and just wanted to discuss the concerns and suggested Jason should contact the property owner and let him know there won't be anything done at this time.

Discussion of South 10th Street Reconstruction and Detour Routes over Recently Slurry Sealed Streets

N. Levendusky explained that he was contacted by a few constituents regarding the slurry sealed streets being too oily and understands that sand was put on to solve the problem. Now their complaint is heavy construction trucks driving over it and rutting it up. G. Minikel said he met with our inspector to discuss the trucks driving in this area. Vinton Construction has used S. 12th St. at times to deliver materials from their materials storage site by the 10th St. stormwater pond site to other blocks of the 10th St. reconstruction area. However, he questioned whether or not the construction vehicles have done any additional damage. We know that the garbage trucks were causing some of the damage due to their constant starting and stopping to pick up garbage at each house. However, the sand that was placed, additional cure time and some cooler nights have helped and it appears that the slurry seal material has stabilized.

The Committee was also notified that Engineering placed a door hanger on all the residences on S. 12th and S. 13th St. informing them of what we are doing and that the street will be patched as necessary next year.

- V. Mellon said we have documented our warranty expectations and will follow up next spring with the contractor.
- N. Levendusky said he wanted to bring forth the concern of the constituents. He will also let them know that the City Contractor will follow up in spring. N. Levendusky said he already informed them there won't be any additional charges.
 - J. Sladky made the Motion to adjourn the meeting at 7:22 p.m. N. Levendusky seconded the motion.

Valerie Mellon, P.E.

lerio hellon, P.E.

Motion carried unanimously, no further discussion. (D. Soeldner said that he will follow-up with property owners to file claim with the City.)

<u>Discussion and possible action on re-ditching on Last Court</u>

V. Mellon brought in a map to illustrate what the DNR has allowed the City to do. We cleaned out Country Lane ditch.

Mr. Tim Kaiser was present with photos of flooding of Last Court and he said the sump pumps are not able to keep up. The water is running over the curb.

The work would be done on private land. The Committee wants to find out if we can get on the property.

Mr. Kaiser said the outlet is the main concern; however, we need clarification from the DNR as to whether we can be on private property.

V. Mellon will have the answer at the next meeting.

Communication (10-064) from SMI requesting that Streets and Sanitation Committee take action on various issues relating to stormwater pond maintenance costs

M. Check would like for the City to make a decision on the Stormwater ponds and invited developers to the meeting to discuss their concerns. Mark Balaban said that he hasn't sold a lot in over a year and needed to give up 2 lots for the stormwater pond.

Robert Popp also gave up 3 lots and \$80,000 to build his pond, plus he is paying taxes toward the other ponds.

Atty Terry Fox said he would like to come up with a solution to encourage developers. We want the community to grow.

Brandon Bartow said that there has been a loss of Revenue. He built 3 ponds in which the specifications and details derived from the City. He doesn't understand why the City wouldn't take these ponds over. He said that he has water coming in from other area than the subdivision.

- D. Soeldner reminded the homebuilders and developers that the Committee has been in discussions for a long time. The general consensus is for the City to take over the ponds; however, the one dispute is over the cost. We could never agree to the numbers.
- M. Check asked why the developer's ponds should be different than the ponds built by the City. Dan Wergin and Jeffrey Check also said that the economic impact is affecting them.

of Cappaert Road. Perhaps, this caused some confusion for the residents.

J. Sladky said that everyone is blaming the City.

J. Brey apologized for not attending the Town meeting. He felt that the City's portion of Plank Road is in satisfactory condition and does not feel it is necessary to close down the City portion or contribute towards fixing Plank Road.

A few property owners were present to discuss their displeasure with the closure of Plank Road.

- D. Soeldner understands the anger; however, the choice to close Plank Road was the Town of Rapids. D. Korte doesn't want to discuss unless in closed session.
- J. Sladky said he understands the position of the Town of Rapids; however, due to the city's budget crisis, he can't see making improvements at this time, with an exception for minor patches.

Discussion and possible action on re-ditching Last Court
Tim Kaiser was present to discuss the City's standing since the last
meeting. The DNR informed the City that a permit would not be necessary
for the proposed dredging of the existing ditch east of Last Court. G.
Minikel explained that we will need to obtain a 30 foot wide permanent
easement from Mr. Tony Butala in order to dredge the portion of the
ditch that is on his property. G. Minikel stated that we would look at
making the ditch similar in width to what was done to the ditch upstream
between Knuell and Kellner St. in 2008. The approximate cost for this
project is estimated to be approximately \$30,000 and he discussed the
2012 budget line that we propose to use for this work. J. Sladky would
like to keep this project under \$30,000 by possibly doing the work with
DPW employees.

V. Mellon said that according to R. Junk, if we would need to haul material out, it would be best to contract out.

Discussion was held to determine the best way to get to the area and how much of an area would be dredged. The water needs to flow to the main channel by making the ditch big enough to accommodate the water.

Mr. Kaiser's concern was with the water running between the houses and over the curb.

It was recommended get the approval from Mr. Butala to access his property and for a permanent 30' easement. This will be brought back to the next meeting and the work wouldn't be done until the 2012 construction season.

STREETS AND SANITATION COMMITTEE MEETING MINUTES

September 26, 2011 6:30 p.m.

MEMBERS PRESENT

Dave Soeldner Jason Sladky Allan Schema Alex Olson STAFF PRESENT

Val Mellon Sonja Birr Greg Minikel Kevin Glaeser Randy Junk OTHERS

Tim Kaiser, 4251 Last Ct. Mark Zucchi, 918 South 41st St. Mike Check, Home Bldrs Assoc.

MEMBERS ABSENT

Jim Brey

Approval of the Minutes from 9/12/11

A. Schema made a motion to approve the minutes from the September 12, 2011 meeting. A. Olson seconded the motion. Motion carried unanimously, no further discussion.

Discussion and possible action for the proposed 2012 re-ditching of the existing drainage ditch at the end of Last Court

G. Minikel informed the Committee, that since the last meeting, he had a long telephone call with Tony Butala regarding the Last Court drainage ditch. Mr. Butala will probably not grant the City an easement for the dredging of the drainage ditch unless the City provides a complete plan to re-ditch the entire area, meaning north and south of Last Ct. as well as the existing ditch running east of Last Court. G. Minikel told Mr. Butala that we will need approvals from the DNR and that costs will be major contributing factors as to whether or not we will be able to move forward with any re-ditching projects.

V. Mellon thought we would have received a different response from Mr. Butala. G. Minikel stated that without the easement, the City could only ditch approximately 150 feet east of the existing concrete pavement on Last Ct. (which would be the end of the dedicated, but undeveloped cul-de-sac). The Committee thought if we only re-ditched this short portion it wouldn't be enough and would cause the water to gather in a pool.

Tony Butala would like to have a meeting with City Staff including the City Planner, Dave Less, in order to discuss alternatives and to work out an agreement to re-ditch the entire 450 feet. This project is proposed for construction in 2012. The Engineering Dept. will continue to discuss the easement with Mr. Butala and report back at a future meeting.

Discussion and possible action regarding the DPW's snow plowing and snow removal schedule for the 2011-2012 winter

R. Junk was present and distributed to the Committee an outline of the work schedule, crews and fall work agenda. Leaf pickup will start in early October and will continue until either Thanksgiving, the first

Greg Minikel

From:

Greg Minikel

Sent:

Friday, September 09, 2011 11:44 AM

To:

Al Schema; Alex Olson; David Soeldner; James Brey; Jason Sladky

Cc:

Randy Junk; File Only; Allen Boruch; Janet Sosnosky; Jill Erickson; Kurt Wilker; Lisa Kuehn;

Matt Smits; Mike Zimmer; Sherrie Thorpe; Sonja Birr; Steve Herzog; Steve Kipping; Valerie

Mellon

Subject:

FW: Last Court Drainage Ditch

Attachments:

Last Court DrainageDitch.pdf; Last Court 2.jpg; Last Court 6.jpg

To All:

See the response from the DNR below.

Since, the DNR will allow us to ditch or dredge out the Last Court drainage ditch for approx. 450 feet, then the next question is, does the Committee and/or Council want to put this project in the 2012 Budget?

Based on the cost of dredging the ditch north of Country Lane from Knuell St. to Kellner St. (1,200 LF) in 2008, which was approx. \$50,000, we have estimated the Last Ct. drainage ditch dredging to be approx. \$30,000.

We have already included \$100,000 in the 2012 Storm Sewer budget for this project as well as a few others (Kneull Ct., Mirro & Oriole & other storm sewer repairs per TV reports).

If we are to move forward with this project, then I would also like to look at extending the existing storm sewer pipe, endwall and rip rap further to the east to get it off of the abutting property owner's front yard if that is permissible by the DNR.

Randy Junk and I recently walked the drainage ditch area to the east for about 500 to 600 feet east of Last Ct. The abutting property owner, Tim Kaiser, also walked it with us. We wanted to make sure that there was not a plugged culvert pipe under the abandoned RR Right-of-Way. We found that there is no pipe crossing the old RR land. It is an open drainage ditch like the rest of it is back to Last Ct.

From: Janet Sosnosky

Sent: Monday, August 29, 2011 10:00 AM

To: Greg Minikel; Valerie Mellon

Cc: Allen Boruch

Subject: FW: Last Court Drainage Ditch

See Carrie Webb's response below.

Janet Sosnosky

Stormwater Aide City of Manitowoc Engineering Dept 900 Quay Street Manitowoc, WI 54220

Ph: (920) 686-6910 / Fax: (920) 686-6906

From: Webb, Carrie A - DNR [mailto:CarrieA.Webb@Wisconsin.gov]

Sent: Monday, August 29, 2011 9:57 AM

To: Janet Sosnosky

Subject: RE: Last Court Drainage Ditch

The homes are likely flooding because they built them in or at the edge of a wetland. That waterway is artificial and newer, so not likely navigable. No permit is required to dredge it, but the spoils will need to removed from the site because I'm sure its almost entirely surrounded by wetlands.

From: Janet Sosnosky [mailto:jsosnosky@manitowoc.org]

Sent: Thursday, August 25, 2011 10:19 AM

To: Webb, Carrie A - DNR

Subject: Last Court Drainage Ditch

Hi Carrie,

The City is looking at dredging a drainage ditch located just off the end of Last Court and Knuell Street (see attached map). The residents in this area are complaining about flooding of homes and the street and water standing at the end of the outfall. It appears that this ditch was dredged back in July 1996 but I am not sure if there was a permit taken out. If there was, it would have most likely been taken out by the developer. What is the likely hood that we would be approved to get an individual dredging permit to dredge this ditch? Do you see any problems or issues with this project?

Thank you, Janet

Janet Sosnosky

Stormwater Aide City of Manitowoc Engineering Dept 900 Quay Street Manitowoc, WI 54220







