

Frank, Kyle

From: matt@frostfoundry.com
Sent: Monday, May 18, 2020 11:41
To: Frank, Kyle
Cc: Heck, Patrick; Mayor; Corin Frost; Moder, Mark; Fries, Gregory
Subject: Re: Please stop sewer project on Gorham

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Hi Kyle,

You can call me Matt. Thank you for your speedy, thorough, and thoughtful reply. There is surely a less populated road to work on for the time being. There's nothing that can be said to allay my concerns. I've lived through this operation, and it's absolute daily hell. Adding Covid, unemployment, and high anxiety, for which we both take medication, this will be incredibly harmful to our well-being—again, we will be forced to sell our home. If that's the case, I will take my business entirely out of the city and state. That's obviously an enormous pain I'd rather avoid. I would like some empathy from the city here—this feels a bit tone-deaf and unkind for these times. You're all probably working from home—what if this was happening to you? I don't feel safe.

Please attach all of my correspondence to the project resolution, and I will also weigh in at the May 20th meeting. I am completely committed to postponing this project. Regarding the 15-yr payback, that's nice for my neighbors, but we'll leave before the project even starts.

Thank you!
Matt

On May 18, 2020, at 11:08 AM, Frank, Kyle <KFrank@cityofmadison.com> wrote:

Mr. Frost,

First, thank you for your comments in regards to the Gorham project. I will try to answer and address some of your concerns with this project.

The assessment that you received is an estimate and it is the maximum amount that you can be assessed. The final assessment, or the amount that will actually need to be paid, will not be sent out until the spring of 2021. That final assessment will be based on actual construction bid prices and the quantity that was installed with the project. The assessments that were receive are a worst case scenario for property owners and in most cases the actual assessment will be much lower than shown. After speaking with the Alder, we can request that a 15-yr term, rather than an 8-yr term, be applied for the assessments. This will reduce the annual payments for property owners and help lessen the financial impact to property owners. If this 15-yr payback period is something you support, please let me now and we will make that request at the Board of Public Works (BPW) meeting.

As for your concerns regarding the spread of COVID-19, there are a number of things that we are doing to reduce the spread on our public works projects. We have instituted a policy that all Contractors must follow in order to continue to work during the pandemic. I have attached this policy for you to reference. The Contractor for this project will also need to follow this policy if they are to be able to work on this project. Along with this policy, we also included in the contract a requirement for dust control and street sweeping. This requirement was included in order to try and control the amount of dust that gets kicked up in the air during construction. The Contractor must do these measure at all times during construction and it gives our Inspector the ability to order additional dust control measures be taken if needed. While this won't eliminate all the dust from being released into the air, it will hopefully go a long way in helping to reduce the amount of dust in the air.

The noise impacts due to the construction is unfortunately unavoidable but your property is located on a section of sewer main that is separated from the rest of the project. This means that the amount of work that will be occurring directly in front of your property will be limited to a portion of those 90 days and not the full length. I would guess that this portion of the project will only take roughly 20-30 days to complete. While I understand this is still a significant impact to you and there will still be some noise for the full duration, you should not experience full construction noise for the duration of the project.

Finally and maybe most importantly, the time for public input is not closed and there are still ample opportunities to voice concerns and suggestions for this project. The public hearing and project approval before the Board of Public Works and the Common Council (CC) are upcoming. These meetings are the mechanism to gain approval for the project to move forward and they allow for the public to comment on the project. The BPW meeting is this Wednesday 5/20 and the CC meeting is 6/2. With your approval, I can also attach your original email to the project resolution in order to enter it into the public discussion and will allow members of the Board and Council to take it into account.

Thank you,
Kyle

Kyle Frank, P.E.

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From: matt@frostfoundry.com <matt@frostfoundry.com>

Sent: Sunday, May 17, 2020 13:03

To: Frank, Kyle <KFrank@cityofmadison.com>; Mohr, Thomas <TMohr@cityofmadison.com>; Fahrney, John <JFahrney@cityofmadison.com>; bhoffman@cityofmadison.com; Heck, Patrick <district2@cityofmadison.com>; Mayor <Mayor@cityofmadison.com>; Corin Frost <corinvincible@gmail.com>

Subject: Please stop sewer project on Gorham

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Dear City of Madison.

We received your notice that the City of Madison has decided to proceed with sewer work on our

street at our expense this July. This is not the time to do it. This work needs to be postponed until there is a vaccine for Coronavirus.

Several of us are small business owners, struggling to keep our businesses open. That is true of myself. I'm mostly out of work. Being in the theatrical film industry, my work has been crushed while I'm forced to socially distance at home. I'm currently surviving on PPP funding from the SBA. Also true of my neighbors. Several others on this street are unemployed, or are property owners who have renters that are unemployed. The city should not ask us to pay thousands of dollars during this unprecedented time—and a 3% interest rate is salt in the wound.

Further, I went through this very same sewer replacement procedure on Rutledge Street at Orton Park a few years ago. The process creates an unbelievable amount of dust particles which COVID-19 can attach itself to, and float into our homes. And it does, a LOT of it—I know, I lived it. It also requires a large amount of workers to spend weeks in front of our houses, which on Gorham as you know, our houses are only a few feet from the road. This makes it impossible for us to socially distance from the workers. You can put COVID-19 straight into our houses. If you're out there working for "75 to 90 days" as the notice states, working hard and getting sweaty, that's a probability.

Another concern is that my wife Corin is working from home, as well as myself. As a member of the management team for Madison's Delve (formerly Design Concepts), she conducts hours of meeting daily, just feet from the road. The noise created by this procedure is absolutely Hellacious and unendurable for 12 hours a day. There is no way she can conduct business in this environment. This further imperils our financial stability.

The State Supreme Court has now taken this completely out of our hands. There is no state standard, no national standard. We have to survive despite the obviously poor choices made by our government on a national and state level. We are forced to stay home. Now, a second wave of Covid combined with seasonal flu seems imminent. We greatly appreciate the work of then City of Madison and Dane County to apply rules locally. However, creating a cloud of Covid in front of our home for three months, and filching our SBA loan we cannot abide.

To proceed with this work at this time would endanger our lives, and imperil our financial futures. We implore the City of Madison to reschedule this work which is not immediately of import. It would be more dangerous to us to let the work proceed than not. I'm in a high risk category, on medication, and I don't want to die for a sewer upgrade.

Please, delay the project and keep crews away from our house until the Covid pandemic is under control. If the city proceeds with this, the situation for us is so serious, we will be forced to sell our home, so I am prepared to take any legal and community action I can to halt this construction. Being temporarily unemployed, I have more than enough of time to organize neighbors and file paperwork.

Sincerely,
Matt & Corin Frost
731 E. Gorham St.
Madison, WI

<Contractor_covid_letter (03.31.20).docx><RESPONSE (03.30.20).docx><SCREENING (03.31.20).docx>