

**MINUTES**  
**BOARD OF PUBLIC WORKS MEETING**  
**December 1, 2003**  
**New Berlin City Hall Common Council Chambers**  
**3805 S Casper Drive**

**Please note: Minutes are unofficial until approved by the Board of Public Works at their next regular scheduled meeting.**

The meeting was called to order at 8:00 A.M.

Members Present: City Engineer J.P. Walker, Alderman Chiovatero, Alderman Harenda, Alderman Ament and Mayor Wysocki

Staff Present: Cathy Schwalbach, Division Engineer

**OLD BUSINESS**

**ITEM 01-03            APPROVAL OF MINUTES**

**Motion by Mayor Wysocki to approve the November 3, 2003 minutes. Seconded by JP Walker. Upon voting, motion passes unanimously.**

**ITEM 29-03            RESOLUTION OF CHAPTER 230 OF THE MUNICIPAL CODE OF THE CITY OF NEW BERLIN**

JP Walker made a motion to recommend to the Common Council approval of the Revision to Chapter 230, Section 3C(1) of the City of New Berlin Municipal Code, pertaining to driveway culverts. (JP Walker)

Seconded by Alderman Chiovatero.

Cathy Schwalbach explained the reason for the request for this resolution. She asked that the Board of Public Works review the proposed alternative revisions of Chapter 230 of the Municipal and recommend approval of one of the options to the Common Council.

Alderman Chiovatero asked for discussion.

JP Walker recommended in the designation of the designee the two possible options would be the City Engineer or Director of Utility and Streets. This would be under Ray Grzys jurisdiction.

Alderman Chiovatero: Does this replace the pipe, reset it and everything?

JP Walker responded that this was correct.

Alderman Chiovatero If the property owner were to put a concrete driveway over the culvert is the city obligated to replace it with concrete or can they replace it with gravel?

JP Walker - The practice has been to replace the same kind, there were previous administrations that would allow just the approach of the driveway to be replaced with asphalt, whether it was an asphalt or concrete driveway, where there was a gravel driveway it would obviously be replaced with gravel. I believe the streets department is already replacing in kind if they have done any work associated with concrete driveways.

Alderman Chiovero stated that he understands it is actually the property owners responsibility to replace the culver if it gets deteriorated, I believe this should be under the storm water.

JP Walker stated that the current procedure is that the property owner pays for the material, regardless of who is installing it.

Mayor Wysocki stated that he was also familiar with what JP said, regardless of who does it the cost incurred is the responsibility of the property owner. There have been options where payment of that is put on the tax bills as a special assessment.

Alderman Chiovero asked what happens in a case where it has to be resized, because of something being done upstream.

Cathy Schwalbach -When a culvert is replaced because of an engineering reason where there has to be a larger culvert placed in there, the city has covered that cost. If the city is doing a larger project and making improvements it is then also covered by the city.

Alderman Harenda asked all we are changing is the existing code, correct? We are just changing a couple words and who will oversee this. I would feel more comfortable to have Ray Grzys or JP Walker oversee this. There are only 5 a year is that correct?

Cathy Schwalbach - Yes we have 5 at this time, don't see this happening often but when it does happen it is important for us to get in there and take care of it.

Alderman Harenda asked that through the change that is being made here the owner still has the opportunity to appeal prior to doing the work, were not going to send out a notification and the next day the city is out there, correct?

Cathy Schwalbach – We are only making the changes as what Board is responsible and if someone on staff would have the ability to go and make that notification without one of the boards doing that notification.

Alderman Harenda - Prior to these notifications, and the ones you are currently working on the homeowner will have 48 hours to appeal, correct?

Cathy Schwalbach – That's correct.

Alderman Harenda - Do you know what the average cost is for replacement of a culvert?

Cathy Schwalbach – Under \$1,000, our cost is between \$600 and \$900 depending on the size and material, if a concrete drive is replaced it's closer to \$1000 maybe slightly more.

Alderman Ament- this has come up several times in my district, right now we are just determining who is responsible for making the decisions. This would in effect change authority over to the storm water, correct?

Cathy Schwalbach – Yes that’s correct

Alderman Ament – Does that mean ditches and all repairs to ditches would not be under Board of Public Works and streets, it would be under the control of the storm water and streets?

Cathy Schwalbach – That is the way it’s headed, and storm water committee is already handling the cost of the ditching and maintenance that is done now. Also culverts and storm water projects are being handled by the utility and under the storm water committee.

Mayor Wysocki – I would prefer to see this go over to the storm water committee and designee being the Director of Utility and Streets.

Alderman Chiovero made a motion to clarify the wording, and go with revision #2.

Seconded by Mayor Wysocki

**Upon voting, motion passed unanimously**

Motion to adjourn by Alderman Chiovero, Seconded by JP Walker

**Upon voting, motion passed unanimously**

Adjourned at 8:20