

**Minutes  
Water Resource Management Utility Meeting  
(Formerly Stormwater Utility)  
New Berlin City Hall  
3805 S. Casper Drive  
Council Chambers  
February 14, 2006**

***Please note: Minutes are unofficial until approved by the Water Resource Management Utility (formerly Stormwater Committee) at their next regularly scheduled meeting.***

Present: Alderman Harenda, Alderman Hopkins, Alderman Hegeman, Mayor Chiovatero and Jim Kern

Others Present: Greg Kessler (Director of Community Development), Ray Grzys (Director of Utilities & Streets), J.P. Walker (City Engineer) Eric Nitschke (Division Engineer), City Attorney Mark Blum, Chuck Trevorrow (Stormwater Supervisor) & Sue Hanley (Office Coordinator Utilities & Streets)

Meeting called to order at 4:46 pm by Alderman Harenda and declared a quorum with all members present.

**SW 01-05                      Minutes from January 10th Meeting**

Motion by Alderman Hopkins to approve the minutes from the January 10th Water Resource Management Committee meeting. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

**SW 19-05                      Approval of Stormwater Utility Updated Five-Year Plan - Remains tabled**

**SW 32-05                      Drainage Request 12525 W. Marquette Drive**

This item is in conjunction with Item SW 03-06 and Alderman Hopkins asked that this item be addressed first since the resident Mr. Schaefer was present.

**SW 03-06                      Approval of Experimental Installation for Low Flow Discharges into City Ditches**

Eric Nitschke read the requested action to approve the experimental installation of low flow piping into the Marquette Drive downstream ditches with a cost of materials estimated at \$4,037.00 plus the cost of labor for the street crew. He said Staff is requesting approval to install the PVC piping system into the ditch lines that are located downstream of the concrete invert installed because of the 12635 W. Marquette Drive sump pump discharge. The installation would be according to the techniques used by the City of Muskego as noted in your packet information for this item at the January meeting. Because of the experimental nature of this installation and because of the history of problems here with the upstream sump pump discharge and upstream concrete invert installation, Staff is recommending that the Utility pay for the costs of this installation.

Mr. Nitschke said that Cathy Schwalbach and Don Ullman had visually inspected the piping that the City of Muskego had done and that the installation would be a low flow device of either one 4" or two 4" pipes, graded over the top, and the culverts would remain in place with no concrete invert needed. He said the questions remain as to whether or not the cost that Muskego provided of \$7 per lineal foot was the true cost, how often they will need to be maintained, and who will maintain them? He added that currently residents pay for concrete inverts and the City maintains them.

Mr. Nitschke said that Staff would like to move this project forward to install in the spring of 2006, and monitor the installation until the spring of 2007. Alderman Hopkins said he likes the idea, as it does have an advantage price wise, and hopes it will solve the problems that the City caused inadvertently by helping people to the west.

Alderman Hegeman asked how deep the pipes would be and if Muskego had any problems with the system? Eric said that the pipes are about 6" deep with perforated pipe and sump pumps; Muskego finds it flows pretty well and if it freezes it expands into the rock base around the pipes. Muskego has been using it about 4 years and sump pumps are hidden from site, below grade, with residents usually taking more care in keeping leaves out of the 4" pipes. Maintenance costs are \$7 per lineal foot compared to \$33 per lineal foot for concrete invert. He said that even if the maintenance costs were doubled, it would still be less than the cost of a concrete invert, and by not paving the ditch; some credit is received for water quality vs. no credit if concrete inverts are installed.

Alderman Harenda said that this would be a pilot project, and down the road, if the results are good, the Committee would figure a cost share and the maintenance issue. The Committee asked Eric to notify the other residents in the area besides Mr. Schaefer.

Mayor Chiovatero asked what was being done about the cause of the problem (sewer pump discharge)? Mr. Nitschke said that staff was working with the City Attorney, but the resident could not make the last meeting, although staff had received a communication from her. He said that he will keep the Committee informed and evaluate where we stand. Mayor Chiovatero said that we need to make sure the original problem was being handled and this won't happen in the future.

Motion by Alderman Hopkins to approve the experimental installation of low flow piping into the Marquette Drive downstream ditches. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

J.P. Walker and Greg Kessler arrived at 5:03 p.m.

**SW 08-06 Request Common Council, in Conjunction with Approvals from Board of Public Works and Community Development Authority, to move forward with funding for Calhoun Road and the Industrial Park Roadway Reconstruction Plan**

Mr. Nitschke told the Committee that the City did not receive the Surface Transportation Program (STP) funding for Calhoun Road. He explained that the STP grant application is done bi-annually and is based on arterial lane miles, with the City required to match the grant 20% of the cost. Mr. Nitschke presented a PowerPoint presentation showing the grant application, components of the STP funding cycle, calculating New Berlin's rankings, the 2006-2008 STP Funding schedule, and keys of the STP grant funding to focus on. Mr. Nitschke said there was \$28 million available for the 2006-2008 cycle, and the STP sets the ratio and compares each project, and ranks them. Mr. Nitschke read the keys of the STP Grant funding to focus on:

- There is a cap on the amount of money distributed
- Competing communities have the ability to affect their STP rankings
- There is no guarantee that New Berlin will obtain desired funding at the next grant cycle
- A "zero" ratio provides the best probability of obtaining grant funding
- New Berlin will be able to use STP funding on projects other than Calhoun Road
- Project costs will rise over time due to inflation costs, temporary repairs, and potential regulatory changes
- Increasing arterial lane miles will increase STP grant funding.

Mr. Nitschke said the Board of Public Works factors for driving this project include: safety, capacity, current condition of Calhoun Road, and timing of the project in relation to the Industrial Park Master Plan and stormwater improvements in the area. After a lengthy discussion, Mr. Nitschke presented the staff recommended option to borrow the necessary funds to complete the project. He said that the reconstruction of Calhoun Road has already been delayed for over 3 years, and just an overlay or patch would be a temporary solution, and the City is not guaranteed STP money for the next cycle. If the City borrows money to complete the project now, this will also allow us to move forward with the Industrial Park's Roadway Reconstruction Plan, creates a feasible funding cycle for the next 5-10 years by freeing up STP funds for future road construction projects (Lincoln, Coffee, 124<sup>th</sup>), ensures construction will be completed under current stormwater requirements, and allows the City to repair the deteriorated roads and borrow funds while the City still has the ability to.

Mr. Nitschke presented Option #2 to reconstruction Calhoun and Cleveland intersection and overlay the remaining project area. He said that project costs will be higher, there is no guarantee that the City will not need to borrow more money to obtain the necessary STP funding in the next cycle, and the City may not have the ability in the future to borrow the necessary funds due to proposed legislation (tax payer bill of rights 2% operating limits) and timing of additional C.I.P. objects. Mr. Nitschke said that additional options include: Reconstruction of Calhoun Rd in the vicinity of Cleveland Ave intersection from Glendale Drive to the southern project limits; Mill and overlay Calhoun Road from Cleveland Ave to the northern project limits; or do nothing and wait for the next STP grant cycle.

Mr. Nitschke said the benefits to the Community Development Authority (CDA) for completing Calhoun on schedule are:

- Re-construct a major arterial road for the Industrial Park
- Provides a funding source for Calhoun Road and future roads in the Industrial Park
- Kicks off the Industrial Park's infrastructure improvements on schedule

- Will not bottleneck future projects identified in the CDA and Water Resource Utility Management Plans
- Continues good infrastructure planning, design, and construction
- Focuses on bringing the Industrial Park's infrastructure up to date

Eric Nitschke told the Committee that the stormwater design is part of the Calhoun Road reconstruction project, and that the regulatory requirements are playing a role not only for the Water Resource Utility but also for the BPW and the CDA. He emphasized the current condition of conveyance, water quality and flooding in the Industrial Park and said that there is no guarantee that Federal and State stormwater requirements will not change in 2010. The City's Wisconsin Pollutant Discharge Elimination System Permit (WPDES) is to be renewed in 2008 and in 2013 and the City must meet the 40% total suspended solids removal by 2013, and said that the Industrial Park produces over 450,000 pounds of sediment to creeks and streams each year. He added that the Calhoun Road and other roadway improvement projects in the Industrial Park will be required to detain additional discharges per MMSD Chapter 13 requirements.

Mr. Nitschke said the benefits of completing Calhoun on schedule were:

- Keeps the Utility on schedule for working toward meeting 2013 WPDES requirements
- Maintains STP funds that can be used to reconstruct Lincoln Ave
- Gives the Utility time to plan and budget cost sharing funds for Industrial park's roadway reconstruction
- Addresses long standing conveyance, water quality and flooding issues along Calhoun Rd corridor
- Assures funding is available to continue with approved CDA Industrial Park Plan and Water Resource Utility Stormwater Quality Management Plan

Mr. Nitschke said that it was Staff's recommendation to move forward with the borrowing of funds to fund the entire Calhoun Road reconstruction project. He said that the requested action is for the Water Resource Management Committee to recommend to Common Council, in conjunction with approvals from the BPW and CDA, approval of borrowing funds in 2007 to complete the project. In addition, staff requests the Water Resource Management Committee to recommend moving forward with design and land acquisition utilizing existing project funds.

After a brief discussion and questions by the Committee members, Alderman Harenda asked the Committee to touch base with Eric Nitschke, JP Walker, Ron Schildt, or Greg Kessler so that the City can work in conjunction with the CDA and BPW to discuss the potential plan and options for the Calhoun Road and Industrial Park Roadway reconstruction plan.

#### **SW 06-06                      Approval of Survey Work in the Observatory Heights Subdivision**

Mr. Nitschke read the requested action to direct Staff to move forward with contracting for survey work in the Observatory Heights Subdivision. He said the rationale was that there has been a long history of floodplain mapping concerns in the Observatory Heights subdivision. In the early 1990's floodplain mapping by WisDNR placed much of the subdivision in the floodplain. On behalf of the residents, the City of New Berlin contracted with SEWRPC to complete an independent floodplain analysis. New Berlin's floodplain analysis removed from the floodplain some of the properties that were in the original WisDNR floodplain study. FEMA approved New Berlin's floodplain. Many of the property owners in the subdivision feel that they are not in the actual floodplain. There are 12 homes that are currently located in the mapped floodplain. These homes do not have survey information to verify their exact elevations in relation to the surrounding floodplain. Because of the longstanding history and special circumstances in the area, Staff is requesting funding to survey the building corners of all the Observatory Heights homes that are located in the floodplain. There are 12 homes currently in the floodplain. If the home is shown not to be located in the floodplain, Staff will direct the engineering company to fill out a FEMA Letter of Map Amendment (LOMA) for the property. Ultimately, the intent is to use Water Resource Utility funding collected from the residents to assist them with their floodplain mapping and insurance concerns. Mr. Nitschke said that the preliminary cost of this survey was \$5,200, and said that the Not to Exceed price can be lowered to \$9,000.

Alderman Harenda asked Eric if the survey needed to be done prior to FEMA adjusting the floodplain mapping? Mr. Nitschke answered yes. He added that Staff looked internally to see if this was setting a precedent for other homes in New Berlin in floodplains. He said that this was an established subdivision prior to any floodplain mapping in the City, there was no flooding documentation, and that is why Staff is moving forward.

Motion by Commissioner Kern to move forward with contracting for survey work in the Observatory Heights Subdivision with a source of funds account # 70710710.59060, not to exceed \$9,000. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Alderman Harenda said that due to lack of time, the rest of the items would be left on the agenda with no action and no discussion.

**SW 05-06                      Ditch Maintenance Enforcement and Effects on Drainage**

No discussion and no action taken due to lack of time.

**SW 07-06                      Resident Request for Corrective Action Regarding Drainage Concerns**

No discussion and no action taken due to lack of time.

**SW 02-06                      Presentation of GIS Storm Sewer System Mapping**

No discussion and no action taken due to lack of time.

Motion to adjourn at 6:04 p.m. by Alderman Hegeman. Seconded by Mayor Chiovatero and upon voting the motion passed unanimously.

*Respectfully submitted, Suzette Hanley, Office Coordinator Utilities and Streets*