

**Minutes
Water Resource Management Utility Meeting
(Formerly Stormwater Utility)
New Berlin City Hall - Council Chambers
3805 S. Casper Drive
July 11, 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 Commissioner Jim Kern

Others Present: Eric Nitschke (Division Engineer), J.P. Walker (City Engineer), Cathy Schwalbach (Project Engineer), Greg Kessler (Director of Community Development), 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 01-06 Minutes from June 13th Meeting

Motion by Commissioner Kern to approve the minutes from the June 13th Water Resource Management Committee meeting. Seconded by Alderman Hopkins and upon voting the motion passed unanimously.

SW 07-06 Resident Request for Corrective Action Re: Drainage Concerns (tabled)

Motion by Mayor Chiovatero to remove item SW 07-06 from the table. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Eric Nitschke said that Staff had received correspondence from the residents on Lawnsdale Road who had contacted the Waukesha County Public Works and Roto-Rooter to further evaluate the problem culvert that drains the ditch system southerly across National Avenue. Mr. Nitschke said that Staff analyzed the area which would require stabilization to the north, and determined the cost estimate of the storm sewer running south, and that the 2,200 lineal feet would be similar to the New Berlin Hills Streambank Stabilization project which cost \$189,000. Mr. Nitschke said the City would also need to purchase drainage easements beside the easement that the City has on one side of one section of the road creek, in order to work the area and distribute spoils. There would be an additional cost of clearing and grubbing trees. Mr. Nitschke said that he had contacted Pete Wood of the DNR who is trying to track down rules governing farming areas that are currently not being farmed, and what codes that would be governed by. He said that the north/south stretch of ditching estimated cost would be over \$200,000.

Alderman Harenda asked if the area to the north was exempt from DNR Regulation and is not a navigable waterway since it was an old farm field ditch system. Mr. Nitschke said that Staff is sharing aerial photos with the DNR who said that this is an old farm field ditch system. Alderman Harenda asked if Staff could get this in writing from the DNR.

Mr. Nitschke said the T-connection is the County's and similar to the one in Gatewood and Cold Spring, but he recommends a manhole structure be installed because it is easier to access and clean out. He said that Staff prefers a 48" manhole which costs about \$5,000 if the County allows access to put this in their ROW. He added that they are waiting on the DNR to clarify what regulations govern this land, but wanted to know what direction the Committee felt should be taken.

Alderman Hegeman asked if we do this on private property, will it open up calls from other private property owners who have similar stormwater concerns. Mr. Nitschke said that Kelly Lakes set the precedent, but was unique in that the owners acquired the DNR permits, did the design work and secured the grants, then came to the Committee when they knew how much money they were short. He said that the Kelly Lakes project also received a DNR credit in the Master Plan. Mr. Nitschke cautioned there are many private property issues that Staff inspects and that this plan only addresses areas 1 & 2 of the 3 areas. Mr. Nitschke said that the residents on National have been willing to take the initiative to do some of the work themselves, including the Roto-Rooter cleanout and contacting Waukesha County.

Commissioner Kern asked if jetting the storm sewer out would solve the problem. Mr. Nitschke said that it may provide relief, but not solve the problem. Alderman Harenda asked Staff to present a summary of cost, report feedback from the DNR, discuss potential reimbursement of the \$775 already spent by the residents and do an overlay on the map of the ditches.

Brian Teclaw of 18300 S. National addressed the Committee and said that the residents contracted out the work with Roto-Rooter to clean out the area that crosses National and was looking for a low cost solution to help with the drainage problem. He said that the work that was completed did increase the flow, and he felt that if the citizens worked on the area that the ditches flowed into, this would provide some relief. He added that the residents were looking for a cost share on the estimate \$1900 estimate to do the rest of the cleaning by Roto-Rooter.

Alderman Hopkins said it appears that unless we did work to the north, it may not help the issue to the south. He asked if there was anything we can do realizing we don't have a lot of money, to provide relief to the south end. Commissioner Kern added, if this is a short term solution, what is the long term maintenance. Mr. Nitschke said that it was his opinion that you have to look at the area as a whole and the question arises as to what the Water Resource Management Utility established in the Master Plan, his meeting with the DNR, what permits are required and what direction the Committee gives staff.

Mr. Teclaw said that the residents did not expect miracles, but asked for some relief. He also asked for a copy of the staff report.

Alderman Harenda asked Staff to put together the information he requested and let them know the feedback from the DNR.

Motion to table item SW 07-06 by Commissioner Kern. Seconded by Alderman Hopkins and upon voting the motion passed unanimously.

SW 10-06 Woelfel Drainage Easement Discussion (*tabled*)

This item remains tabled.

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

This item remains tabled.

SW 11-06 Discussion of Woodland Drive Resident Request (*tabled*)

This item remains tabled.

**SW 15-06 Reallocation of Funds from Buena Park Drainage Improvements,
Gatewood Storm Sewer and Inez Drive Storm Sewer Projects**

Mr. Nitschke read the requested action to reallocate funds: \$280,000 from Buena Park Drainage Improvement project, \$165,000 from the Gatewood Storm Sewer Project and \$55,000 from the Inez Drive Storm Sewer Project. Funds will be reallocated to the project(s) determined by the Water Resource Utility.

Mr. Nitschke said that these projects have been completed, except for minor items such as Staff review of asbuilts and GIS mapping. He said that Staff is looking for the Water Resource Management Committee's recommendation to reallocate funds, as well as their recommendation as to what project the funds should be reallocated to. He identified 4 potential C.I.P. projects that include the Coffee Road Drainage Improvements, the Parkwood Lane Drainage Improvements, the Industrial Park Drainage Easement Improvements and the Calhoun Road Water Quality Improvements. Mr. Nitschke said staff created a preliminary Budget Priority Worksheet to rank the C.I.P. projects and reviewed each one with regard to cost, number of residences or properties directly impacted, severity of drainage problem, whether the project was in the SWMMP (Stormwater Management Master Plan or referenced in the regional study, regulatory requirements, documented age of the problem, and coordination with other projects.

Alderman Hopkins asked if we use \$210,000 to do the Industrial Park easement project, we would be short on funds to also complete the Coffee Road project, are there any funds down the road to accomplish both? Mr. Nitschke said that we can coordinate the two, and it is Staff's intent to work with the Coffee Road roadway project moving forward and complete this as soon as possible, but we can do a portion.

The Committee had a lengthy discussion regarding the various projects, the SWMMP and possible STP grant funding. JP Walker said that Coffee Road is eligible for STP funding in 2007, but construction would have to wait until 2010. Commissioner Kern said that if we received the grant, would the project be totally funded by the grant? JP said that it would be a 70/30 or 80/20 grant. Mr. Walker said there are 4 arterial streets that are eligible for STP grant funding and said that Staff believes we have the necessary banked funds for STP funding, but the question is whether or not we can get all 4 grants.

Mayor Chiovero reminded the Committee that STP funds are based on a formula. JP said that we have a positive number. Mayor Chiovero said he agreed with Alderman Hopkins that Parkwood Green Lane is a large project and probably should not be considered for this money. He said that we continually talk about the lack of funds that we put into the Industrial Park and \$210,000 can cover that, and still have funds leftover for another project. Mayor Chiovero cautioned that he is worried about doing part of Coffee Road, and problems with the wetlands and Chapter 30. Mr. Nitschke said that Staff would not propose a project that would cause a problem. Mayor Chiovero said that the Calhoun Road project is a large one and much of it has to do with Stormwater issues. Mayor Chiovero said that he is looking for additional funds for Calhoun Road but has not received any phone calls back.

Motion by Alderman Hopkins to recommend to the Common Council the reallocation of funds from the Buena Park Drainage Improvements, Gatewood Storm Sewer, and Inez Drive Storm Sewer Projects. The amount of the fund reallocation is to be \$280,000 from Buena Park Drainage Improvements Account 04251171 61707 C2004, \$165,000 from Gatewood Storm Sewer Account 04151171 61708 C2004, and \$55,000 from Inez Drive Storm Sewer Account 04251171 61711 C2004, for a total reallocation of \$500,000 to Account 04251171 61716 C2004. The funds are to be reallocated to the project/s determined by the Water Resource Utility. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Alderman Harenda asked Staff to present various options to the Committee with their recommendation. Mr. Nitschke said that at the next meeting Staff could present some options on those 3 areas on the easement, on Calhoun and on Coffee as well.

Commissioner Kern asked why Coffee Road is not part of the Stormwater Master Plan. Mr. Nitschke answered that the conveyance concerns on Coffee Road were not part of the Master Plan, but there is a regional detention basin on the northeast corner of Coffee and Calhoun Road that was called for in the Master Plan to regionally serve Poplar Creek. Alderman Harenda asked if Parkwood Lane was already in the budget. Mr. Nitschke said yes, out of the drainage account.

Mr. Nitschke read the requested action to approve the Illicit Discharge Screening Contract with Stilling Engineering not to exceed \$12,000, drainage account 70710710.59060. He said that per Section IV.III.B.3 of New Berlin's Wisconsin Pollutant Discharge and Elimination System (WPDES) Permit, Staff is moving forward with on-going field screening of the City's major and minor outfalls. Jennifer Stilling, Principal of Stilling Engineering, has submitted a scope of services for on-going outfall screening of the eastern third of New Berlin in 2006. She was the project engineer directly involved in the initial screening effort that HNTB completed as a sub-consultant of R.A. Smith. He said that Staff is bringing this request forward without bidding the project based on Jennifer's track record in past projects with the City as Project Manager of Industrial Park Water Quality Plan and also the Illicit Discharge Screening Effort. Mr. Nitschke said these projects were completed on time, under budget and to New Berlin's satisfaction. Staff is looking for approval at this July meeting to move forward with the outfall screening in order to take advantage of the dry summer weather. Mr. Nitschke added that 1/3 of the City is screened every year. He said that typical professional services contracts under \$15,000 did not have to be bid out or brought before the Committee, but the Committee had stated in the past that they wanted projects bid.

Alderman Hopkins said that based on what Mr. Nitschke said and their knowledge of the system, he would like to hire the firm. Alderman Harenda said that he would also go along with it this time, but preferred contracts were bid out. Commissioner Kern asked if Eric could defend the bid. Mr. Nitschke said that he had discussed professional services contracts with the City Attorney, and the selection is not just quantified by cost, but by service and quality. He added that the Engineering department tries to get a good balance of engineering firms to handle City projects. JP Walker added that this is known as Qualification Based Selection.

Motion by Alderman Hopkins to approve the Illicit Discharge Screening Contract with Stilling Engineering. The contract is to be for an amount not to exceed \$12,000, and the funds are to be charged to Drainage Account 70710710 59060. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

Motion to adjourn by Alderman Hegeman at 6:27 p.m. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

Respectfully submitted, Sue Hanley, Office Coordinator Utilities and Streets