

**Minutes  
Storm Water Committee Meeting  
New Berlin City Hall  
3805 S. Casper Drive  
Council Chambers  
March 8, 2005**

***Please note: Minutes are unofficial until approved by the Stormwater Committee at their next regularly scheduled meeting.***

Present: Alderman Harenda, Alderman Hopkins, Alderman Hegeman and Mayor Wysocki

Others Present: Eric Nitschke (Division Engineer), City Engineer J.P. Walker, Ray Grzys (Director of Utilities and Streets), Chuck Trevorrow (Stormwater Supervisor), and Suzette Hanley (Office Coordinator Utilities & Streets)

Meeting called to order at 4:47 pm by Alderman Harenda and declared a quorum, stating that Mayor Wysocki was expected. He noted that there is one seat vacant on the Committee.

**Item SW 01-05 Approval of Minutes from February 8th meeting**

Motion by Alderman Hopkins to approve the minutes from the February 8th meeting. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

**Item SW 23-04 Discussion of Culvert Installation Costs to Exclude Cost of Labor and Machine Charges in the Operating Budget**

This item remains tabled

**Item SW 06-05 Approval of Stormwater Utility Name Change**

This item remains tabled

**Item SW 07-05 Buena Park Update and Budget Discussion**

Eric Nitschke gave an update of the Buena Park stormwater project as awarded to Capitol Pavers, which is very close to completion. There is some minor restoration and ditch work that needs to be completed this spring and staff is scheduling a walk-down of the entire project area to identify any areas that may need additional work. Mr. Nitschke said that Staff has also identified areas, from the construction plans and from resident comments in the field, that may require concrete invert to be added as part of the project, and the estimated length of additional concrete invert is 1250 feet. In addition he said that Staff has determined that storm sewer is required along a portion of Coach Light Drive. He provided the cost estimates and said the remaining funds based on engineering estimates amounted to \$572,230 as compared to potential remaining funds of \$442,730 if the concrete invert work and storm sewer work were approved and constructed.

Mayor Wysocki arrived at 4:50 p.m.

Mr. Nitschke added that Staff intends to hold a public information meeting in early May to obtain public comment on the project and combine it with information from field inspections to create a final proposal of work to be completed. Once completed, the proposal will be brought before the Stormwater Committee for review and approval, and the remaining funds will be reallocated as necessary.

Alderman Hegeman asked where the reallocated funds would go? Mayor Wysocki said that the funds stay in the Stormwater Utility since they are stormwater funds, but if there are excess funds, the Committee recommends to Council to reallocate them to other projects.

**Item SW 08-05                      Approval of Encroachment Agreement for Inez Drive Storm Sewer Project**

Mr. Nitschke read the requested action and said that Staff and the City Attorney worked with ANR Pipeline on this agreement.

Alderman Harenda thanked Staff for working on this agreement for 3 years and said it was a safety issue. He asked if Item #6 referred to the property owner or the City as being responsible for the repair cost of the storm sewer crossings?

Mr. Nitschke responded the City is responsible. He added that ANR will have an inspector on site, and that ANR has reviewed and approved Staff's proposed construction plans. Mayor Wysocki asked if CVMIC needed to review them for possible claim? City Attorney Blum said that normally they do not, but they can.

Motion by Mayor Wysocki to recommend to Common Council the approval of the Encroachment agreement relating to the Inez Drive Storm Sewer Project. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Alderman Hegeman asked if ANR has staff on hand (the inspector) who will be charged for that? Attorney Blum said that the City would be charged for that.

**Item SW 09-05                      Approval of Amendment to Existing Contract with R.A. Smith for Completion of WPDES Permit Storm Sewer Mapping and Discharge Screening**

Eric Nitschke read the requested action to approve the professional services contract with R.A. Smith & Associates Inc. and HNTB Corp to conduct field screening outfalls and map City Storm sewer conveyance systems in GIS according to the WPDES Permit. He said that there would be a transfer of funds from the Buena Park account to the Storm Sewer mapping account to handle this project. Mr. Nitschke stated the rationale is that the WPDES Permit requires the completion of field screening of outfalls by December 31, 2005 and the completion of the storm sewer system mapping by December 31, 2006. He explained that discharge screening and storm sewer mapping, originally started in 2004, are best completed simultaneously due to their reliance on each other. Mr. Nitschke said that the original contract was for the 5 eastern sections (1,12,13,24 and 25) and the proposed amendment to the contract will complete incorporating as-builts and field-screening results into the GIS system.

Alderman Harenda asked why this contract was not bid out? Mr. Nitschke answered that professional services contracts were not required to bid. Mr. Nitschke also stated that R.A. Smith had experience with the City's sanitary sewer G.I.S. system mapping, and that HNTB has extensive illicit discharge screening experience that very few engineering consultants in the area have. Alderman Harenda said that he would still like to use the bid process. Mr. Nitschke answered that there were concerns with WisDNR deadlines that may be compromised by weather delays. He stated that an outfall may not be screened without a 72 hour dry weather period. Mr. Nitschke said that Staff was comfortable with R.A. Smith's knowledge of the City's mapping system and that HNTB was in his opinion the best in the area for illicit discharge screening. Mr. Nitschke stated that this is an initial discharge screening and it must be done on a continuing basis, and in the contract HNTB states that they will train staff, probably the Code Enforcement Officer, to screen illicit discharge and maintain the system.

Mayor Wysocki agreed and said that this was work that needed to start as soon as possible, and that he was more comfortable with not bidding the project because two firms are handling the project. He added that in the future if the Code Enforcement officer can't handle the work, the work will be bid out.

Alderman Hegeman asked when the project was originally bid out in the 5 sections, why didn't the City know they would need the to do the whole city? Mr. Nitschke said that the mapping and illicit discharge-screening project was not identified in the 2004 budget, and Staff had numerous large C.I.P. projects to oversee at the time. The original bid was to get a feel for what would need to be completed in 2005, as well as to wait until remaining budget from some of the larger C.I.P. projects was freed up.

Motion by Mayor Wysocki to recommend that the Common Council approve a professional services contract with R.A. Smith & Associates, Inc. and HNTB Corp. to conduct field screening of outfalls and map City storm sewer conveyance systems in G.I.S. in accordance with the City's Wisconsin Pollutant Discharge Elimination

System (WPDES) Permit. Project cost: storm sewer system mapping \$46,500, discharge screening \$23,500, contingencies (15%) \$10,500 for a total of \$80,500. Transfer of funds from account 04251171-61707-C2004 to 04251171-61712-C2004 in the amount of \$80,500. Seconded by Alderman Hopkins and upon voting the motion passed unanimously.

- Item SW 10-05                    Approval of Post-Construction Stormwater Management Ordinance**
- Item SW 11-05                    Approval of Construction Site Pollutant Control Ordinance**
- Item SW 12-05                    Approval of Illicit Discharge and Elimination Ordinance**
- Item SW 13-05                    Approval of Long-Term Maintenance Procedures**
- Item SW 14-05                    Approval of Construction Site Inspection and Enforcement Procedures**
- Item SW15-05                    Approval of Illicit Discharge Response Procedures**

Mr. Nitschke stated that the 6 ordinances and procedures listed (above) are required for the NR216 WPDES Permit and must be adopted by Council by July 13, 2005. He said that Staff wanted the Committee to look through the 3 ordinance and 3 procedures, and added that Attorney Blum had preliminarily reviewed them.

Attorney Blum said that the procedures just need to be adopted by the Committee and did not have to go to Council, but depending on what was added to the procedures may still need to be sent to Common Council along with the ordinance. Alderman Hopkins asked the City Attorney if he was comfortable with the DNR's proposals? Attorney Blum said that he would suggest one major change, namely the erosion control issues which will require a lot of review and documentation by staff. He added that this proposal was drafted by the DNR but that other communities including Waukesha County were drafting their own.

Alderman Harenda asked if the DNR was telling us to do this and there would be no additional funding or grants to implement the new ordinance changes? Mr. Nitschke replied correct.

Alderman Harenda asked if the updated ordinances will be incorporated into the Developer's handbook? J.P. Walker stated that a lot of it is already in the Developer's Handbook and can be added if the Committee wants it.

Alderman Harenda asked if we are looking at any changes in the fee structures for developers to help monitor this? Eric Nitschke replied that any new development adds impervious area and additional revenue. Mayor Wysocki added that 6 years ago when the DNR required it, we realized the costs and we developed a Stormwater Master Plan and received grants; however it is our responsibility.

Alderman Harenda asked Committee members to have comments at the next meeting. Mr. Nitschke stated that they need final Council approval prior to July 13, 2005. He asked members to bring comments in April, and they may have a special meeting May to start readings. Mayor Wysocki recommended at least 1 public informational meeting, and explain that this is a mandate by the DNR and that we have to do it. Mr. Nitschke suggested a public informational meeting in the later part of April to discuss comments. City Attorney Blum said that in the past, the public information meeting can count towards the formal readings at Council.

Motion to adjourn at 5:52 p.m. by Alderman Hopkins. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

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