

**Minutes
Special Stormwater Committee Meeting
New Berlin City Hall
3805 S. Casper Drive
Council Chambers
May 24, 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, Jim Kern, and Mayor Chiovaturo

Others Present: Eric Nitschke (Division Engineer), Greg Kessler (Director of Community Development), City Engineer J.P. Walker, Cathy Schwalbach (Project Engineer), Ray Grzys (Director of Utilities and Streets), Chuck Trevorrow (Stormwater Supervisor), Curtis Hulterstrum and Jennifer Stilling (HNTB) and Suzette Hanley (Office Coordinator Utilities & Streets)

Meeting called to order at 4:05 pm by Alderman Harenda and declared a quorum with Mayor Chiovaturo expected.

SW 01-05 Approval of Minutes from May 10th meeting

Motion by Alderman Hopkins to approve the minutes from the May 10th meeting. Seconded by Alderman Hegeman and upon voting the motion passed unanimously 4 to 0 (Mayor Chiovaturo had not arrived)

SW 23-04 Discussion of Culvert Installation Costs to Exclude Cost of Labor and Machine Charges in the Operating Budget – This item remains tabled

SW 06-05 Approval of Stormwater Utility Name Change - This item remains tabled

Mayor Chiovaturo arrived at 4:08 p.m.

SW 21-05 Buena Park Stormwater Improvement Project Additional Construction

Eric Nitschke read the requested action to recommend the Common Council approval of additional work in the Buena Park Subdivision. The work is to be completed by the current contractor, Capitol pavers, Inc. The amount awarded to Capitol Pavers, Inc. is to be \$133,363.75, the estimated cost for additional improvements is to be \$181,641.42, and the remaining construction cost is not to exceed \$1,527,770.16. Mr. Nitschke said the rationale is based on staff field investigations and a public informational meeting on May 7th, a list of additional construction items has been compiled. Even though the engineering design meets the current minimum requirements for storm sewer conveyance, it has become apparent that additional field changes are required for individual residents benefit as well as for benefit of the subdivision as a whole. Most of this work will be installing concert invert either as a result of discharge from grass to chanelized area and back, or a continuously running sump pump.

Alderman Harenda asked if warranty work was the responsibility of the contractor? Mr. Nitschke replied yes. Alderman Harenda asked if this is the entire list? Mr. Nitschke said that no, there were other requests for work that were reviewed by JP Walker and himself, and some they decided not to include. He continued that the list was based on the requests at the public informational meeting and staff identified problems due to steep ditch lines, sump pump discharge making a ditching unmaintainable, and other factors. Alderman Harenda asked if this list would close the project out? Mr. Nitschke replied yes, however they have 25% contingency since word is getting out and there will possibly more work. He added it is staff's intent that this is the final go around. Jim Kern asked if the original budget was \$1.5 million and if this was part of that budget? Mr. Nitschke replied no, additional contingencies and a retaining wall was added to the original budget and that came up to the \$1.5 million.

Alderman Harenda stated that he does not want the Utility to make a habit of putting in concrete inverts and that the homeowner should take responsibility for the cost. Mr. Nitschke replied that it is not staff's intent to do

concrete inverts at the homeowner's request; however, concrete inverts in the base of a large capitol improvement problem can be addressed then taken before the Stormwater Committee and Council for consideration.

Alderman Harenda asked for a break down of sump pump issues and other problems and asked if there was an urgency to pass this item tonight? Eric Nitschke said since they are not looking to reallocate funds, and aren't holding up any projects, staff was hoping to get approval to get the contractor moving, since residents are complaining about the problems of standing water and mosquitoes. Alderman Hegeman asked what he should do when he gets calls from citizens to get on the list? Eric Nitschke replied that the resident must first meet the concrete invert policy criteria, then the street department installs the culvert and the resident pays for it. The inverts in this project are being installed under the 5-year master plan since it a large-scale project based on flooding from poor conveyance patterns in the ditches. Jim Kern asked if we install concrete inverts in major projects? Mr. Nitschke said that we do at a cost of \$33/lineal foot.

Alderman Harenda asked staff to breakdown the list according to types of problems, as his concern was that by performing this work, it will set a precedent and open the door to other problems.

Motion to defer Item 21-05 by Alderman Hegeman. Seconded by Jim Kern and upon voting the motion passed unanimously.

SW 22-05 Gatewood Subdivision Payment Approval

Eric Nitschke read the requested action to recommend to Common Council approval of the Final pay Request #7 to Underground Pipeline Inc in the amount of \$112,221.74. He added that staff is requesting approval of the additional funds for final payment to Underground pipeline, due to change orders and a larger restoration line item than estimated by the consulting engineer.

Alderman Hopkins said that the area still needs work, especially after the rain since mailboxes are back farther from the road. Mr. Nitschke agreed that some warranty work still needs to be completed by the contractor. He added that right now an outside element, namely the postal or newspaper delivery trucks were doing some damage, and the Streets crews are going to be working on settling issues in the inlets and installing some new mailboxes. Mayor Chiovaturo asked what the Streets crew is doing about the mailbox issue? Mr. Nitschke replied that they will be replacing mailboxes and or old posts with 4 x 4 wooden posts. These have less chance of tipping back so that the mailman and paperboy won't have to drive so far back. Mayor Chiovaturo said the mailboxes look to be set back too far. Mr. Nitschke replied that the area went through a freeze/thaw cycle when some damage occurred, but that the mailboxes were set back according to postal standards. He added that staff's hope is that the Streets crews can replace some of these old mailboxes. Mr. Nitschke said that the area also is in a roadway maintenance project and that staff hopes that when that comes through it will also help improve the conditions. Alderman Hopkins said that he is overall happy with the area.

Motion by Alderman Hopkins to recommend to the Common Council approval of the Final Pay Request #7 to Underground Pipeline Inc. in the amount of \$112,221.74. Source of Funds: Storm Water Utility CIP Account Number 04251171 61708 C2004 for \$1,397,500.00. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

SW 24-05 Communication from Wisconsin DNR Re: Municipal Flood Control Grant Application for Fullerton Avenue Property

Cathy Schwalbach said that staff wanted to let the Committee know the updated status of the grant, in that it has passed the 1st stage of screening, and now the grant is dependent on state budget constraints. The City will be notified in July as to the status of the grant award. Alderman Harenda asked the amount of the project and grant? Ms. Schwalbach said that the project cost is approximately \$200,000 and the grant would fund 70% of this.

SW 23-05 Industrial Park Stormwater Management Plan Presentation

Eric Nitschke introduced Jennifer Stilling and Curt Hulterstrum from HNTB who presented a Water Quality Analysis Preliminary Draft. This is close to the final draft that will be submitted to the Community Development Authority in June after your comments.

Mr. Hulterstrum from HNTB introduced the plan for the New Berlin Industrial Park and the agenda included:

- Purpose of the plan
- Geographic Areas
- Alternatives and Recommendations
- Implementation Plan

Purpose of the Plan

- Compliment the Modernization Plan
- Permit Compliance
- Flood Control

Geographic Areas with the Park

- Deer Creek Main Channel
 1. Channel Enlargement – minimal impact and cost \$1.3 million
 2. Culvert Modification – add capacity to railroad culvert; minimal impact; cost \$620,000
 - Recommendation – Regional Watershed Study
- Deer Creek and Poplar Creek Direct Drainage Area
 1. On-site Treatment Measures – inlet filters; cost \$214,000 or \$8/lb solids removed
 2. Regional Treatment Measures – end-of-pipe devices; cost \$4.5 million, \$47/lb solids removed
 - Recommendation – No immediate action
- Coffee Road Open Space
 1. On-site control Measures- Bioretention and surface storage; cost \$1.2 million, \$60/lb solids removed
 2. Centralized Control Facility – Wet Detention basin; cost \$550,000, \$28/lb solids removed
 - Recommendation – Centralized Control Facility
- Lincoln Avenue Drainage Easement
 - 39-Acre Drainage Area
 - Four private properties have experienced flooding
 - Three Alternatives:
 1. Hydraulic Improvements
 - Culvert replacement
 - Drainage easement enclosure
 - Culvert removal
 - Channel modifications
 - Estimated alternative cost \$210,000
 2. Stormwater Diversion
 - Divert Water north along Calhoun and then east on Rogers Drive
 - 3 feet high by 7 feet wide box culvert
 - Estimated alternative cost - \$1.4 million
 3. Underground Storage
 - 8 acre-feet of storage required
 - Estimated alternative cost - \$3.3 million

Recommendation: Hydraulic Improvements
- Industrial Park Street System
 - Stormwater Quantity Control: 4 Alternatives
 1. Roadside swales requiring greater than 80' ROW – cost \$500,000
 2. Underground Storage within 80' ROW – cost \$2.3 million
 3. Underground Storage requiring greater than 80' ROW – cost \$1.2 million
 4. Roadside swales with underground storage within 80' ROW – cost \$1.5 million
 - Stormwater Quality Control: 3 Alternatives
 1. 80% TSS removal – cost \$2.1 million, \$12/lb solids removed
 2. Inlet Filters – approx. 150 inlet filters on the 4 reconstructed roads, 40% TSS removal, cost \$112,500, \$3.69/lb solids removed
 3. End-of-Pipe Treatment Devices – 31 End-of-Pipe devices, 40% TSS removal, cost \$2.1 million, \$24/lb solids removed

Recommendation: Bioretention Swales

The Implementation Plan will be guided by the City's Paser rating system and funding will be from Stormwater Utility funds and DNR grants.

Alderman Hopkins asked when this project would start? Mr. Nitschke stated that HNTB is working with the Stormwater Utility and the CDA, to determine the street needs and requirements necessary to do this project. Preliminary plans would start in 2007 and move forward to the 2008 requirement for 20% total solids removal. He stated that the City is close to that requirement per the DNR, but a study is needed to show this. Mr. Nitschke added that the 2013 requirement of 40% TSS will be the tough one to meet. He said that it is staff's intent in the preliminary 5-year plan that these 4 roads: Lincoln, Ryerson, Rogers and Glendale, be included in the next 5 years, and he noted that the Industrial Park has contributed approximately \$375,000 /yr to the Stormwater Utility, but little work has been done in the area.

Alderman Hegeman asked if all 4 roads would be eligible for the bioretention swale? Jennifer Stilling stated that they will be with new road construction. she added that the existing swales are not taking out much now, and a longer filtering strip is needed in order for swales to get effective treatment. She added that new seed mixes and engineered soils are designed to aid in this removal. Mr. Hulterstrum said that in general, the DNR considers most DOT cross-sections will meet the 80% goal.

Alderman Harenda asked if the City can meet water quality issues in other parts of the city if we do work here? Mr. Nitschke responded that the easiest way to address city requirements is to hit the hot spots. He said that the study will in turn analyze the entire city to reduce total suspended solids, but that most of the ditches in the Industrial Park are concrete lined and are not designed for water quality control. Mr. Nitschke said that this project is interrelated with the Engineering street upgrade, MMSD requirements and other issues and that bioretention swales help with water storage and quality.

Jim Kern asked what the cost of the plan was and what % is from DNR grants? Jennifer Stilling said that the costs were approximately: Rogers Drive-\$700,000; Lincoln Ave-\$670,000; Glendale- \$500,000; and Ryerson-\$700,000. She added that the DNR grant is 50% per project or \$150,000 maximum. Mr. Hulterstrum added that he did not know if the DNR would accept applications for each section and how it is broken up. Mr. Nitschke said that the City received \$60,000 grant funding for this report.

Alderman Harenda asked if this report incorporates Calhoun Rd? Mr. Hulterstrum answered no. Mr. Nitschke said that Mr. Hulterstrum and Ms. Stilling would be presenting this report to the CDA and when the roadway is constructed, that is when the bioretention swales should go in. Alderman Harenda said that the Committee needs to consider how this project should be funded as to not put a burden on property owners and the Stormwater Utility.

SW 19-05 Storm Water 5-Year Plan Update

Mr. Nitschke said that this is a preliminary draft and said that the Stormwater Utility initially came about after the 1997-98 flooding concerns, water quality, runoff, infiltration, etc. The Stormwater Committee was conceived in 2001, and billing starting in 2002. He went over the report and noted the drainage projects, and the increase in phone calls for inspections, drainage analysis and evaluation of problems. He stated that the 2005 drainage list is already closed and the 2006 list has been started. Mr. Nitschke listed the 2001-2005 CIP projects on the original 5-year plan and others not on the original plan, and then told the Committee the list of upcoming priority CIP projects.

Staff recommended CIP Projects for the 2006-2010 5-Year Plan are as follows:

- Underwood Creek (Underwood 2a)
- Parkwood Lane Drainage Improvements
- Old Industrial Parks Water Quality Implementation
- Underwood Creek (Underwood 1)
- Overland Trail Drainage Improvements
- Mill Valley Storm Water Management Plan Update
- New Berlin Storm Water Management Master Plan Update
- City Wide Water Quality Plan to meet WPDES Permit Requirements
- Coffee and Calhoun Road Detention Facilities (RD-3)
- Lincoln Avenue and Calhoun Road Drainage Easements

Mr. Nitschke said that staff is looking for direction and input into the next 5-year plan with regard to what projects should be prioritized, should the fees be raised, should there be a dedicated Street Stormwater crew, etc. and discussed the proposed strategic plan for the Stormwater Utility.

Alderman Hopkins asked how we educate people of what money goes into the Stormwater Utility and what is being done? Eric replied that it is staff's goal and requirement from WPDES to keep the website updated, to install a kiosk at City Hall, put information in newsletter articles, flyers and set a policy. Alderman Hopkins asked if staff could put together a program for the cable like the Police department did?

Jim Kern asked about the credit system. Eric Nitschke said that staff is looking into credits for removing impervious area, putting in a filter strip or a rain garden. Mayor Chiovarero asked if staff takes into account any new development projects that may help alleviate the TSS issue? Mr. Nitschke said the way the 20% and 40% is figured by the DNR is based on a July 1, 2004 cutoff and the DNR assumes any new development will meet the requirements.

Alderman Hegeman said that it was stated that we are already at 20% TSS, but that we need a study. Who determines this? Mr. Nitschke said that a SLAMM analysis citywide is done and set up by the DNR pollutant loading analysis. This could be something staff can do internally and are doing in-house on design projects and development reviews. Alderman Hegeman asked how New Berlin compares to other communities? Mr. Nitschke said that New Berlin is in a root group with Franklin, Caledonia, Racine and other communities and is doing well; however, Milwaukee is ahead of us. Alderman Harenda said that Committee members need to review the old and updated plan and make some big decisions on whether to modify the direction or continue on course. He asked what the minimum projects are that need to be done and what was fluff and asked if staff could identify this? Mr. Nitschke said that this was done in the recommendation for CIP projects.

Item SW 20-05 Requested Waiver of Stormwater Utility Fees for the New Berlin School District

Mayor Chiovarero said that he was requested by the School Board members to consider waiving fees for the school district properties. He added that they did not know all buildings in the City pay this fee. Mayor Chiovarero said that they understand what it is for, and that Franklin waives fees for school buildings. Alderman Harenda said that the City pays fees for all its buildings and does not waive them. Jim Kern asked if the school receives benefits? Mayor Chiovarero said yes they do, and they are asking because of budget crunches. He added they asked for permits and fees waived in other areas too. Alderman Hopkins said that everyone else pays, if we allow a waiver, other places such as hospitals will come to us for waivers.

Mayor Chiovarero said that the School Board realizes it puts a burden on other Utility customers, but they asked him to bring it forward for discussion. Jim Kern said that he appreciates their budget crunch, but others will line up for a waiver, and with more projects than money, we will exasperate the issue.

Mayor Chiovarero said that Eisenhower H.S. thought that by giving the City the land to do the underground storage area that would make the land usable, and also thought we would also pay for the tennis court, but we will not be paying for these. The School Board said that when they pay these fees, it is passed on to the residents through school tax and it is almost like people pay for it twice. Mayor Chiovarero said he thinks of it as a Utility expense, but they thought of it more than a tax than a fee. He said that he would convey the information to the School Board. No action was taken on this item.

Motion to adjourn at 6:08 p.m. by Alderman Hopkins. Seconded by Jim Kern and upon voting the motion passed unanimously.

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