

**Minutes
Stormwater Committee Meeting
New Berlin City Hall
3805 S. Casper Drive
Council Chambers
July 18, 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, Mayor Chiovatero and Jim Kern

Others Present: Ray Grzys (Director of Utilities and Streets), Cathy Schwalbach (Project Engineer), J.P. Walker (City Engineer), Chuck Trevorow (Stormwater Supervisor), and Suzette Hanley (Office Coordinator Utilities & Streets)

Meeting called to order at 4:17 pm by Alderman Harenda and declared a quorum with all members present.

SW 01-05 Minutes from June 14th Meeting

Motion by Alderman Hopkins to approve the minutes from the June 14th Stormwater Committee meeting. Second by Alderman Hegeman and upon voting the motion passed unanimously.

SW 01-05 Minutes from June 21st Meeting

Motion by Alderman Hopkins to approve the minutes from the June 21st Stormwater Committee Special meeting. Second by Jim Kern and upon voting the motion passed unanimously with Mayor Chiovatero deferring since he was not in attendance at the meeting.

SW 19-05 Storm Water 5-Year Plan Update

Director Grzys said that included in the packets was the revised 5-year budget for the Stormwater Utility. He noted that there were no additional Capital Improvement Projects (CIP) borrowing through 2010. The remaining CIP funds are currently proposed to be allocated to the Underwood Creek Drainage Projects (Underwood 1 and 2a). Director Grzys noted that some of the Tess Corners funding will be used for this project. He added that staff will work to obtain as much grant funding for the Underwood Creek Projects as possible to supplement future projects.

Director Grzys said that staff is proposing an increase in funding for culvert replacement (Account 54480). The increase will not only be used to start replacing undersized culverts identified in the City's Stormwater Management Master Plan, but will also be used to assist in the implementation of the proposed culvert replacement policy. He also noted an increase in funding for office supplies account 54120 and the stormwater drainage project account 59060. The different between the 2005 and 2006 expenses were about \$12,000.

Director Grzys said that staff is requesting approval of the proposed 5-year budget spreadsheet. He added that once approval has been received, staff will finalize the Draft 5-Year Plan to reflect the C.I.P. and Budget recommendations in the spreadsheet. The final 2006-2010 5-Year Plan will be presented at a future Stormwater Committee meeting.

Alderman Hegeman asked how the Street labor is billed back to the Stormwater Utility. Director Grzys noted that a percentage of his wages, Stormwater Supervisor Chuck Trevorow and the Office Coordinator, as well as the street labor were charged back to the Stormwater Utility.

Mayor Chiovatero asked even though the plan projects out 5 years, it is just a plan and that Stormwater will be coming back every year to the Committee? Director Grzys answered yes, and the 5-year plan is based on no increase in fees. Jim Kern asked if this was based on doing only the two CIP projects? Director Grzys said yes. Jim Kern asked if the Parkwood Lane flooding would be pushed out to 2011? Cathy Schwalbach answered that

this would be 1st priority after this 5-year plan and the Stormwater Utility would perform work on the safety issues only at this time.

Alderman Hegeman commented that there is no grant money income shown and asked if the grant is according to the project. Ms. Schwalbach said that staff was being conservative by not including grant funding income, but that there is grant money available and that it is project specific. She stated that if the DNR has grant money, the City would apply for it. Alderman Hopkins said that Mr. Nitschke remarked at the last meeting that grant money for Underwood Creek could be applied to other projects. Ms. Schwalbach said that she would like to clarify this further and stated that the grant money has to be applied for the Underwood Creek project, but the result of that is that it will free up some of that money for other projects. Director Grzys said that grants are considered revenue in the budget.

Director Grzys said that he would like to clarify with Mr. Nitschke the Street Equipment amount used was reduced from 108,000 to \$55,000, and this may have to be adjusted. Director Grzys also commented about hiring seasonal summer help to assist with some of the drainage projects. He stated that 3 people would add approximately \$16,000 to the budget.

Alderman Harenda said that some of the aldermen have taken tours of the upcoming projects, and that in the future, he would like the projects ranked, and then add new projects as they come up. Jim Kern said that in 2003 the drainage account was \$51,000 and in 2006 it is \$140,000. Cathy Schwalbach said that is actual and some of the work may not have been charged to the Stormwater Utility in the year 2003. The money put in the drainage account in 2006 would be used for projects that the Street crews cannot schedule, or when we hire contractors to work on small to mid-sized projects. Alderman Harenda said that the drainage account was not included in the original 5-year plan and that it would be difficult to eliminate it from the budget since it was transferred from Public Works to Stormwater 2-3 years ago.

Director Grzys stated that staff is looking for a motion to approve with no increase over the next 5 years and no CIP. Cathy Schwalbach added that we are looking for approval of the spreadsheet so that staff can prepare the budget.

Motion by Alderman Hopkins to approve the 2006-2010 5-year plan budget for staff to prepare the 2006 budget and the 5-year plan. Second by Jim Kern and upon voting the motion passed unanimously.

There was further discussion as to action to be taken by Staff to update the Common Council.

Cathy Schwalbach asked for clarification on what the Committee wanted staff to do. She asked if the Committee wanted staff to send a memo to the rest of the Alderman explaining what they decided today? Mayor Chiovatero said that it is up to Chairman Harenda, but if staff could send a memo with the budget and forward it to the other aldermen with a slight explanation and note that they will see this again in a few months at budget time, and noting that this was approved at Committee level. Alderman Harenda said that this will give the other Aldermen time to review it and if they have any major issues with it, to please indicate it to staff at this point. Alderman Harenda suggested that staff take the memo included in the packet, and add to it with some additional comments, and note that we will see this again in a few months. Ms. Schwalbach thanked the Committee for their clarification.

SW 23-04 Culvert Replacement Policy

Cathy Schwalbach said that the Committee directed staff to move forward using option #2 that was presented at the previous Committee meeting for the culvert replacement policy. This option said that the City would pay for the labor and machine costs and the residents would pay for material costs only on culverts that met the criteria for replacement. Ms. Schwalbach said that this was a draft policy to review, written in the same way that the other policies staff brought forth in the past, and defines the way the City would handle replacing a driveway culvert in the ROW. It references Municipal Code 230-3 which had been discussed at the last meeting also. She added that staff had asked City Attorney Mark Blum to review the policy, and he said it would not be necessary to change the Municipal Code, as long as we had the policy stating the Source of the cost. Ms. Schwalbach said that also regarding the cost the Committee had regarding those citizens that had been charged previously, there is a memo listing the 3 properties that were charged for labor and machine costs in 2004, for a total cost of \$4,275 to reimburse the citizens, the money would come from the Stormwater Utility 2005 Operating Budget.

Alderman Harenda asked if just the policy needed to be amended, not the ordinance, and there was no complication down the road. Attorney Blum said that the ordinance as currently stated indicates that it applies to the expense of the work performed and what you are doing in the policy is defining what that expense would be. He said that in the interest of leaving it as broad as possible so that you decide to make modifications to the policy from time to time, the ordinance would not have to be changed each time. You would only have to change what the expenses are, and he said that he did not see a need to change the ordinance.

Alderman Harenda asked if the budget had \$4,275 available? Ms. Schwalbach said that it would be taken out of administrative charges for the Street department, which is where staff would also take this out in the future unless the Committee directs otherwise. Cathy added that a letter would be written to these residents after the meeting.

Alderman Hopkins asked if the resident letter accompanying this item needs to be addressed? Cathy said that the letter was written to Eric Nitschke, and is a comment from a City resident regarding this policy. Alderman Hopkins said that the resident is also asking how the needs for his home will be addressed. Cathy Schwalbach replied that there seems to be some misunderstanding with this resident regarding the City policy and his asphalt invert. She will communicate back with him to explain that it can be replaced at an affordable fee if it is determined that it qualifies, and explain the policies.

Motion by Jim Kern to recommend to the Common Council the approval of Stormwater Utility Policy #23-04-005. Source of funds is Stormwater Utility Account 70710710.52130 Admin Charge Streets. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Alderman Harenda asked if this item would be on the next council agenda? Cathy Schwalbach answered yes. Alderman Harenda asked if she thought there would be a mad dash for culvert replacement when it passes? Cathy said that when a resident calls to replace a culvert, we direct them to have the culvert replaced on their own. If there is a drainage issue, we do an investigation, and if needed they are put on the construction list. Jim Kern asked how many times that the Stormwater says no to a resident, or they don't pass the criteria? Cathy answered that many residents call during the year that their culvert is heaving, etc. and she explains the process. That does not end up on the drainage list, and that is the resident's responsibility. She added if there is no improvement that can be made to drainage, staff does say no.

Motion to adjourn at 4:50 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*