

**Minutes
Stormwater Committee Meeting
New Berlin City Hall
3805 S. Casper Drive
Council Chambers
October 11, 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), Eric Nitschke (Division Engineer), J.P. Walker (City Engineer), Chuck Trevorrow (Stormwater Supervisor) and Sue Hanley (Office Coordinator Utilities & Streets)

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

SW 01-05 Minutes from September 27th Meeting

Motion by Alderman Hopkins to approve the minutes from the September 27th Stormwater Committee meeting. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

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

This item remains tabled.

SW 30-05 City-wide Drainage List Close-Out

Alderman Harenda that this was discussed at a previous meeting, and if the staff wants to bring it up in the future, they can put it back on the agenda. He requested a motion to remove this from the agenda.

Motion by Alderman Hegeman to remove this item from the agenda. Seconded by Mayor Chiovatero and upon voting the motion passed unanimously.

SW 32-05 Drainage Request 12525 W. Marquette Drive

Alderman Harenda said that the Stormwater staff received a request from a citizen to speak at this meeting regarding his concern with the impact on his ditch after work completed on the concrete invert installation upstream earlier this year.

Eric Nitschke said that Mr. Fred Schaefer is the resident who lives at 12525 W. Marquette Drive which is the property immediately downstream of the concrete invert installation that we dealt with in the past. His property was added to the concrete invert project for a small area on the west side of the driveway culvert. The ditch on the east side of the driveway culvert was not included in the project because the slope through the ditch line did not qualify for invert installation. The upstream sump pump continues to run frequently into the new concrete invert and through the ditch line.

Mr. Fred Schaefer, who resides at 12525 W. Marquette Dr. thanked the Committee for this opportunity to speak. He said that he is requesting to rectify an undesirable condition caused by the installation of inverts upstream. Mr. Schaefer said that he lived at the property for 40 years and the ditches were functional and moved water, and after the rain dried, he could mow his ditch. He stated now he cannot mow his ditch and is concerned about erosion, weeds, and ice damns in winter that will possibly raise the concrete and damage his driveway. Mr. Schaefer provided the Committee with photos before and after the installation of the concrete inverts upstream.

Alderman Harenda asked Mr. Schaefer if he had any suggestions. Mr. Schaefer passed out a sketch of the property to the Committee and suggested that the water from 12635 be diverted, new culverts installed and the water discharged into the storm sewer. Mr. Schaefer proposed another solution to have the sump pump that runs continuously drained into the abandoned leech bed on the property.

Mr. Nitschke said that staff looked at draining the discharge into the existing storm sewer to the north, but that was not feasible since the storm sewer drains into a detention facility that is not designed for the amount of runoff. Mr. Nitschke also stated that the pond was maintained by the private homeowners' association. He said there is also difficulty getting cross culverts under Marquette because there is not adequate coverage over the pipe.

Mr. Nitschke said that the water from the sump pump at 12635 drains undetained and unchecked and staff knew that by installing the inverts this problem would be moved downstream. Eric said that the rain garden that the homeowner agreed upon was not yet installed and he did not know if the rain garden will handle the flow yet because the discharge has not been disconnected from the ditchline and put into the rain garden. Mr. Schaefer questioned the rain garden's effectiveness in the winter. Mr. Nitschke replied that the rain garden will contain a shallow depression and studies have shown that capacities are diminished but not eliminated in winter.

Commissioner Kern said that he and Alderman Hopkins went to the property and saw the water running continuously, and the land was swamped. Mr. Nitschke replied that the City has issued a citation and staff is currently looking to install a rain garden to get the sump pump discharge out of the culvert. If the rain garden does not work, they would look at other options such as installing a concrete invert at Mr. Schaefer's property and at 12511 and at 5211 Nicolet and have the water flow down Marquette to 124th to finish the loop.

Alderman Hopkins expressed his concern that although staff tried to fix the problem, they created another problem for Mr. Schaefer that he did not have before. He asked how this situation could be remedied to make sure the ice dams don't wreck his driveway and to prevent any problems in the future? Alderman Harenda replied that staff is working with the property owner at 12635 to install the rain garden that they agreed upon. He said that Street crews have worked on the ice dam problem in this area before, and advised Mr. Schaefer to contact them if this is a problem this winter. Mr. Nitschke said that Street crews and Stormwater supervisor Chuck Trevor know about the issue and have cleaned out the culverts in the past. He advised that he has a meeting scheduled with the homeowner at 12635 Marquette and has issued a letter of violation to them after consulting with the City Attorney. Mr. Nitschke said that if the rain garden is not what it is hoped to be, staff will look at other solutions immediately. He added that Mr. Schaefer has adequate slope but the continuous discharge from the sump pump has damaged the ditchline.

Alderman Hopkins said that this issue will not be resolved tonight, but if we have to install a concrete invert for Mr. Schaefer because we moved the problem, he said that he did not think we can charge him. He added that it was important to appraise properties downstream when Stormwater work is done. Mr. Nitschke said that based on the policy, Mr. Schaefer would be able to request a waiver, which then comes before the Committee.

Mr. Kern asked where the rain garden was to be installed? Mr. Nitschke said in the front yard, but there are some options. Mr. Kern asked if the plan was for the sump pump to discharge into it? Mr. Nitschke answered that he was not saying it will completely stop the discharge, but should significantly reduce it. Mr. Nitschke also added that the plan was for the sump pump to discharge to the rain garden. He added that using the leech bed was not a good idea because conditions are unknown. There would be a cycle where the leech bed acts like a bath tub that holds the water, and then the sump pump would have to pump it out again. He said that in new developments, down spouts are removed and sump pump discharges are required to be 10 feet back from the property line.

Mr. Kern asked when Eric was meeting with the homeowner at 12635 Marquette? He replied next Monday. Mr. Kern asked how fast a rain garden could be installed and what happens if they do not install one? Mr. Nitschke answered that there was a deadline on the notice, and Attorney Blum was aware of the situation and will be at the next meeting if needed.

Alderman Harenda asked staff to report back to the Committee after the meeting and monitor the problem in the ditch. He also asked Mr. Schaefer to contact the Street department if he had any problems.

Motion by Alderman Hopkins to table this item. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Motion to adjourn at 5:28 by Commissioner Kern. Seconded by Alderman Hegeman and upon voting the motion passed unanimously.

Respectfully submitted, Suzette Hanley, Office Coordinator Utilities and Streets