

Minutes

Storm Water Committee Meeting

**New Berlin City Hall, 3805 S. Casper Drive, Council Chambers
May 13, 2003**

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

Present: Alderman Bullermann, Alderman Gallagher, Alderman Wilkens, Mayor Wysocki, and City Engineer J.P. Walker

Others Present: Ray Grzys (Director Utilities and Streets), Cathy Schwalbach (Project Engineer-Stormwater), Eric Nitschke (Division Engineer), Mark Blum (City Attorney), Chuck Trevorrow (Stormwater Supervisor),

Meeting called to order at 4:45 P.M. by Alderman Bullermann

Item SW 01-03 Approval of the April 8, 2003 minutes

Motion by JP Walker to approve the April 8, 2003 minutes. Second by Alderman Gallagher. Upon voting, motion passed unanimously.

Motion by Mayor Wysocki to move into Closed Session. Second by Alderman Gallagher. Upon voting the motion passed unanimously.

CLOSED SESSION

The basis for the items to be discussed in Closed Session are as enumerated in Section 19.85(1)(e) of the Wisconsin State Statutes.

- (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business whenever competitive or bargaining reasons required a Closed Session.

Calhoun Creek / Steffes Construction

Discussion and possible action to approve payment to Steffes Construction for close out of Calhoun Creek stream bank stabilization project contract with Steffes Construction and settlement with Steffes Construction

Motion by Mayor Wysocki to move into Open Session. Second by Alderman Wilkens. Upon voting the motion passed unanimously.

OPEN SESSION

Item SW 07-03 Calhoun Creek / Steffes Construction

Motion by Alderman Bullermann to approve of the settlement agreement with Steffes Construction as outlined by the City Attorney with the addition of a provision to indemnify the City against any claims by subcontractors for material suppliers. Second by Alderman Gallagher. Upon voting, motion passed unanimously.

Item SW 11-03 Approval of Amendment to Bonestroo for Calhoun Park Engineer Services

Motion by JP Walker to request the Common Council approve the attached Amendment to Professional Services Agreement with Bonestroo, Rosene, Anderlik, and Associates, Inc for Amendment Number 4 in the amount of \$20,335.00 Source of funds is the Stormwater CIP Budget 2003, WDNR Local Assistance Grant (50/50 Match) and the WDNR Non-Point Source Grant.

Item SW 21-02 Ditch Enclosure Policy

- Alderman Bullermann asked what the cost of policy was.
- Cathy Schwalbach reiterated that she did not have an amount, but that there has not been anyone that has qualified for this policy in the last year.
- JP Walker said that a lot of staff time has been used to chase the unachievable and that not many residents can meet these requirements and qualifications.

Motion by JP Walker to recommend to Common Council approval of Stormwater Management Policy #21-02-002, Ditch Enclosure. Second by Alderman Wilkens. Upon voting, motion passed unanimously.

Item SW 12-03 Stormwater Project Updates

- Eric Nitschke gave brief updates on several Stormwater Projects.
- Malone Park – Bonestroo is almost completed with site analysis and conveyance analysis for the proposed underground facility. This will keep our Safety Building and the Star of Bethlehem church in compliance with MMSD.
- Gatewood Subdivision – plans and specs have been received and we are near completion with the designs.
- Coldspring –working with the DNR regarding proposed ponds. He stated that the City should receive written verification from the DNR that the stream is not navigable. He has also stated that they have talked to the New Berlin School District to do work at New Berlin West for use of the land, but the City has stepped down from that and has reached a tentative agreement with Bob Pulliam to remove the old house at Eisenhower High School and improve the location with an underground Storm sewer.
 - Alderman Wilkens asked what the schedule for the pond was. Mr. Nitschke replied that they are trying for a completion date of the end of July.
 - Alderman Wilkens discussed flooding issues and the appearance of the area off of Sunny Slope. Cathy Schwalbach said that they are in discussion with the DNR about cutting down vegetation in wetland areas. Mr. Grzys stated that part time summer staff will be brought in to attack the vegetation.
- Buena Park subdivision – The City has received preliminary analysis and drainage report of the area from Bonestroo.

No action taken on the item as it was for discussion only.

Item SW 13-03 Culvert Replacement

- Driveway culverts are within City Right-of-Way but are the property of the individual resident. Current policy gives the resident responsibility for replacement of worn or damaged pipes at their discretion. The culvert permit allows the contractor to work within the City Right-of-Way and gives the City responsibility for setting the elevation for appropriate flow. One issue that has surfaced recently is in the case of a deteriorated culvert that no longer allows adequate Stormwater flow from upstream properties. The resident is informed that the City recommends replacement of the culvert. If they choose not to replace the culvert at that time, Stormwater drainage cannot be improved. The City may expend resources to improve upstream conditions, but drainage will be less than optimum. Staff would like to comment on some of the key points to be considered.
- Cathy added that the City has municipal code that prohibits drainage obstruction. This is also listed in the Developer's handbook. Cost for culvert replacement is approximately \$1000-\$2500 for the resident. When the City performs the work, the material cost is \$500-\$1200. Some Options are: The City does the work, the Citizen is required to do the work, or the City subsidizes the work. Alderman Gallagher said that the City of New Berlin is the only community that requires concrete ends which is a big expense and asked if it was necessary.
- Discussion about how the City can maintain the quality and consistency of the work. Cathy Schwalbach responded that City code allows the City to inspect the work. Alderman Bullermann asked who pays for the work if the repair is done incorrectly? Alderman Wilkens added that the City needs a formula, rules and policy that defines the circumstances that the City contributes to. JP Walker responded that this item was never intended to be in the Stormwater budget. Cathy Schwalbach said that we need to be careful about over-extending our resources in the Street Department.
- Consensus was that the culverts are there for the homeowner's benefit and that they should bear the cost of them. However if the resident can't afford to pay for the repair all at once, the City should work with them and put it on the tax bill over a period of 10-15 years. JP Walker added that if the replacement is part of a ditching project, the City performs the work and the citizen pays for the materials.
- Discussion about whether Engineering should charge for the permit for culvert replacement. Currently it is free, and funds from this permit could be used for this.
- Eric Nitschke stated that the Engineering department is looking for direction from the Committee of what the policy should be if Stormwater work is necessary in some area. There is currently no policy if the culvert needs to

be replaced and situations have varied as to whether the City has charged the resident for materials, or if the work done was necessary for drainage and the resident was not charged.

- Alderman Bullermann asked that staff leave this item on the agenda and the additional information on other City's policies be explored.

Motion to adjourn by Alderman Gallagher. Second by Alderman Wilkens. Upon voting the motion passed unanimously.

Meeting adjourned at 5:40 pm.