

Minutes
Water Resource Management Utility Meeting
(Formerly Stormwater Utility)
August 10, 2010

Please note: Minutes are unofficial until approved by the Water Resource Management Utility (formerly Stormwater Committee) at their next regularly scheduled meeting.

Present: Alderman Ken Harenda, Alderman Bill Moore, Alderman John Hopkins, Commissioner Jim Kern, and Mayor Jack Chiovaturo

Others Present: Nicole Hewitt (Division Engineer), Cathy Schwalbach (Project Engineer), Greg Kessler (Director Comm Development) Chuck Trevorow (Stormwater Supervisor) and Sue Hanley (Administrative Supervisor Utilities & Streets)

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

OLD BUSINESS

SW 01-10 Approval of Minutes – May 11, 2010 meeting

Motion by Alderman Hopkins to approve the minutes from the May 11th meeting. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

SW 20-09 Discussion on Tess Corners Pond Feasibility

Hewitt: No update. We are still waiting for Muskego. I sent the City Engineer a letter some time ago and he is working with the Mayor and their council.

SW 21-09 Update on Railroad ditching plans near Elm Grove Road North of Honey Lane

Hewitt: We have had no further news from the railroad.

Harenda: Will the work get done before the winter?

Hopkins: The work is not done.

Hewitt: I think they think they are done. The next step is to send out letters again including one to Senator Lazich. She was looking for updates also.

Kern: What happens if they don't do any work?

Hopkins: This happens on the road crossings. It is very hard to budge the railroad and usually the only time we they have done anything is when we have a State Senator or Representative involved.

Harenda: Please facilitate that Nicole and copy the Committee.

NEW BUSINESS

SW 08-10 Approval of Funds for Property Acquisition and Demolition

Hewitt: This has been included in our intent to submit for the FEMA HMA (Hazard Mitigation Abatement) property acquisition grant. It is due September 15th to the state and their formal submittals to FEMA are in December. The funding is typically 75% of the project and there are multiple houses throughout the city.

Hopkins: The Harmons have requested this but some of the others on Meadow Lane do not want to move including the Dimmicks.

Hewitt: The ones on the intent right now have made requests but I do not wish to state their names. They may not be interested anymore and we need information from them to apply. I will bring forward the information of who is on the list when I bring forth the application for the grant.

Moore: The names will have to be made public knowledge.

Residents in the audience were concerned about who was on the list. Alderman Hopkins assured them if they did not want to be on the list, they would not be.

Hewitt: If you ask me if you are on the list, I can tell you if you are on it. I will be contacting people on the list.

SW 09-10 Discussion of Policy on Low Flow Piping (Muskego Drains)

Schwalbach: We are still working on the policy. It is a positive installation that is working well and we are looking to incorporate more of these. We will probably wait until after the busy construction season to bring the policy back.

SW 13-10 Approval of Storm Sewer Easement & Agreement for 6240 & 6248 South Racine Place

Schwalbach: There are 2 properties north of College Avenue on Racine place. The easement needs to be obtained so a storm pipe can be relayed within easement area. Currently the ditches flow into a pipe that goes underneath a building where there is no city easement; it is on private land. The residents tell me that it was an old Beer Depot and the pipe underneath it is not functioning currently. We are requesting easement on 2 properties, it is the same owner and we would like to take the pipe from the City ROW and run it through the easement into Linnie Lac. The pipe currently sits on the property to the northwest at 6240.

Harenda: Do we have to pay for the easement?

Schwalbach: They are granting it with the City taking responsibility for installing the pipe.

Harenda: Do they want to sell the land?

Schwalbach: It is not involved in this, but they said they are looking to sell the property and raise the building.

Harenda: Where is the water flow?

Schwalbach: It is coming down Hillendale from both sides and some from Racine Place to the north.

Harenda: The water pools now in the triangle area where Racine Place and Hillendale intersect and the water runs down the frontage road to the north. This pipe will take care of this issue?

Schwalbach: When we have the easement and we do the design and check the sizes and locations, we will look at the area to the north where water is running onto private land. We will need a DNR permit also. I am aware of flooding at that corner and investigating I found there are larger pipes flowing into a 12" pipe underneath the beer depot. When we relay the pipe it will be upsized into an appropriate size.

Harenda: The pipe and easement will be to the south of the beer depot. The building won't have to be raised.

Schwalbach: Correct.

Harenda: If the property is subdivided and they take the building down, the existing pipe underneath will have to be closed out to allow future building? Part of that is the code.

Schwalbach: That would be their responsibility.

Kern: You said there is no fiscal responsibility to the city. Who is paying the cost?

Schwalbach: The fiscal impact is the cost of installing the pipe. The benefit is that it will be sized to the size it should have been all along and it will reduce the flooding.

Harenda: Is this in the CIP or ditching account?

Schwalbach: It is not slated yet. We will estimate costs and include it in our budget. It will be under \$50,000.

Chiovatero: This action is to just obtain the easement.

Hewitt: Correct. That is why there is no cost.

Motion by Alderman Hopkins to recommend the Common Council approve the Storm Sewer Easement and Agreement for the properties 6240 and 6248 South Racine Place. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

SW 14-10 Elimination of the Proposed Pedestrian Path in Prospect Park

Hewitt: The requested action is due to input from residents in the neighborhood adjacent to Prospect Park, recommend Common Council approve the elimination of the proposed pedestrian path through native landscaping in Prospect Park that was originally planned to be installed as part of the previously approved Underwood Creek Rehabilitation Phase 2 Project. Savings would be \$47,493.75. We met at the Parks Commission last night. It was a consensus that in the spirit of cooperation the Commission would like the pathway to remain as part of the current project.

Hopkins: What does that statement mean that you just made?

Hewitt: Because we are using the park land to do stormwater work, stream rehabilitation, an improvement that was agreed upon when this was put together originally.

Moore: Park and Rec Commission wanted to have the paths that were proposed. Nicole presented a slightly different plan than what you see in your packet and there was a plan to move the paths closer to the road, which was understandable because it would provide more space for sloped land and the water storage.

Hewitt: Originally it was proposed to move them closer to the roadway to increase the area of native landscaping and increase the amount of load surface.

Moore: The Park Commission appreciated that and essentially approved that plan which included what you see on the north side except closer to the road, the crossing on the east side and the crossing in the center. Nicole presented a plan that did not include the route around the central southern existing vegetated area but the Commission requested that she look into that in relation to how many trees if any would have to be removed to do that and what the grading will be. She was asked to report back at the next meeting.

Harenda: The original RAS was brought to us based on the feedback from the residents was they wanted the trail removed. You presented this to the Park Commission and they prefer it remain, but in a more modified layout moving the pathway toward the road.

Hewitt: Correct.

Hopkins: I have heard loud and clear from the residents that they do not want the trail. They want grass throughout the area and trees planted. Most people walk Prospect Place cut over the bridge, use Meadow Lane and come back and use the bridge up Prospect Place. Most people will still use the road. I would strongly suggest taking that out.

Harenda: In the modified plan the 1st crossing to the west is where the bridge is currently and the one to the east that you are adding is over the box culvert. What is the path?

Hewitt: It is an 8 foot asphalt path and it is 6 feet off the road.

Kern: Is it a large majority against it? Would it make a difference if it is something other than asphalt?

Hewitt: The large majority wants mowed grass to walk on or walk on the roadway.

Hopkins: For kids to play on, toss footballs, walk dogs, but they don't want a trail.

Kern: Why is the trail part of the plan originally?

Hewitt: It is a park amenity.

Harenda: Park and Rec brought it forth and staff worked with them with respect to work being done out there and this is what they were looking to include as part of the phasing.

Chiovatero: Park and Rec looks at it as a passive park, but actually when I went out there it is a more active park where kids play and ride their bikes. They feel the path is not needed and would rather see more grass.

Harenda: There is 1 existing trail that cuts across the creek now over the bridge. If we add a 2nd bridge over the box culvert it would give us 2 access points. That would be my suggestion. I received an email from one of my constituents regarding safety within a spillway. A comment has been made if we have a flash flood and kids are playing in a lower area of the park, these kids are going to get washed downstream. We are taking this into account and we are looking at that.

Hewitt: The area is going to be planted with 4-6' tall native grasses. It would not be an area for kids would be playing frisbee. Flash flooding in this creek is going to be more visible because there will not be trees lining the creek and also if the full potential of the project comes about, there will be a tiered system and there will not be flash flooding. You see flash flooding where there is concrete lining. It is a natural system.

Moore: There will be some curvature to it and some decrease in speed. There isn't a large gradient difference from west to east from Sunny slope to Arcadian from one end to the other is there?

Hewitt: There is 23 feet gradient difference. It will come through at the same speed as it is going now. There is not a flash flooding occurrence. We are going to lay back the banks and allow it to spread out and slow down the water and there will be several structures holding the water back and you will have a ponding effect.

Moore: From the planned side paths down to the stream itself will be a slope with natural plantings that will not be cut. There will not be a situation like in the path that kids have an open field to play in. The Park Commission had some concerns that there would be a loss of park land for kids to play, but this is a stormwater problem. The Park Commission is giving up one type of park to have another kind of system based on stormwater. In order to maintain some amenities, native plantings and trees will be planted to return the looks of it. Since the kids won't be playing in the grasses, we need to provide someplace to go and the side paths are a place to bike ride and walk. The Commission desires to have a different type of park land that is safe for the kids.

Harenda: Nicole you are to report back to the Park Commission on the modified plan?

Hewitt: Actually they are OK with the plan now except where I had taken out the path along the vegetation area in the south. They were looking for me to site a path through this area that does not require removal of trees.

Hopkins: That would cut down the area that we could put trees and people want the trees replaced.

Kern: Are the residents aware that they won't have a grassy area to play if you plant the native grasses?

Hewitt: Yes. The minimum of mowed grass area is 20 foot from the road edge and there are areas more than that.

Kern: Are folks aware that they will lose a fair amount of mowed area?

Hopkins: They know that we are looking into this. I am pushing for more grassy area.

Hewitt: I am revising it on a daily basis. I am viewing GPS coordinators on trees and laying them over the plans and adjusting different things.

Moore: The Commission was polled individually and they unanimously desired this plan with a request to look into any trees were going to be cut down on the central southwest section. There is no desire to put a path in where there has to be significant tree removal. They talked about meandering the trail to not remove trees and they asked Nicole to come back to tell them if it is feasible.

Hopkins: If the people had their way there would be no more tree removal or keep it to a minimum.

Moore: That is the desire of the Park Commission too.

Kern: You mentioned that people feel they don't need the paths because they walk on the streets. Are we OK with that? Wouldn't we prefer they walk on paths?

Harenda: There is a difference of opinion in the community. This is brought forth by staff for the residents. We can vote on this or wait until Nicole gets more feedback on it.

Hopkins: What is the width of the path?

Hewitt: 8 feet is the size to have maintenance vehicles on it, but they did discuss making it narrower. It is 6 feet off the road. It could be backed up to 2 feet off the edge. Based on my conversations with Park and Rec this path would not be plowed in the winter.

Hopkins: If the path stays I would recommend it would be narrower and as close to the road as possible. There are some advantages. Kids could ride bikes on it.

Hewitt: I have had people say they would like it since there are curves on the road and people drive fast but the majority don't want it.

Harenda: My suggestion is to table it and give you time to talk to your constituents.

Hopkins: It may be nice to be able to show them what we want to do with this at the same time that we invite them back in for another meeting to explain what trees we may or not be taking down.

Hewitt: I will be scheduling a walkthrough with the residents in the next couple of weeks.

Kern: Can we include a narrower than 8 foot option?

Moore: I said that I would rather have 6 feet than no path, but for safety 8 feet is the standard and for maintenance. The main reason is for kids riding on bikes in different directions, they have space to pass.

Harenda: Meadow Lane was just resurfaced correct?

Hopkins: Up to the park. They didn't want to finish it to Sunny Slope until next year.

Hewitt: The path is set to be done this year.

Harenda: Nicole please email the committee the updated drawing.

Moore: Can you also let us know when the walkthrough is going to be?

Hewitt: Yes. It is currently undergoing daily modifications. The walkthrough is dependent upon getting all the information that I need and the earliest is next Thursday.

Motion by Alderman Hopkins to table SW 14-10. Seconded by Alderman Moore and upon voting the motion passed unanimously.

**SW 15-10 Communication-Underwood Creek Rehabilitation Powerpoint Presentation from 7/29/2010
Neighborhood Meeting: Discussion and Possible Action**

Harenda: We had a discussion at Council about a week ago amending some contracts for the Underwood Creek Rehabilitation project in conjunction with some of the things we just discussed and bypassed the Committee because of the timeframe. We had the contractor on site; the DNR will be approving the adjustments to the work there to deal with some of the problems we have had there for years. It was dealt with directly at the Council level. Alderman Hopkins and Staff had a town hall meeting the day before the meeting we had on the contract extension to talk about the tree removal and work to the west.

Hewitt: The PowerPoint gives them an overview of what the current project and contract was.

Harenda: The issues in this area have been known for more than a decade and with increased precipitation and downpours of rain we had significant amounts of flooding down stream. This is an area where water does flow into, dealing with issues that come across our borders from the City of Brookfield and we had discussions with the residents to deal with the downstream flooding. The amount of trees that were taken down in the area was a surprise to me and some of the residents. We are working with Park and Rec to add back some of the trees we had removed but with the sloping that was originally approved to slow the water down as well as the box culvert and some of the additional structures; we are working with the residents.

Hopkins: We held a meeting a couple of weeks ago for the people living along Prospect Parkway and Berlin Avenue who were shocked at the tree removal and some of them understood after seeing the slides that Nicole presented that there was a lot of undercutting here. Some of the trees were coming down by themselves. If we were able to save some it would have gone a long way to satisfy them. They made it clear that they wanted as much regular grass to be put in as we could and wanted trees and volunteered to donate trees. Some of the people don't understand the flooding that goes on east of Elm Grove Road. There are people here who have been flooded on a regular basis and there are more that are affected between Elm Grove Road and 124th Street where the creek has been eating away at their properties and coming up to their back doors. We have tried to do work in there but the real answer lies in the parkway. I have talked to staff who has taken a lot of heat, I think in the long run we will get the parkway back, not the way it was, but it will be beautiful. I have promised the people that I will do everything in my power to make sure it happens. I want to thank the Mayor for coming to the open house and appreciated Alderman Wysocki, Ament and Harenda who attended the meeting.

Residents in the audience asked when the meeting was.

Hopkins: We explained to the people living along Prospect Parkway and Berlin Avenue why the trees were taken down, how we have widened the creek and lined the bed with rock. We are looking to build structures next year that hold the water and releasing it downstream at a slower rate so there would not be flooding to the east.

Harenda: We will be having a future meeting with residents and you will be invited. This is Phase 1A and 1B. Phase 2 is looking to add 2 additional structures in 2011, depending on FEMA) which will reduce the by 50% the issue in that area as well as other phases coming forth.

Kern: It looks like more work is being planned for 2011 than originally thought.

Harenda: The original project was to do a sloping and the amendment is to tier the bank to slow the flow. Originally the DNR wasn't going to approve these items, but now they have come around.

Hewitt: This plan shows the maximum of storage possible in the parkway and it is being modified based on resident input and benching that will take place due to trees that do remain. She further explained that the stream bank widening will lay back the banks 1% and a 4:1 slope up to 20 feet off the road. It is providing area for the stream to spread out and be taken up by the plants and there will be storage in other areas as shown and also upstream of the box culvert. The 2nd part of this project are the structures which require FEMA approval and therefore were not included on the amendment that Council approved last Friday. The amendment was strictly the grading.

Moore: The area which the Park Commission is asking to review whether the path goes in the southwestern section, it looks like it is tiered, but the plan includes 2 areas of trees being saved. How can you tier it down?

Hewitt: This is the maximum storage that I can get in the park. It is being modified to meet the conditions.

Harenda: There will be a meeting on this project and the projects going forward. If we don't have your contact information, please pass it on to staff.

Hopkins: All of Meadow Lane east of Elm Grove Road.

Harenda: A lot of these projects were pre-approved and the last few years we have been trying to put pressure on the DNR and other entities to do some things and in the last 2 months things have opened up so that we can do more than what was approved prior so that is why we are trying to get things done to deal with the flooding downstream. We are doing Phase 1 and next year we still have to jump through some hoops to deal with FEMA and will work on Phase 2.

Chiovero: The residents here have mentioned some of the issues that occurred since Greenfield was widened so we met with DOT to look at the stormwater drainage coming off that road to see what calculations they have and to see if it was installed the way it was supposed to be. We are also researching our files for information. The DOT did say that if there is an issue they may be willing to participate in resolving that problem.

Hopkins: When you say "we" met, it was not the Committee. I don't want to appear I don't know what is going on.

Chiovero: We the city met.

Motion to adjourn at 5:44 p.m. by Alderman Moore. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

*Please Note: Minutes are not official until approved by the Committee
Respectfully submitted by Sue Hanley, Administrative Supervisor Utilities & Streets*