

Board of Public Works

Minutes

SPECIAL BOARD OF PUBLIC WORKS MEETING

March 23, 2000

New Berlin City Hall Common Council Chambers, 3805 S. Casper Drive

Meeting was called to order at 8:05 a.m.

Members Present: Mayor James Gatzke, City Engineer Jeff Chase, Alderman Wysocki and Alderman Chiovaturo

Others present: Tim Grogan of Residential Homes of America and EJ Plasko

Excused: Alderman Patzer

Staff present: Division Engineer JP Walker and Division Engineer John Graber

ITEM 42-99 Johnson/Greenfield Sanitary Sewer

Jeff Chase stated that the Dugan's were unwillingly to meet the conditions of the proposed sewer agreement set by the Council in closed session.

Motion by Mayor Gatzke to drop item 42-99 from the Board agenda. Second by Alderman Chiovaturo. Upon voting, motion passes unanimously.

ITEM 48-99 Vehicle Fleet

Consensus of Board to leave on the agenda for the next meeting.

ITEM 16-00 Moorland Commons Utility Easement

John Graber, Division Engineer, gave a brief presentation regarding the above named project. The proposed project include a public utility easement between the north property line and the building. The easement would be improved with a storm sewer and watermain. The easement as proposed does not meet City standards. Engineering staff recommended moving the building south to bring the easement into compliance.

Tim Grogan, of Residential Homes of America, stated that it is not practical to move the Target building at this time.

- Goal is to have Target opened by October.

There are three encroachments requiring exceptions to the City's standard utility easement requirements:

- A portion of a stair stoop to the Target building
- A retaining wall that runs the length of the easement.
- A private storm sewer.

Alderman Wysocki asked about time frame:

- If the engineering consultant firm had more time to get plans done, would that resolve the issues.

Mayor Gatzke indicated it is probably not a time frame issue:

- Issue is probably with location of retaining wall in the public infrastructure.
- It is the cost of taking down the retaining wall, if necessary in the future.
- Target should be obligated to rebuild the wall at their cost, if necessary.

Some concerns and questions as follows:

- Concern with putting a retaining wall in a utility easement (Wysocki).
- Would utilities go thru the slope or retaining wall (Chiovatero)?
- Depends on location (John Graber).

Jeff comments as he agrees with Alderman Wysocki. However, our most basic easement requirements are being met:

- Current plan does meet cross easement slopes
- Easement widths meets basic requirements.
- Not unusual to conditionally allow certain improvements like driveways or lighting into our easements.

The Standards that are not being met:

- Private water main encroachment.
- Retaining wall encroachment.
- Stair stoop encroachment.

- What width easement variance is the City giving? (Wysocki)

- No width easement variance is being given. (Jeff)

Motion by Jeff Chase that we grant the exception to our easement standards based on the understanding that an occupancy letter will be required by the property owner that should the City need to disturb the easement area for any reason, it will be restored to the existing condition (vacant lands) and the cost to restore the private encroachment and/or improvements will be the owners total expense. Second by Mayor Gatzke. Motion passes with Wysocki opposing.

ITEM 17-00 Moorland Commons

Developer Agreement

John gave a brief overview about the project stated above.

- Received a revised agreement.
- Agreement does follow standard issues.

Questions regarding the City Attorney:

- City Attorney review the Developer Agreement? (Wysocki)
- Agreement was mailed to attorney, but no response. (John)

A number of items were brought up for discussion regarding some changes in the agreement.

- **General IC – Why the question mark? (Wysocki)**
- Any implicit approvals in approving this agreement (John).
- Developer agreement refers only to public improvements. Not intended to do anything with private site. (Jeff)
- **#2 – Water System: Units were added (Wysocki)**
- Units were added due to major anchor tenant and an attached building on the separate lot with zero side setback. (John)
- **Storm Drainage B (Wysocki)**
- Was not compared with Rock Ridge Road and only looked at this item as an independent review. Does meet storm water plans developed for TIF District (John)
- **Developer agreement consistent with newer storm water plan? (Wysocki)**
- Standard storm water design is consistent with stormwater master plan for the TIF district. (Jeff)
- **Storm Drainage #3 and #4 (Wysocki)**
- Construction and maintenance of the retention basin will be the Developers responsibility (John). Information will be available for council review.
- **Who would do inspection (Mayor Gatzke).**
- Standard language should be put back in agreement whereby City does inspections (Jeff).
- **Public Sites and Open Spaces (Wysocki).**
- The City normally charges for trail fees and was not sure if the fees could be eliminated? (John)
- Trail fees probably should be eliminated (Mayor Gatzke).
- Would like to have City Attorney double check (Wysocki).
- **Public Streets – General (Wysocki)**
- Paragraph 1 referenced to Department of Transportation regarding letter attached – noted no letter was attached and was not received until later. Also last sentence questions off-site road improvements, they are entitled to some recapture without input from County letter (John).
- County agreements regarding Engineering study recommendations for improvements will be formalized and in writing.
- Language - City to pay one-half of the improvements at Beloit Road and intersection maximum allowed under the TIF agreement and language is clear. There are designated TIF dollars for this project (Mayor Gatzke).
- Wants to make sure that there is appropriate level of infrastructure (Jeff).
- **General Conditions (A) (Wysocki)**

- Two years has been the standard thru the years (John).

Motion by Mayor Gatzke to recommend Council approval of Developer Agreement subject to review as to form content by City Attorney and further staff review. Second by Alderman Chiovatero. Upon voting, motion passes unanimously.

Motion by Jeff Chase to adjourn. Second by Alderman Chiovatero. Upon voting, motion passes unanimously.

Meeting adjourned at 8:55 a.m.

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