

Board of Public Works

Minutes

BOARD OF PUBLIC WORKS MEETING

**New Berlin City Hall Common Council Chambers, 3805 S. Casper Drive
July 10, 2000**

Meeting was called to order at 8:10 am.

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

Staff present: Division Engineer John Graber

OLD BUSINESS

ITEM 01-00 Approval of minutes

June 7, 2000

Motion by Alderman Wysocki to approve the minutes of June 7, 2000. Second by Mayor Gatzke. Upon voting, motion passes unanimously.

ITEM 42-00 Mueller Application for Road Crossing Permit

Brief explanation by Jeff Chase. Attorney T. Michael Shober to present matter.

- Mr. Mueller and his family have lived on this lot for a number of years, and the septic system has failed. The lot has a slope, and they have tried to replace the septic system but cannot. They have purchased the lot across the street, and are asking for a permit to cross the street. I have meet with Jeff Chase, and Steve Hoese, and they don't have any objections on the planning. There is no location on this particular home site for a replacement onsite septic system. We are asking for permission to receive a permit to cross the street, as long as we adhere to the conditions.

- Alderman Wysocki asked if this matter needed to go to council.

- Jeff Chase explained that it was within his authority to issue permits. These issues do not need additional authority necessary to grant the permit.

- Alderman Wysocki asked if the Alderman of the district is aware of this, and the

answer was "yes".

Alderman Wysocki moved to approve an issuance of a road crossing permit for the property located at 5645 S. Lochlevin under the particular terms and conditions noted by the City Engineer, Jeff Chase. Second by Mayor Gatzke.

- The Mayor's concerns were, if we anticipate in the future any replacement of utilities in the road and if so does, it create any conflicts?

- The City Engineer Jeff Chase said we do not anticipate anything eminent however, someday there may be additional utilities placed there. Our standard approach would require a condition on the permit that would require the owner of the property to adjust or modify any improvement in the public way should it be necessary. All specific conditions will be attached to the deed and the permit, as is our customary.

- Another concern that the Mayor had was that Mr. Mueller may transfer the property at some point.

- Jeff Chase stated that our standard permit language does apply to any heirs or successors.

- Attorney T. Michael Shober said that the property owner would be willing to sign a memorandum that would notify future purchasers of the existence of such conditions on the permit.

Upon voting, motion passes unanimously.

DEVELOPERS AGREEMENTS

ITEM 39-00 The Crossings (Gonzalez Propre)

ITEM 40-00 General Update

Presented by Division Engineer John Graber.

- Currently we are trying to reformat the Gonzalez property matter into our new standard, but is taking longer than anticipated and will bring it forward as soon as possible.

- Rausch/ May has been dropped, that was actioned at the last meeting.

- Jeff Chase wanted to note that the agreement under The Pines S-320, was approved by the board some time ago however, it was not approved by the City Attorney.

- Developers need to resolve some storm water management issues, and bring them back to the Engineering Dept. to revise the development agreement, and if there is any significant changes we will bring them to the Board of Public Works so that it can go to council. Also S-317 Preserve at Deer Creek, we are reviewing a cost share recommended by the developer for sanitary sewer, and have approved a development agreement.

- Alderman Wysocki wanted to know where they are in the process of working on the developers agreements to include the Storm water requirements of our newer standards.

- Under S-312 Waterbury Estates, reviewing revised plans. We are still working with the developer to finalize Engineering Plans and one of the conflicts relates to Storm Water management. We are attempting to apply our new ordinance standards, and our new model for detention ponds. We have given the developer direction on how to proceed to be in compliance with that model and the ordinance, and they are resisting.

- Alderman Wysocki appreciates the updates and would like to continue them as a regular item on the Agenda.

OLD BUSINESS

ITEM 28-00 Greenfield Avenue Culvert Pipe

Whistle/Sod Farm

City Engineer Jeff Chase brought forth

- The City of Brookfield is in the process of trying to obtain a permit from the state of Wisconsin to upsize a drainage culvert pipe under Greenfield Ave. west of Calhoun Rd. west of West Lane. The City of Brookfield has an area that is experiencing repeat flooding problems, and it is their intention to improve the drainage system through Brookfield to Greenfield Ave. They need to double the size of the existing culvert pipe to meet the standards that the State of Wisconsin would require for their facilities. The State will, if they haven't already, grant them the permit that they are requesting. The City has had conversations with Brookfield and the owner of Whistle/Sod Farm, and their attorney and real estate consultants. The culvert pipe discharges on the south side of Greenfield Avenue into Whistle/Sod Farm.

- Alderman Patzer had a question on if there would be more tests or studies before action would proceed, and before they were able to help out Mr. Whistle.

- Jeff Chase had only seen a letter from the attorney of Whistle/Sod Farm to the attorney of the City of Brookfield and there has been no response from that yet.

- Alderman Patzer thought the City of New Berlin requested to upsize a box culvert, under Greenfield Avenue near Moorland Road, that drains into Brookfield Hills golf course, and that request was denied. Is the Whistle/Sod Farm more amenable to flooding than the Golf course?

- Jeff Chase said, In the case of the box culvert on Greenfield Ave for Deer Creek, the State of Wisconsin is constructing it, and they do have policies regarding construction of drainage facilities. The policy is to maintain existing drainage patterns. The other policy they have is a design standard to size drainage facilities to provide a certain level of care. Also the State has indicated that any issuance of a permit to Brookfield would be contingent upon the City of Brookfield accepting liability or problems associated with the size of the culvert pipe. If the City of Brookfield should choose to wait, the State of Wisconsin could be replacing that culvert pipe in conjunction with upcoming reconstruction of Greenfield Ave. Jeff Chase stated that the Department

of Natural Resources were so far not involved in the culvert replacement.

- Alderman Wysocki thought that they must be getting the permit for some sort of Storm Water Management plan in the city, and does that come under the NR 216 like our Storm water management plan?

- Jeff Chase said that they are under a general permit too. but that rule does not require any particular permit to construct improvements.

- Alderman Wysocki shares Mayor Gatzke's concern if not frustration, where in one instance your doubling a situation. For the record, years ago when the Golf course was put in Brookfield, it was clearly understood that at times, it would serve as an alternative as somewhat of a storm management infrastructure.

- Alderman Patzer had a concern that we should not be harmed so that Brookfield can be benefited. There are two area's where the City of New Berlin is going to be looking for cooperation from the City of Brookfield. A request from the City of Brookfield to get water quickly over to the Golf Course, and the other is the Gatewood. Our storm water management plan, identifies that a component of helping resolve that would be 40 acre feet of storage in the City of Brookfield. Jeff Chase and I have been over to talk to them about that. The City of Brookfield should try to also help the City of New Berlin. And the City of Brookfield should not use the additional influence that they have from the State of Wisconsin, and that the City of Brookfield should not continue to ignore the problems that the City of New Berlin has.

Jeff Chase suggested to drop from the agenda, and Alderman Wysocki would like it to be included as a general update.

UPDATES

ITEM 35-00 Discussion on Storm Water Projects

(Requested by Alderman Wysocki)

- Alderman Wysocki the roll that the departments may play regarding the Storm Water management plan. First concern is resources. Part of the component that took time was the inventory that we did of City facilities, in terms of storm water. Drainage ditches and private culverts are going to be impacted by the plan. Another concern was in the Streets Dept., and how they would be able to help in terms of an aggressive program. Or how the budget will look for them next year.

- Mayor Gatzke the plan includes a priority list of projects that need to be completed. This board needs to look at that and agree or modify the projects. I feel that this plan is an outstanding document and took over 24 months to complete. The inventory of systems was done early on, and all the information is valuable

- Alderman Wysocki suggested that the storm water management committee, as a policy group, should answer the policy issues and make recommendations for the funding of the plan. I think it's important for us to establish that a stormwater Utility will play a significant part in the plan, and that the board recognizes this.

- Alderman Patzer would like to ask what staff we have on this.

· Jeff Chase shared that there are very significant projects that will be through the board of public works. We have formed another committee of the council, Storm Water Committee. That committee has already done some prioritizing. We have been moving projects forward through that committee. One of the options for financing storm water management activities is to create a separate storm water utility (We will be discussing that at the next meeting) it's possible that the existing water or waste water utility would be involved in managing or operating our new storm water utility. We need careful consideration on which committees or boards are going to have authority or jurisdiction over the implementation of our plans. At this point, I would not foresee a significant roll for the existing utility committee in operating our storm water utility. The BPW must be used for implementing public works projects, and our Storm Water Committee should be used for prioritizing and implementing our Storm Water Plan.

· Final comment by Alderman Wysocki on this was, in the future the BPW approving more in terms of policy what our Street dept are doing. There will be a significant workload in implementing the Storm water Projects. As it is now Utilities, is a separate entity in which it does not get City tax dollars, it operates on its Utility users. I want to make sure that we have an understanding of how this will work. Who gets the priorities in terms of the projects, how comfortable is our staff, and Street maintenance.

· Jeff Chase thinks a lot of clarity will come through the next phase of the Storm Water Management initiatives that is an implementation study. That's how we will understand what the specific operational activities will be that our stormwater utility will perform as well as what activities will be required for us to be in compliance with the new NR – 216 administrative rules and our new Permit conditions. That implementation study I think would go a long way to identify specific manpower needs, matching the level of effort required with the activities in the plan. How much money do they need, how many people do they need, and what type of equipment for operating.

Motion by Alderman Wysocki to adjourn, second by Jeff Chase.

Upon voting, motion passes unanimously.

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