

Minutes

NEW BERLIN UTILITY COMMITTEE Wednesday March 5, 2003

Members Present: Aldermen Gallagher, Harenda and Ament, Bob Dude (Citizen Member) and Ray Grzys (Director of Streets and Utilities)

Others Present: Larry Wilms (Engineer), J.P. Walker (Engineer), Attorney Mark Blum, Mayor Ted Wysocki, Jim Hart (Lead Operator Water) Mark Klawitter (Lead Operator Sewer), Steve Schultz of Rueckert Mielke

Alderman Gallagher called the meeting to order at 4:32 p.m.

- ITEM A-03 Approval of minutes for Feb 5

Motion by Mr. Dude to approve the minutes of the February 5th meeting. Second by Alderman Ament, and approved unanimously.

- ITEM 22-01B Construction Contract K-346 Lincoln Ave – 179th Street

Alderman Gallagher said that this item was brought back to the Utility from the Council because of const inconsistencies. Mr. Grzys reported that the staff contacted most of the people involved in the project and made reference to the opinion survey, as well as the policy for special assessment policy for Water and Sewer Systems, the City Engineer's report, and Ordinance 2078.

Lengthy comments regarding the different formulas that were looked at to see which provided the most equitable cost of assessments. Larry Wilms stated the he thought that the 80-10-10 formula was the most equitable, and that was based on frontage, square footage and property value. Mr. Dude asked what increase in property value could be seen after the service was installed and J.P. Walker answered that the City Assessor estimated a 5-10% increase in land value over time. Alderman Harenda expressed concern that some of the smaller businesses in that area may be forced out of business. Attorney Blum said that we could extend maximum payback times to help businesses plan and budget for this expense.

Motion by Alderman Gallagher to send this item back to Council the way it is. Second by Alderman Harenda and passed unanimously. The original motion from the January 8, 2003 meeting was to approve the award of Construction Contract K-346 for Lincoln Avenue – 179th Street Business Park Water and Sanitary Sewer Service to the lowest responsive, responsible bidder, Globe Contractors Inc., Pewaukee, WI., for \$1,086,128.27 for Project #K-346 and waive any irregularities, for a total project cost not to exceed \$1,319,800 from Water Utility A/C #343 and Sewer Utility A/C #343. Funded by Water impact fees A/C #252, Water RCA Fees, Sewer Impact Fees A/C #252 and Developer Contributions. Conditioned upon Council adoption of Final Special Assessment Levy Resolution for this project assessment district.

- ITEM 36-01 Buena Park Property Rehab And ITEM 01-03 City-Wide I & I Mitigation Program

Alderman Gallagher discussed Attorney Blum's letter and concerns that if the City pays for the Buena Park area residents to have their repairs done, we face the possibility of having to pay for the repairs citywide. Attorney Blum also advised that if the City does plan to repair those properties found to not be in compliance in this pilot study, that they put the funds as a grant, and not have the City do the work. The concern is that if the City does the bidding and contracts for the work to be done, the City may be liable for damage caused by the contractor or deficiencies in the work. It would be better to have the homeowner arrange for his own contractor and sign a waiver. Mr. Dude advised that perhaps the City could get a volume discount price if they contracted for a minimum amount of work and these contractors could be presented as preferred. Attorney Blum advised against this for liability reasons.

There was a lengthy discussion about amnesty to Buena Park residents who allowed inspectors inside. Mr. Wilms stated that the amnesty would be that there would be no prosecution of an illegal hookup, and that a grant program or loan program would be available. Mr. Wilms stated that 177 homes built prior to 1954 when the code took affect, were in violation in Buena Park and that there were approximately 1800 homes citywide that were built prior to 1954.

Alderman Gallagher and Mr. Dude both made comments about the residents after 1954 who are non-conforming and that the current Utility customer shouldn't have to pay for those people who didn't hook up correctly. A point of sale program

was discussed that would require an inspection at the sale of a home. Those homes not in compliance must be corrected or money put into an escrow account with a time limit given for repairs.

Discussion was made about bringing the 1800 homes in the City built prior to 1954 up to compliance with code. Mr. Grzys stated that the pilot program in Buena Park was created to establish costs for laterals, sump pump and downspout repairs in Buena Park. Attorney Blum agreed that the pilot study was done to identify the problem and costs to repair. Alderman Gallagher proposed that in the Buena Park area that the City offer zero interest loans to repair sewer laterals and pre-1954 non-conforming hookups. Rain spouts and sump pumps would have to be repaired at the homeowner's expense and within 6 months time. He advised that the Committee would need to check with Mike Holzinger about how much funding is available. Regarding those homes in the rest of the city that are non-compliant, there should be a point of sale requirement. Larry Wilms stated that this information could be put in a quarterly newsletter and advertised. He advised that this item be brought back to the next meeting.

No action taken on Item 36-01 and Item 01-03 at this time and it was tabled until the next meeting.