

Minutes
Water Resource Management Utility Meeting
(Formerly Stormwater Utility)
November 10, 2009

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), Alderman Ted Wysocki, and Sue Hanley (Administrative Supervisor Utilities & Streets)

Meeting called to order at 4:47 pm by Alderman Harenda. Roll call and declared a quorum with all members present.

Call meeting to order and Roll Call

Declaration of quorum and public notice

OLD BUSINESS

SW 01-09 Approval of Minutes – October 13th meeting

Motion by Alderman Hopkins to approve the minutes from the October 13th meeting. Seconded by Commissioner Kern and upon voting the motion passed unanimously.

SW 13-09 Approval of 2010 Operating Budget for Water Resource Management Utility

Harenda: We originally received the budget at the last meeting with updated numbers from Nicole and the cash flow projections.

Moore: Could you compare the to-do list at the beginning of 2009 to the to-do list at this time?

Hewitt: We added items to the drainage list and did some projects and we probably got a little ahead, but numbers are about the same. There has been research on some of the problems and had to go back to the drawing board on some items.

Moore: If you are staying the same and you have a to-do list 3-4 years long, what is your plan to decrease it?

Hewitt: We have an extra \$100,000 in the 2010 budget to contract out drainage projects such as we did this year. If we didn't do it this year, we would have been really behind because of the added projects. Hopefully next year we won't have any big storms so that we can get ahead.

Moore: Isn't it cheaper to hire another employee to work on the list?

Hewitt: The \$100,000 is using up some of the surplus. I wouldn't say it is cheaper.

Moore: I thought you said the surplus was paying off the debt?

Hewitt: It is, but by taking the \$100,000 that wasn't previously in the budgeted year that decreases how much is in the surplus to pay off the debt services.

Moore: I want to make sure the list decreases in the future.

Hewitt: That is the plan.

Chiovaturo: This year we spent \$70,000 this year on an outside contractor to catch up on some of the ditching. Are our crews able to start cutting the list down? I know we had a delay from the floods in June.

Schwalbach: Our crews handled the new projects that came in because of the storms. Probably what we contracted out did get us ahead and what our guys did kept us level because we had a lot of new projects come in because of the storms.

Harenda: We are putting money aside to bid out some of the work on top of what our internal crews are doing. The June floods pushed everything back. As some of the money is freed up within our CIP budget we will put some money aside to completely get caught up with the drainage list. Our debt service is going down and that will be taken care of by 2012, but some of the bigger projects will be targeted for that funding. Hopefully we can use some of the extra funds to take care of the drainage list which was never a planned activity when the Utility was set up. I will be meeting with staff, Alderman Hopkins and hopefully the mayor later this month to propose something at our next meeting. If there is potential funding using the CIP budget format to target some of these projects to get us caught up with the backlog. Over the last couple of years we were instructed that the majority of the additional funds that we have are to go to debt service and it will not be freed up until 2012. Finance is looking at that with staff to see if there is a possibility of tapping into some funds without putting the utility at risk.

Hopkins: I think if we go back a couple of years we would probably be caught up if we didn't have the two years of floods that set us back and added new projects.

Harenda: As you look at the cash flow projections, there has been a surplus each year but it has been decreasing each year, but we have been trying to maintain the operating budget without increasing the stormwater rates. A lot of the burden is the additional flooding in the community which we are trying to attack and the drainage list was never something that was discussed when the utility was set up. Staff has put in process over the years to rank these projects and work through them. More people are now aware of the service and take advantage of them so the list has been getting longer. The additional FEMA money that we received last year for the flood was used to work on some of the drainage list projects that would have been targeted by Street's crews and the same thing will be done next year.

Moore: I am concerned that there will always be floods and I note that the surplus on the average is decreasing every year and on page 5 under departmental weaknesses, inadequate funding is a concern. We are 3-4 years behind and we need work on decreasing the drainage list on a significant basis.

Harenda: We will be having some internal discussions and hopefully will bring something to the Committee at the next meeting to do something more than we already projected.

Motion by Alderman Hopkins to recommend to Council the approval of the 2010 Water Resource Management Utility Operating budget in the amount of \$1,434,631. Seconded by Alderman Moore and upon voting the motion passed unanimously.

SW 14-09 Approval of 2010 CIP Budget for Water Resource Management Utility

Harenda: Please leave this on the agenda. I will be meeting with staff to discuss this item and will update you.

SW 07-09 Stormwater Management Plan Update – Map and Corresponding Database of Flooding and Drainage Issues

Hewitt: This is a map to be added to the plan that we handed out previously and the regional drainage and local flooding drainage projects are current issues that could possibly be CIP projects. This is tied into the previous 5 year plan's priority ranking system and we took each of the projects and applied the rankings based on funds, impact, etc. This includes projects from the 2000 SWMMMP that have not been taken care of as well as new projects. The names 00 are from the original SWMMMP and the 09 are new projects.

Harenda: Do you have a cost estimate for these projects?

Hewitt: I am currently working on that.

Hopkins: What order are they in?

Hewitt: By watershed and then by the name.

Hopkins: What about by importance?

Hewitt: The projects are listed by priority ranking that was established several years ago. There was a list back in 2004 that had it based on cost, coordination, regulation, amount of residents impacted and I can provide that to you by email.

Hopkins: That would be helpful.

Harenda: Are we getting any more additional information regarding the update of the Master Plan?

Hewitt: They will incorporate several changes including this map and this table into their report and it will be finalized. Moving forward we will have our recommendations for 5 years and that is what we will be discussing. By the next meeting I should have the final document and will send them out as soon as I get them. Please review the information that I have provided and look at what your priorities are.

Harenda: They will give us the updated information and I assume this committee will review it and make our recommendation to Council for the SWMMP update and then we will formalize this going forward. Is it possible to get an executive summary showing the difference?

Hewitt: We are not changing anything. We are updating the regulations not included and adding things.

Harenda: These things are necessary because the DNR changed the regulation. These are the list of the new projects since the last update. These are some of the concerns we are dealing with now.

Hewitt: We are not amending the original plan, it is an addendum. We are adding things to the plan. I can give you the 09 projects separately and give you the new regulations. That is what the 5 year plan is going to do. It will give the history of the utility, what has been completed, what are the new projects, what was not in the original plan. I have currently gone back to 1985 to review the CIP drainage projects.

Harenda: That would show where we have been, where we are and where we are going.

Hewitt: This addendum is needed to approve the SWMMP to get it to current regulations, funding and projects. This is a constantly changing document and we will bring it back to the Committee in December when we receive all of the information from the consultant.

NEW BUSINESS

SW 20-09 Discussion on Tess Corners Pond Feasibility

Hewitt: As part of the Comp Plan process we had HNTB our consultant look into the RD-1 project that was part of our original SWMMP. Originally it was a joint project with the City of Muskego. We looked at the benefits to the City toward our 2013 TSS goal which is 40%. As part of the regulation the only projects or developments that you can take credits for removing the TSS are developments in place and constructed prior to October 2004. HNTB analyzed that and we would receive 2.3% that we could apply to the goal, but for the price tag that the project had, I did not feel it was a feasible project to take on. I talked with Muskego and they do not have any plans to construct this since they only have 3-4 homes still affected by flooding and rather than do the project they would buy out the homes if they moved forward.

Harenda: When this all fell apart a few years ago, it was more of a benefit to Muskego. I assume at the time that staff or DNR or consultants were aware that we wouldn't get credit for a quality issue from this?

Hewitt: Back then there was grant funding involved and the cost share, so the price tag was less, so it made it more feasible as far as what benefits we would receive. This cost includes property acquisition, but does not include any grants or cost share.

Harenda: This is one of the things we want to adjust with the addendum to the SWMMP. I would prefer to wait on taking formal action on this until the Comp Plan is adopted because that incorporates potential development in Section 35 and you are correct, it would not be practical unless the City of Muskego got onboard. They are aware that if we do not do this and the land is developed in the surrounding area that it won't happen.

Hewitt: I was asked by Dave Simpson the Muskego City Engineer to send the Committee and Council ruling for his records.

Harenda: Can we get their ruling first? I asked because there were some things said in the past and New Berlin was put in a dim light when we should not have been. I don't want the City of Muskego saying that we weren't being cooperative. Maybe Jack could talk to their Mayor. I don't want it to come back at a later date.

Chiovatero: I talked to Mayor Johnson a few years ago on this issue. I would like both municipalities to agree that this project is not going forward and in the future because of development of section 35 we will handle our own stormwater but we will not be doing anything to help them. It sounds like it will be cheaper for them to buy out 4-5 homes. If you can get that in writing, that would put it to bed.

Harenda: We need something in our records from the Mayor or Council. I would like some formal communication.

Hewitt: He knew there wasn't anything in their plans to construct this. That is why he wasn't looking for a formal action, he was just going to take the approval and put it in the file. I will contact Muskego and get something from the Mayor or Council.

Kern: Were there any other benefits for New Berlin besides the reduction of TSS?

Hewitt: It would be a regional facility but we would be controlling the TSS from future developments also and I believe the intent that all of those developments would contribute to that project.

Harenda: Wouldn't it also benefit the school across the street, they could have removed the stormwater ponds? Can any future development in section 35 alleviate the need for the ponds on school property? I know they fenced in the area, but it was a concern for the kids.

Hewitt: It would all depend on what was going in and where the facility would be.

Kern: The pond was never intended to help future development?

Hewitt: That was the plan behind it. It would create a wetland area and a park area and take the run-off from future development in the area and treat it.

Harenda: The benefit to section 35 if you put this regional facility in is that you wouldn't have the bomb crater affect of different parcels developing and dealing with their stormwater issues. All of the developments would feed into this and I assume the developers would have a cost share.

Hewitt: It never went to that point. Any future development would have to manage their stormwater issues as part of the project or they could all collect to do it. It is designed already.

Moore: Is a dam associated?

Hewitt: No. When the river would rise up, it would be able to overflow into the area and provide extra flood storage. The land is farm field and floodplain. It would become a wetland.

Harenda: It would be very shallow. Some of the developers thought we would be putting a lake in there with property around it but that was not the intent or design. It was a wetland, low lying area.

Moore: Is the land still being farmed?

Hewitt: Yes. It is not a wetland right now. It is a floodplain

Moore: If it were a wetland instead of agricultural there would be less dirt runoff because the dirt would be stabilized.

Hewitt: If you have thicker crops on there, it would be less loose soil.

Moore: It is too bad we aren't doing the wetland but I understand the cost. When you communicate with Muskego, can you tell them if they wanted to do something we may be interested?

Hewitt: If they wanted to do something and we could get the cost share back in affect and we could apply for grant funding it might make it a feasible project.

Harenda: If we got into the project again they would probably be asked for increased cost share since we wouldn't benefit from this. I just want to have them communicate back to us that they don't say we didn't communicate.

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

Hewitt: There is flooding issue on Honey Lane and the railroad at Elm Grove Road and the communications with the railroad. They are waiting to start work until fiber optic cables are moved, which they currently are doing now. Every 2 weeks I email them and I wanted to let you be aware of this.

Hopkins: It is good the work has started because there are significant flooding issues around the area and a lot is coming off the railroad property.

Hewitt: I would like to coordinate with them but so far they haven't let me know what they are doing.

Hopkins: The danger is if they go in there and bulldoze their way through, they could add to the flooding problem. That is the correspondence between the City and the railroad and so far they aren't communicating.

Harenda: Do we have jurisdiction over them in the right of way or does the DNR?

Hewitt: I don't know if anyone has.

Hopkins: The only way we can get them to move is to have Representative Gundrum, Mary Lazich or the Mayor to send them a letter.

Chiovatero: That is why Nicole wants to get a handle on what they are doing. We have had some good discussion with local people, but no strong commitment.

Hewitt: But there is no plan.

Harenda: If you need any assistance from us or the Mayor or state government, let me know.

Motion to adjourn at 5:30 p.m. by Commissioner Kern. Seconded by Alderman Moore 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*