

**Minutes
Storm water Committee Meeting
New Berlin City Hall
3805 S. Casper Drive
Council Chambers
March 9, 2004**

Please note: Minutes are unofficial until approved by the Stormwater Committee at their next regularly scheduled meeting.

Present: Alderman Bullerman, Mayor Wysocki & City Engineer J.P. Walker, Alderman Gallagher
Alderman Wilkens (arrived at 4:48 pm)

Others Present: Eric Nitschke (Division Engineer), Cathy Schwalbach (Storm Water Engineer),
Ray Grzys (Director of Utilities and Streets), Chuck Trevorow (Stormwater Supervisor)

Meeting called to order at 4:45 pm by Alderman Bullerman and a quorum was declared

Item SW 01-04 Approval of the February 10, 2004 minutes

Motion by Mayor Wysocki to approve the February 10, 2004 minutes. Second by JP Walker, and upon voting, the motion passed 3-0 with Alderman Gallagher abstaining since he did not attend the meeting.

Item SW 05-04 Award of Construction Contract for Buena Park Drainage Improvements

Eric Nitschke read the requested action to award the construction contract for Buena Park Drainage Improvements. He noted that in the original packet, the following amounts were not listed properly, they should read:

| | |
|-----------------------------------|----------------|
| Construction | \$1,178,620.16 |
| Contingency (10%) | \$ 118,000.00 |
| Legal & Administrative (1.2%) | \$ 14,150.00 |
| Contracted Services (approx 8.5%) | \$ 100,000.00 |
| Total cost | \$1,410,770.16 |

Mr. Nitschke stated that the amount approved to the contractor would be \$1,178,620.16 and that the total amount approved for the project (as shown in the handouts) would be \$1,410,770.16

Mr. Nitschke stated that there are two CIP Account numbers in the source of funds, one from the 2003 budget and the other from the 2004 budget. Funds will be taken from the 2003 budget first, then when depleted they will be taken from the 2004 CIP Account number. A total of \$2,100,000.00 is available.

Motion by JP Walker to recommend to the Common Council the awarding of the Contract for the construction of the Buena Park Subdivision Storm Drainage Improvements to the lowest responsive, responsible Bidder, Capitol Pavers, Inc. in the amount of \$1,178,620.16. Second by Alderman Gallagher, and upon voting the motion passed unanimously.

Item SW 06-04 Approval of WPDES Permit Storm Sewer Mapping & Discharge Screening

Eric Nitschke read the requested action for the Storm Water Committee to formally approve the professional services contract with R.A. Smith and HNTB Corp to conduct field screening of outfalls and map City storm sewer conveyance systems in G.I.S. Mr. Nitschke said the rationale included with this request is New Berlin's WPDES (Wisconsin Pollutant Discharge Elimination System) Permit. The City is required to complete initial field screening of outfalls by December 31, 2005. The City is also required to complete storm sewer system mapping by December 31, 2006. Discharge screening and storm sewer mapping are best completed simultaneously due to their reliance on each other. In the original budget cycle for the Storm Water Utility, an amount of \$30,000 was anticipated in 2004 to be spent on NR-216 permit requirements.

This is the start of fulfilling the City's storm water discharger permit mapping and outfall screening requirements.

Mr. Nitschke said the financial impact in 2004 will be \$21,700.00. Alderman Wilkens asked what an outfall is? Mr. Nitschke responded that is the discharge point into water of the state. He added that the original set of maps was prepared by CDM for the City, but there were some holes in the mapping, in addition to new development and facilities, as well as errors and omissions.

JP Walker asked Mr. Nitschke to discuss the selection process. Mr. Nitschke said that R.A. Smith completed the sanitary mapping in the GIS system at the City and that David Haines, the Planning Services Manager was very pleased with the work completed. Mr. Nitschke added that some work has already been started on the storm sewers and R.A. Smith has proven the quality of their work and is familiar with our system.

JP Walker asked Mr. Nitschke to expand about HNTB. Mr. Nitschke explained that he is familiar with HNTB and had worked there previously. Mr. Nitschke stated the engineers that would be working on this project from HNTB and RA Smith were highly qualified. From Mr. Nitschke's experience he had an inside track to the required work effort needed to complete this project, but it in no way affected his decision one way or the other. The true benefit, and reason for choosing RA Smith and HNTB, is three fold. RA Smith already has experience doing New Berlin Mapping, HNTB already has vast experience doing illicit discharge screening, and HNTB will be back-checking the mapping work with their own in-house GIS group. Mr. Nitschke stated that this was an opportunity to get quality work from experienced consultants. He added that these consultants are a good pair and that this mapping is required by law. Mr. Nitschke elaborated that this will provide the Street crews with information, almost like a phone book, on the storm sewer system, that can be pulled up on a laptop computer out in the field. Alderman Bullerman expressed concern about layoffs at HNTB and said he did not have a high comfort level based on experience, but Mr. Nitschke said that the Stormwater division is actually adding employees. Mayor Wysocki said that the original project from CDM was a global scoping of issues based on meeting the requirements of NR-216. He added that by approving this contract, the City will be meeting NR-216 permit requirements and will be, "dotting our I's and crossing our t's by adding the details and mapping necessary." Mayor Wysocki said that Mr. Nitschke indicated that he had worked with HNTB He questioned him that it has in no way shape or matter formed your opinion in relative to them getting any preferential treatment, but actually it is because you feel comfortable in that the recent partnership between these two firms will be beneficial to us in this particular project. Mr. Nitschke answered yes.

Motion by JP Walker to request the Storm Water Committee to formally approve the professional services contract with R.A. Smith and HNTB Corp. to conduct field screening of outfalls and map City storm sewer conveyance systems in G.I.S. Second by Mayor Wysocki, and upon voting the motion passed 4 to 1 with Alderman Bullerman opposed.

Item SW 07-04 Reallocation of DNR Grant Funding into Project Accounts for Calhoun Creek Streambank Stabilization Project & Buena Park Drainage Improvement Project

Eric Nitschke read the requested action to approve the reallocation of DNR grant funding for Calhoun Creek Streambank Stabilization and Buena Park Drainage Improvement Project. There will be 3 account numbers set of for this. He stated that staff is trying to work with the Finance Department and all of the nuances of funds for projects, including borrowing money, loans, etc. Mr. Nitschke said that he has been working with Ralph Chipman about the DNR grant funding which, in the past was send in for reimbursement after a project is started, then when received goes into a General Fund. They are working on bringing in the grant money prior to starting the project and set the funding up that way, instead of being behind the 8 ball. Eric Nitschke said that Calhoun Creek project was a good example. There was \$122,000 in the original budget, the cost is now sitting at \$150,000, and grant funding of \$88,000 was not put into the project, but went into the General Fund.

Mayor Wysocki stated that this is a better method of tracking and allocation and will make it cleaner with a more direct fiscal accounting of the project.

Motion by Mayor Wysocki to request Common Council to approve reallocation of DNR grant funding into

project accounts for the Calhoun Creek Streambank Stabilization Project and Buena Park Drainage Improvement Project. Second by Alderman Bullerman, and upon voting the motion passed unanimously.

Item SW 08-04 Determination of Stormwater CIP Project Budget Account Procedures

Eric Nitschke stated the request for the Stormwater Committee to formally decide on an accounting procedure for DNR Grant Funding. Alderman Wilkens asked that with this procedure when grant money comes in it will go directly into the project? Mr. Nitschke responded yes. Alderman Wilkens added that there was a problem a few years ago with some creative bookkeeping where money went from one project to another. Alderman Wilkens asked how it is a benefit if we don't just transfer funds as needed from the General Fund? Mayor Wysocki stated that this allows for the Finance Department to review what percentage of the project is completed, help identify grant money with the project, and make sure that the project is on track.

Eric Nitschke stated that originally in the budget cycle there was a lump sum and this went to the projects, but they were getting DNR grant money after the projects started. Mike Holzinger, Finance Director has to borrow money to get project funding, but if we have grant money prior to the project starting, we know what funding we have, and what we need to borrow. He stated that he is working closely with Mr. Holzinger regarding project completion dates, and making sure that the projects are on track.

JP Walker said that we used to have to set up a revenue account and an expense account and bring the issue before the committee. He asked if setting a procedure by this issue paper was needed? Director Grzys stated that grants must be used for specific projects. Money will be put into updated budgets accounts for revenue and expenditures. If money is left over, we have to come to the committee to see if we can move that funding to another project. Alderman Gallagher said that he was not sure what they were voting on and would like a procedure written up. Alderman Wilkens and the other committee members agreed that Mr. Nitschke should bring a procedure back to vote on.

Motion by Alderman Wilkens to table to request for the Stormwater Committee to formally decide on an accounting procedure for DNR Grant Funding. Second by Alderman Gallagher, and upon voting the motion passed unanimously.

Item SW 25-03 Communication from Marquette Drive Residents

Motion by Mayor Wysocki to remove this item from the table for discussion only. Second by Alderman Wilkens and upon voting the motion passed unanimously.

Alderman Bullerman stated that there are no representatives from Marquette Drive to talk about this issue. Eric Nitschke stated that Cathy Schwalbach researched back to 1992 to past policies and history, and the only formal policy that was voted on was in 1998 by the Board of Public Works. There was an interim maintenance policy on the maintenance of existing inverts BPW 30-98. No research showed that the City would pay for concrete invert. Cathy Schwalbach said that there was no history of commitment to Marquette Drive residents by the City to pay for their concrete inverts.

Mr. Nitschke added that he would like to clarify a statement made in the previous meeting. When he had asked Mary Joas about the location of her sump pump, she stated that it had never been moved. Mr. Nitschke stated that what he meant, however, was if her sump pump discharge point had been moved and not her sump crock. Mr. Nitschke stated that the previous neighbor downstream had said that the sump pump discharge point had been moved closer to his lot line. Mr. Nitschke stated that he had learned this talking with Don Ullman, the Street Supervisor, who said that he had been told that this discharge line was moved by the previous downstream neighbor to Mary Joas.

Alderman Bullerman asked if Mary Joas and the other residents knew that the Stormwater Committee was meeting tonite? Eric Nitschke stated that the meeting was properly posted and noticed, and there were a lot of previous letters about this issue, but not a letter specifically telling residents about this meeting.

Cathy Schwalbach said in the previous meeting there were two directives from the Mayor: to do some

research and put the findings in writing. They have not written a letter to residents at this point, but wanted to first bring the information to the committee. Alderman Bullerman asked that this item be kept on the agenda one more time, and to communicate with the residents on Marquette Drive and tell them about the next meeting. Eric Nitschke said that Cathy Schwalbach has had phone conversation with Ms. Joas about the Board of Public Works findings since the last meeting. Alderman Bullerman restated to keep this item on the agenda, give them a fair shot, and if they do not attend the next meeting, to take the item off the table. He thanked the staff for the hard work and time that they have put into this issue.

Motion by Mayor Wysocki to table Item 25-03 on Marquette Drive. Second by Alderman Wilkens and upon voting the motion passed unanimously.

Eric Nitschke said the staff requests that the rest of the items under Old Business be left on the table.

Motion by Mayor Wysocki to adjourn at 5:29 pm. Second by JP Walker, and upon voting the motion passed unanimously.