

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

September 2, 2014
Village Hall Board Room

CALL: Chm. Kaminski called the meeting to order at 5:00 p.m.

ROLL CALL: Chm. Kaminski, Trustee Members Zabel, Vanderheiden (absent & excused), and Warren. Also present were Dir. Ludwig, Engr. Bischke, Fire Chief Weiss, and Secretary Wick.

PREVIOUS MINUTES:

MOTION made by Zabel, seconded by Warren to approve the Minutes of August 5, 2014.

Motion carried unanimously.

PUBLIC COMMENT: None

MOTION made by Zabel, seconded by Warren to defer discussion on Item “A” under New Business of the Public Works and Highway Committee Meeting Agenda until later in the meeting.

Motion carried unanimously.

MOTION made by Zabel, seconded by Warren to move to Item “F” under New Business of the Public Works and Highway Committee Meeting Agenda.

Motion carried unanimously.

PRIVATE OR PUBLIC HYDRANT – HILLSIDE VIEW, W140 N10565-95 FOND DU LAC AVENUE: Engr. Bischke stated as part of the Plan Review process, the Fire Chief required an internal hydrant within the development. Historically, the Water Utility preferred those internal hydrants be publicly owned and maintained with the required public easement. Past Committee discussion preferred the internal hydrants be privately owned and maintained. There was concern that privately owned hydrants may not be properly maintained therefore a Private Maintenance Agreement was required and recorded with the County. Discussion followed with Dir. Ludwig giving a brief history on private hydrants on industrial properties and was unaware of private hydrants for residential properties. Even though backflow prevention was provided for private hydrants, it would be difficult to keep control over maintenance, etc. Chief Weiss stated from a fire protection standpoint he would prefer the hydrants be public as they would know the hydrant was properly maintained and ISO Ratings do not give private hydrants as much credit as a public hydrants.

Scott Bence, JBJ Development, preferred the hydrants in his development be publically owned which would be consistent with his other developments in Germantown and surrounding communities.

Trustee Zabel stated the main reason we got away from public hydrants was basically cost. It was still his preference that hydrants be private especially for commercial and industrial and public for residential developments.

MOTION made by Zabel, seconded by Kaminski recommending a public feed to the hydrant with the valves and laterals being private at the Hillside View Apartment project located at W140 N10565-95 Fond du Lac Avenue.

Motion carried unanimously.

RECONSIDERATION OF A UTILITY CREDIT – N114 W15928 SYLVAN CIRCLE:

Due to faulty notification to the owner of the August 5th Agenda topic, the Chairman allowed reconsideration of a utility credit. Dir. Ludwig gave a brief explanation of the excess water usage noticed by the building owner during the second quarter of 2014. Staff inspected the building location only to find a faucet turned wide open with the hose draining directly into the floor drain. The over average water use was calculated at 910,000 gallons which amounted to \$7,684.95 in fees. Dir. Ludwig further explained when it is known that the water went through the meter, credits were normally not given. Options would be considered on the sanitary portion of the of the MMSD invoice when it had been verified the water did not enter the sanitary sewer. In this case, the water did go directly to the sanitary sewer. Mr. Roth indicated to the Director of Public Works that Fire Department personnel inspected the building and were allowed to enter a locked room during their building inspection and possibly turned the water valve on.

Mr. Roth, Building Owner, explained a washer pipe burst back in March, 2014. The off-site Property Manager had arrived to extensive water damage and to repair the water pump. Due to the extensive damage, the building alarms required the Fire Department to respond in which all areas of the building were searched. A water main was turned off in a restricted area of the building. As the faucet had never been turned on by building management, it was believed the water main was turned on by either the Fire Department or Building Inspector. It went unnoticed until the utility bill was received. As his bills were normally \$2,500 and the second quarter billing topped \$10,137(+), Mr. Roth looked to the Committee for some type of reduction as he believed the overage was due to the unusual incident in March.

Fire Chief Weiss explained his department responded to a call that an alarm was sounding at the Sylvan Circle location. Two inspections by the Fire Department March 26, 2014 and July 11, 2014 found the fire alarm system was still out of service due to the water pipe failure. The Fire Department Inspector stated he did not turn on any valves as there was no reason for him to do so as the Sylvan Circle address did not have a sprinkler system. The Fire Inspection Report summary was read to the Committee which requested the Building Inspector conduct a follow-up inspection. Chief Weiss did not know if the building inspection took place as he did not have a report from the Building Inspector. Discussion included:

- Building Inspector completed a site visit in all areas of the building;
- Jerry Bauman, Off-site property manager recalled numerous Fire Dept. personnel in the building; Many valves are located on the lower level in which all were closed;

- Possibility the valves were turned on after the Fire/Bldg. Inspectors investigation;
- The hose connection was inserted into the floor drain and therefore would have been difficult to hear running water;
- How do you identify who turned the water on?
- MMSD bases their charges on the water that enters the sanitary sewer system and therefore treated;
- Request Building Inspector to appear at the next Public Works meeting to present his report on the building inspection;
- Mr. Roth believed no one would admit responsibility for turning the water valve on and didn't believe it would resolve the situation; The only people who had access to the secured rooms were the on-site and off-site property managers, Fire Dept. personnel, and Building Inspector; The valve was turned on during the investigation of the incident;
- A review of prior quarter usage and current quarter usage should be reviewed to determine if the water was going through the sanitary sewer system a lot longer than known;
- Utility billing history had shown consistent usage for nine quarters since 2011;
- Chm. Kaminski agreed no one may admit to turning on the valve. Do we ask the entire Village to pay for the water that went down into the sanitary sewer system on behalf of Mr. Roth's apartment complex? It would not be fair and there had to be some way to balance it out. Chm. Kaminski was willing to address the topic at the next Public Works meeting in order to review the Building Inspector's report;
- Mr. Roth was not asking for the Village to pay the entire difference just a compromise. Possibly splitting the difference on the bill. Something happened and from his standpoint the only person with access would have no reason to turn the faucet on. He believed the faucet was turned on during the incident's investigation.

MOTION made by Zabel, seconded by Warren to deny the request for a reduction in the second quarter 2014 sewer and water invoice for Mike and Sandra Roth at N114 W15928 Sylvan Circle.

Motion carried 2 – 1 (Kaminski)

ACCEPTANCE OF IMPROVEMENTS – 2013 SEALCOAT PROGRAM:

MOTION made by Warren, seconded by Zabel to accept the 2013 Sealcoat Program improvements.

Motion carried unanimously.

RELEASE OF RETAINER – 2013 SEALCOAT PROGRAM:

MOTION made by Zabel, seconded by Kaminski authorizing the release the retainer in the amount of \$3,066.97 to Scott Construction for work performed on the 2013 Sealcoat Program.

Motion carried unanimously.

RECOMMENDATION TO ACCEPT EASEMENTS FOR WATERMAIN –

CARRIAGE HILLS APARTMENTS: Dir. Ludwig reported the apartment complex had experienced clean water problems with their well water. The solution was to connect to Village water at Williams Drive and extend the main to Park Avenue where a lateral would service their parcel. The Developer's Agreement had already been approved by the Committee. The main would extend through Germantown Joint School No. 1 and Village National Little League which therefore required easements which had been reviewed and approved by the Village's Attorney.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to accept the easement documents from Germantown Joint School No. 1 and Village National Little League as needed for a water main extension at the Carriage Hills Apartments located at W162 N11811 Park Avenue.

Motion carried unanimously.

RECOMMENDATION TO ACCEPT AGREEMENT FOR PURCHASE OF LAND –
WDOT FOND DU LAC AVENUE/DONGES BAY ROAD ROUNDABOUT:

Dir. Ludwig electronically provided the Committee three appraisals for property and damages to the Village of Germantown for the roundabout located on FDL Avenue and Donges Bay Road. The Village had the option to have the parcels re-appraised within 60 days by a qualified appraiser selected by the Village and paid by the WDOT. Those appraisals can then be used during negotiations with the WDOT. Due to possible land calculation errors shown on the appraisals, Committee discussion requested re-appraisals of Parcels #10 and #11.

MOTION made by Warren, seconded by Kaminski requesting staff acquire an Appraiser on the Village's behalf for Parcels #10 & #11 prior to acceptance of the land purchase agreements by the WDOT for the roundabout project at Fond du Lac Avenue and Donges Bay Road.

Motion carried unanimously.

REDUCE SCOPE OF DONGES BAY ROAD STP-M CONTRACT WITH WDOT & R.A.

SMITH NATIONAL: Engr. Bischke provided a copy of a contract amendment to reduce the scope of the Donges Bay Road STP-M contract with WDOT & R.A. Smith National. The agreement between R.A. Smith National and the WDOT's Management Consultant DAAR Engineering expended \$245,898.14 which was 55.3% of the contract value. DAAR Engineering requested closing out the contract and therefore the Amendment was prepared to extract all of the remaining tasks that had not been completed. Once the amendment to the contract was executed by the Village, it will be forwarded to the WDOT for review. Engr. Bischke reminded the Committee that the Village had entered into a contract for the local design that was approved by the Village Board July 21, 2014.

MOTION made by Warren, seconded by Zabel to forward to the Village Board with a positive recommendation to authorize and execute contract amendment #1 reducing the scope of the Donges Bay Road STP-M Contract with WDOT and R.A. Smith National.

Trustee Zabel confirmed with staff that once the contract amendment was approved by the WDOT, the WDOT would cover the costs and then invoice the Village for repayment over the 10 year period without interest from the date the contract was signed. Engr. Bischke concurred and noted the Village was two years into the existing contract with eight years remaining.

Motion carried unanimously.

AUTHORIZATION TO FILL THE CIVIL ENGINEER POSITION – ENGINEERING OFFICE: Dir. Ludwig requested authorization to fill a vacancy upon the resignation of the Village's Civil Engineer effective September 12, 2014. Engr. Bischke performed an exit interview with salary and travel as the reason for leaving. Various methods would be used for posting the position.

MOTION made by Zabel, seconded by Warren authorizing staff to fill the Civil Engineer position within the Engineering Department.

Motion carried unanimously.

Staff was advised to review Village Code to determine if authorization was also needed by the Village Board.

ANNOUNCEMENTS: There will be a SPECIAL Public Works Committee Meeting on Tuesday, September 9, 2014 at 5:30 p.m. to discuss the adoption of various local roads into Years 2015 and 2016 Local Road Improvement Projects.

The regular Public Works Committee Meeting will be held Tuesday, October 7, 2014 at 5:00 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:40 p.m.



Janice Wick, Recording Secretary