

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

March 3, 2015
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, and Warren. Also present were Dir. Ludwig, Engr. Bischke, and Secretary Wick.

PREVIOUS MINUTES:

MOTION made by Warren, seconded by Vanderheiden to approve the Minutes of February, 2015.

Motion carried unanimously.

PUBLIC COMMENT: None

CONSIDERATION OF 2015 SEALCOAT PROJECTS: Supt. Olszewski provided the Committee with a list of potential locations, listing the sealcoat options for each road surface, and explaining the difference for each type of application. It was noted that a boiler slag application would NOT be used. Affected homeowners would be notified prior to work being done.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to approve the 2015 Seal coat projects as presented by staff.

Engr. Bischke noted with the approval process the earliest a contract could be implemented would be June. Supt. Olszewski added the earlier a contract was implemented, there was potential for better pricing.

MOTION made by Zabel, seconded by Warren to *amend* the Motion authorizing staff to prepare a Type II Notice for the Sealcoat projects to be published on March 12, 2015 for Bid Award approval at the April 7th Public Works Committee meeting.

Motion as amended carried unanimously.

Original Motion carried unanimously.

RESIDENT REQUEST FOR SIDEWALK FRONTING BP, BMO HARRIS & COLUMBIA ST. MARY'S PROPERTIES: Engr. Bischke researched a resident's written safety concern with the absence of sidewalk on the south side of Mequon Road east of Pilgrim Road fronting BP, BMO Harris Bank, and Columbia St. Mary's properties. It was found as part of the WDOT's road improvement plans, the 60%-complete drawings presented a new sidewalk along those properties however, the WDOT had postponed the project until Year 2029. The Village's 2015 budget did not include funds for the sidewalk so it was suggested funds could be collected by a special assessment or cost share of subject properties. Based on a neighboring property sidewalk installation costs, estimated costs for the three subject properties totaled \$36,450.00.

Judy Walz, W158 N11139 Legend Avenue, noted that all of the curbs cutouts for the driveways were in place for the three properties along Mequon Road. Her concern was at Pilgrim and Mequon when vehicles made a right hand turn heading east bound, they were not paying attention. No matter how careful you are as a pedestrian, the vehicle is on top of you before you know it. Currently there is sidewalk in front of two abandoned homes but not where there was traffic and business. She was concerned about her safety and questioned the safety of others and therefore wanted to bring it to the Committee's attention. Committee discussion included;

- The 2009 Sidewalk Plan did include a sidewalk on the south side of Mequon Road east of Pilgrim Road;
- Direct staff to research Developer Agreements or Sidewalk Agreements that may reference sidewalks for each subject properties;
- Look at special assessing subject properties;
- Look for extra funds from other projects to fund a sidewalk;
- If no agreements on file, consider having the business pay half of the installation costs and the Village pay half of the installation costs;
- Update the Committee at the next Public Works Committee meeting.

SOLID WASTE COLLECTION/DISPOSAL AND RECYCLING CONTRACT:

Dir. Ludwig reported the current contract with Waste Management was set to expire Oct. 1, 2015. The Committee received draft copies of contracts which would provide one of the following: manual trash pickup and automated recycling pickup or automated trash pickup and automated recycling pickup. Additional services provided with the *automated* trash and recycling pickup contract included a \$194,000 savings over the five year contract period, a bulk drop off station one time per year, and the ability to take your bulk items to the service center for a cost of 2.5cents per pound. Changes to the manual trash pickup/automated recycling pickup contract included reducing the trash container weight limit from 80 lbs. to 60 lbs. and increasing the number of containers serviced curbside from 4 to 5 maximum weekly. Also added to the contract was a Fuel Surcharge table to reflect how much was attributed to trash pickup, recycle pickup and to the WI tax.

Committee discussion included;

- Chm. Kaminski suggested the manual trash and automated recycling pickup contract and suggested staff educate the residents on the automated trash option for one year. The proposed five year contract would allow the Village to switch from a manual to automated trash service any time within the five year period.
- If the Village chose the automated trash feature, bulky items would either be placed in the cart or the resident would need to take the items to the service center.
- Trustee Vanderheiden recommended the resident education process take place now prior to signing a new contract.
- Trustee Zabel suggested changing the Village Ordinance to reflect the trash container weight limit from 80 lbs. to 60 lbs. and to discontinue recycling services for units greater than five. State Law limits 4 units or less. The Village did not have to pick up recycling for units greater than 5. By reducing the number of units greater than five would save the Village a lot of money.
- Chm. Kaminski stated if the Village would remove pickup for units greater than five AND go with the automated trash pickup, the Village could save a lot of money. Those additional funds could pay firefighter salaries and suggested looking at both options.

- Trustee Zabel did not like the aesthetics of carts stored outside.
- Trustee Warren stated the trash carts would be more stable in high winds which would reduce cans and trash in the street.

Tony Knoeck, Public Sector Rep. for Waste Management stated the automated trash carts would be 64 gallons in size. If residents chose, they could default to the 96 gallon trash cart after 60 days. Additional trash carts requested by the resident will be billed to the Village for an additional \$5.00 per month.

MOTION made by Warren, seconded by Kaminski to forward to the Village Board with a positive recommendation to approve a contract with Waste Management to provide *automated* solid waste and *automated* recycling services with Germantown.

Trustee Zabel noted the other bidding contracts did not disclose a fuel charge and calculations of fuel charges the past year was \$21,000. When you add those costs to the other contract bids, you get close enough to make the bid somewhat similar. He questioned whether the Committee wanted the Fuel Surcharge section removed from the contract. The other two bids did not disclose a fuel surcharge. Dir. Ludwig stated none of the contractors bid on the fuel surcharge. The Contractors were told not to include the fuel surcharge in their bid. The Village would work with the selected contractor on what they thought would be the fuel surcharge. The Waste Management contract does include Section 5.3-“Fuel Surcharge” which was fashioned after the existing contract. The price per gallon would start at \$5/gal.

Tony Knoeck, Public Sector Rep. for Waste Management, stated each one of the contractors bidding had a fuel surcharge as part of their municipal contracts. As part of the RFP’s, the contractors were asked not to put the fuel surcharge in the proposal. Discussions after the Village’s recommendation to work with Waste Management then included the Fuel Surcharge Table at \$5/gal. Waste Management had never seen diesel fuel at \$5.00 in WI.

Trustee Zabel stated if \$5/gal. was such a good number, why did it have to be included in the contract? Maybe the Table should start at \$6/gal. It doesn’t hurt to ask. Mr. Knoeck, W.M. stated he could look at changing the Fuel Surcharge to \$6/gal. once he conferred with W.M. attorneys.

MOTION made by Zabel to amend the Motion requesting Waste Management eliminate Section 5.3 –Fuel Surcharge language from the Waste Management contract.

**Motion as amended fails for lack of a second.
Original Motion carried 3-1 (Zabel)**

AWARD OF CONTRACT – WELL #4 (ALT BAUER PARK) FROM OIL LUBE TO WATER LUBE: Supt. Driver requested approval to convert Well #4’s deep line shaft pump from an oil to water lubrication method which was a method used at all other well station locations. Currently the oil which drips down the shaft to keep the well bearings lubricated deposits approximately 50 gallons of oil yearly to the surface of the aquifer. Four proposals were received ranging from \$81,500 to \$99,475. Water Supt. Driver noted a Sanitary Survey just completed by the WDNR highly recommended the Utility switch from an oil lube to water lube method. Even though this method was not mandated by the WDNR, they encouraged the conversion.

MOTION made by Vanderheiden, seconded by Zabel to forward to the Village Board with a positive recommendation to contract Water Well Solutions at a cost of \$81,500 for the Well #4 Pump Conversion. Funds allocated from Acct. #50-18-183-3140.

Motion carried unanimously.

DEVELOPMENT OF PRIVATE PROPERTY INFLOW & INFILTRATION POLICY:

Wastewater Supt. Zimmerman provided to the Committee a timeline of events pertaining to Private Property Inflow and Infiltration to include; the policy development, Ordinance development, investigative projects, and actions taken by the Public Works Committee, Utility Advisory Committee, and Village Board over the past 11 years. A brief summary was given to the Committee. Currently the Public Works Committee and Village Board approved a cost share of 30% utility funded, and 70% resident funded for repair of private laterals with the balance to be paid back over a period of 10 years at a 4% interest rate. Final action was to take this topic back to the Public Works Committee. Discussion included;

- Data gathered in the study indicated an 85% failure rate in the Lift #2 basin. At an 85% failure rate, MMSD would guarantee funding to do every home in the area of County Line Road north to the south side of School Road and a split on Concord Road by Butternut Road; There are approx. 150 homes in this area that are directly tributary to a Lift Station.
- A portion of the MMSD funds can be used for investigative work and public outreach. There are people on MMSD staff that can help the Village with the public education campaign.
- The preferred method of rehab would be to minimize the impact and perform cured in place relining.
- Trustee Zabel: In order to do those projects, you do not have to change the Ordinance. The main problem the Village Board had with the Ordinance was that it required that any time you would sell your house you televise. If there is a backup that may occur in the main and backup in to your house and you have it cleaned, now you have to televise the lateral so the Utility has a record of the work completed. The current Codes read "if the Sewer Utility Superintendent finds a problem with a private lateral, he has the ability to have the resident correct the problem". The Code is written to do that. All the Ordinance says is that you will televise your system upon sale or flooding. We have the Attorney's opinion that the Codes that are in place accomplish everything that the new Code does.
- It would be helpful to compare the old Code to the new Code. Supt. Zimmerman stated the authorization showed up in three different places in the current Village Ordinances. A component falls under the Plumbing Code of which the Waste Water Utility cannot enforce repair. The Utility can order an inspection but, the inspection has to occur through the Plumbing Inspector. There are portions in the Code that give the Director of Public Works or designee the authorization to get special warrants from circuit court to enter a private property to do an inspection.
- Trustee Zabel: The existing Codes are written in such a way that if the Village believes that there is an I&I problem, the Village has the jurisdiction to go in and prove there is an I&I problem and can require the property owner to correct it.

- Supt. Zimmerman: Voiced concern regarding the cost share plan. Currently it is set up as a "Loan Program". The Loan Program is going to be harder to keep track of in the event the Village chooses to stay with the current Code vs. the Ordinance. The Village will need to set up the repairs as a special assessment at that point. It would be a lot cleaner if all I&I information was put in one Ordinance.
- Trustee Warren: The only reason we're doing this is there is a good chance there is a problem. Why as a property owner would they look for a lateral problem, spend money finding a problem and then pay for the cost share? Chm. Kaminski stated you wouldn't be able to sell your home unless you had an inspection. This would be no different than property owners who are required to have their well and septic inspected prior to selling their home.
- Trustee Zabel: When you look at the amount of money that needs to be spent, the Village may not have enough places to spend the money. If you don't spend the money, you don't get the money from MMSD.
- Inspections can cost approximately \$250 for a CCTV of a lateral. MMSD funds could not be used to pay for that inspection and would be the responsibility of the home owner.
- If there is a targeted area, the Village would do the investigative work and quantify and return to the Committee informing them of the failure rate and, consider a publicly bid project to do everything.
- Supt. Zimmerman: The idea of point of sale inspection would be to get some of the outlying places on the list and when a contractor is doing the project area they could repair the 10-15 outlying laterals from the prior year when the home sale inspections were done.
- Trustee Zabel: If you take the approx. 160 homes in the one area at \$10,000 per repair, that's only \$160,000 spent. You still have \$700,000 to spend. Are we going to find enough homes in Germantown that have an I&I problem to deplete the remaining funds available? This money is being collected by the people who pay the sewer bills which are going to MMSD and MMSD turns around and puts the money in a fund to give people to repair their I&I issues. The Village should cover the repairs at 100%.
- Chm. Kaminski questioned why should two subdivisions benefit 100% when there would be other people in other areas requesting lateral repairs. A fair way of providing for everyone was the 30% - 70% cost share.
- Supt. Zimmerman: When a community cannot exhaust the funds available for private property I&I, MMSD stated if the community can show that they have reduced their end of pipe volume significantly, the remaining balance would come back to the community. If the community does not spend any of the funds, the community does NOT get any of funds back.
- Chm. Kaminski supported having a residential home inspected upon a sale. A certificate would then be given to the homeowner and valid for 10 years.
- Other communities spend funds until depleted; others are trying to develop a policy similar to the Village's.

Engr. Bischke suggested the following;

- Edit the Ordinance with Committee Member desired edits and return to the Committee for final action;

- Look at policies other Communities have done. Some have placed the burden on the individual property owner to do everything and then seek a reimbursement program with the municipality. This method would burden the homeowner with contract management etc. Another approach would be to have the Village contract the project with the homeowner special assessed as part of the cost share.
- Direct a policy based upon an annual project approach. A Gannt Chart example was provided showing possible project activity starting in year 2016.
- Part of the application process to MMSD starts with the Ordinance, then Policy, then Project Plan.

Chm. Kaminski requested further information from staff as to what communities require televising, and, from those communities find out how it was going, how long they've been doing the televising, and any impacts. It is important to have an Ordinance with all requirements in one document.

Trustee Zabel again stated he didn't mind staff research on where I&I was creating a problem. He didn't believe another Ordinance was needed as there was a State Statute and Codes. The State Statute has plumbing codes and State plumbing codes require that the plumbers have certain jurisdiction. Those Codes were related in Village Codes.

MOTION made by Kaminski, seconded by Warren to postpone a decision on the private property inflow & infiltration policy Ordinance until additional information is provided by staff for its development and at that point in time, to edit the Ordinance presented to finalize an I&I Ordinance for the Village of Germantown.

Discussion followed. Chm. Kaminski stated an I&I Ordinance was needed to manage infiltration and inflow into the future as rules were going to become stricter via MMSD. It is part of a comprehensive outlook on I&I that goes beyond policy.

Trustee Zabel noted the Ordinance now stated if Engineering or Utility staff found an area of I&I issues, they have the right to correct. The new Ordinance would put the burden on the individual.

Trustee Vanderheiden noted the issues were with private laterals. The Village can take care of public structures. The Village needs to create an Ordinance as a tool to be able to go onto private property to take care of that work.

MOTION made by Zabel, to *amend* the original motion to research the former Village attorney's opinion and have the Village's existing Attorney review Village Codes to determine if current Codes cover the proposed I&I policy.

**Motion as amended fails for lack of a second.
Original Motion carried 3-1 (Zabel)**

AWARD OF CONTRACT – CURED IN PLACE PIPE LINING: Supt. Zimmerman requested an award of contract for the second phase of the cured in place pipe lining. Much of the project was situated in the year 2016 Donges Bay Road project zone and WDOT's Fond du Lac Ave. roundabout zone. The Committee was given a chart listing the line segments,

severity, total footage, number of laterals and manholes slated for rehabilitation. Five bids were received ranging from \$1,737,871 to \$3,696,124. As there was \$2,051,000 budgeted for the lining project, Supt. Zimmerman requested the remaining budgeted funds be used to rehabilitate 60 manholes and complete an additional 600 feet of cured in place lining at Fond du Lac Ave. to the soccer fields. Discussion followed.

MOTION made by Warren, seconded by Kaminski to forward to the Village Board with a positive recommendation to contract Visu-Sewer for the 2015 Cured in Place Pipe Lining project for a cost not to exceed \$2,051,000.00. Funding allocated from Acct. #60-180-183-3140.

Motion carried 3-1 (Zabel)

CONSIDERATION OF GRATING REPLACEMENT – MAIN STREET & OLD FARM WET WELLS: Supt. Zimmerman presented five proposals ranging from \$15,190 to \$15,284.24 for the replacement of the existing aluminum grating in the Main Street and Old Farm Lift Stations. The grating had deteriorated to the point that it was no longer strong enough to support the employees who needed to access the areas to perform their job duties. The new grating would be a reinforced fiberglass which was impervious to the gas and acid found in that type of environment. Staff will be performing the installation.

MOTION made by Zabel, seconded by Vanderheiden to forward to the Village Board with a positive recommendation authorizing staff to purchase the grating as specified from McNichols Corporation for an amount not to exceed \$15,190.00. Funds to be allocated from Acct. #60-180-182-3210.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – HIGHWAY DEPARTMENT PATROL TRUCK: Staff received 2 bids ranging from \$178,816 to \$182,314 for the purchase of a new single axle patrol truck. A third dealership chose not to bid due to territorial concerns.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the purchase of a new Western Star Patrol Truck from Truck Country for an amount not to exceed \$178,816.88. Funds allocated from Acct. #40-542-570-8520.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – PAINT STRIPER: Staff received 3 bids ranging from \$7,605.71 to \$7,889.98 for the purchase of a new pavement paint striper.

MOTION made by Warren, seconded by Vanderheiden to forward to the Village Board with a positive recommendation authorizing the purchase of a PowrLiner 6950 Paint Striper from Hallman Lindsay at a cost not to exceed \$7,605.71. Funds to be allocated from Acct. #10-542-570-8100.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – LOADER TIRES: Supt. Olszewski reported new tires were necessary as the ten year old tires were past their service life. Three bids were received ranging from \$7,460.00 to \$11,756.00.

MOTION made by Zabel, seconded by Kaminski to forward to the Village Board with a positive recommendation authorizing the purchase of four new 20.5x25 loader tires from Tredroc for an amount of \$7,460.00. Funds to be allocated from Acct. #10-542-570-8100.

Motion carried unanimously.

AUTHORIZATION TO CONTRACT REPAIRS – WOLF HOUSE: Supt. Olszewski reported two bids received ranging from \$20,650 to \$25,932 for the structural repair of a 10"x10"x19' skirt beam at the Wolf House located at the Dheinsville Historical Park.

MOTION made by Vanderheiden, seconded by Warren to forward to the Village Board with a positive recommendation to contract JM Remodeling at a cost of \$20,650.00 for the structural repair of a skirt beam at the Wolf House (Dheinsville Historical Park). Funds to be allocated from Acct. #10-519-570-8425.

Motion carried unanimously.

AUTHORIZATION TO SHIFT FUNDING – P.D. ANNEX: Supt. Olszewski requested authorization to shift funds that were budgeted for carpet replacement at the P.D. Annex and use a portion of those funds to construct a nine foot high, 70 foot long divider wall with a door in the Annex area. The wall would provide privacy for the sensitive nature of police work. The balance of funds budgeted would be used to carpet the newly enclosed area and conference room. The remaining carpet/flooring replacement would be budgeted in 2016.

MOTION made by Warren, seconded by Kaminski to allow \$10,000 in the Police Dept. Major Repairs Acct. (10-519-570-8221) to be used for the construction of a new interior divider wall within the Police Department Annex.

Motion carried unanimously.

AUTHORIZATION TO CONTRACT ELECTRICAL WORK – P.D. ANNEX: Three bids were received ranging from \$2,405 to \$4,425 for electrical outlets and cad wire for the newly constructed wall in the Police Annex.

MOTION made by Zabel, seconded by Kaminski approving a contract with Pieper Electric for the electrical and data work associated with the Police Department Annex wall construction at a cost not to exceed \$2,405.

Motion carried unanimously.

AUTHORIZATION TO CONTRACT CARPET REPLACEMENT – P.D. ANNEX: Three bids were received ranging from \$9,220 to \$11,480 for the carpet removal and replacement at the Police Department Annex.

MOTION made by Zabel, seconded by Vanderheiden to forward to the Village Board with a positive recommendation to contract Premiere Flooring to remove/replace carpet in the P.D. Annex at a cost of \$9,220.00. Funds allocated from Acct. #10-519-570-8221.

Motion carried unanimously.

REPAIR OF TRUCK 464 – HIGHWAY DEPARTMENT: Supt. Olszewski reported major emergency repairs to patrol truck #464. Costs to repair the head and related parts totaled \$2,513. Additionally the turbo for the same truck was in need of replacement at an approximate cost of \$+/- \$1,100. As no single invoice would exceed \$3,500 needing Committee approval, this summary was informational only.

AWARD OF CONTRACT – 2015 ROADS PROJECT & ALT BAUER PARK PATHWAY/BASKETBALL COURT: Engr. Bischke reported two bids were received ranging from \$2,219,130.77 to \$2,791,351.34. Even though the two projects were combined into one contract to take advantage of cost savings, the bids exceeded the total budgeted amount. Engr. Bischke stated he would review the bid tabulation and report his findings at the April, 2015 Public Works meeting.

MOTION made by Kaminski, seconded by Warren to postpone action on the award of contract for the 2015 Roads Project and Alt Bauer Park Pathway/Basketball Court until the April, 2015 Public Works & Highway Committee Meeting.

Motion carried unanimously.

WATER STUDY UPDATE: Dir. Ludwig reported back in September, 2014 the Village Board agreed to Baker Tilly requesting future flow needs from a large user customer. Based on numerous events since the meeting, it was determined a Water Use Agreement was necessary. Staff will continue with Baker Tilly's services during the agreement discussions. Simultaneously, Baker Tilly is working on the Rate Case and will have that information submitted to the PSC in April, 2015. The PSC should be working on their cost of service study with information provided in July or August, 2015. It was important to continue with Baker Tilly's expertise to continue to communicate with large industry users on how the rates would be different depending on the scenario of their water needs.

AWARD OF CONTRACT – PEER REVIEW TID #6 TRAFFIC IMPACT ANALYSIS: Engr. Bischke stated that speculating the types and sizes of future tenants of TID #6 had been difficult. The difficulty was determining the number of employees and vehicle trips of future tenants who would impact Appleton Avenue and Lannon Road. The Institute of Transportation Engineer's Trip Generation Manual Industrial Land Uses Table and TID #4's existing tenants were used to develop and project future traffic for the TID #6 Traffic Impact Analysis. Both sources of data resulted in significant improvements recommended for completion in year 2020 which threatened the TID's restricted return-on-investment. In hopes of preserving TID #6's return-on-investment, staff requested Pat Hawley, P.E., R.A. Smith National to provide his and the company's experience with business parks to peer review the Traffic Impact Analysis. The purpose of the review was to see if land uses and trip generations/distributions/assignments

could be adjusted in a legally-defensible manner and if so, adjust the improvements needed accordingly. Estimated fees for R.A. Smith's services were \$5,360.00.

Chm. Kaminski questioned why the Traffic Impact Analysis peer review was needed now seeing the Village did not have any known tenants. Engr. Bischke stated if the Village wanted a driveway access to Appleton Avenue, an agreement needed to be in place.

Trustee Zabel suggested staff look at traffic counts coming out of TIF #3.

Engr. Bischke stated peer review costs were based on the type of land use distribution that the Village would like to apply in TID #6 and then take that through the analysis to provide a revised product. If the consultant agreed to what has been done in the original Traffic Impact Analysis, his peer review charges would be reflected to only the time spent to make that assessment.

Chm. Kaminski questioned how the Village could be held to produce a traffic impact analysis in order to obtain an access agreement if the Village didn't know what was going to happen in the Industrial Park. Engr. Bischke stated the peer review was like getting a second opinion and was a benefit to the Village. Everyone's experience was different.

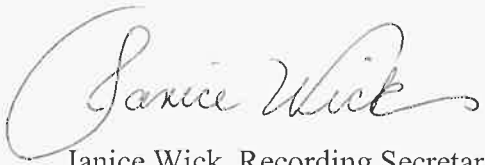
Dir. Ludwig added the fact that Pat Hawley, P.E., R.A. Smith National, worked half time for the WDOT and reviewed traffic impact analysis' to make sure the DOT's facilities were not being over designed. With Mr. Hawley's experience, he could provide insight on not overbuilding.

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with a positive recommendation to award a contract to R.A. Smith National to perform the peer review of the TID #6 Traffic Impact Analysis (TIA) at a cost not to exceed \$5,360. Funds to be allocated from Acct. #46-571-530-4300.

**Motion carries 2-1 (Zabel)
Abstain 1 – (Warren)**

ANNOUNCEMENTS: The regular Public Works Committee Meeting will be held Tuesday, April 7, 2015 at 5:00 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:30 p.m.



Janice Wick, Recording Secretary