

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

August 4, 2016
Village Hall Board Room

CALL: Chm. Kaminski called the meeting to order at 5:30 p.m.

ROLL CALL: Chm. Kaminski, Trustee Members Miller and Warren. Also present were Director Ratayczak, Engr. Laning (absent and excused) and Secretary Wick.

PREVIOUS MINUTES: MOTION made by Warren, seconded by Zabel to approve the minutes of July 6, 2016.

Motion carried unanimously.

PUBLIC COMMENT: None

CONSIDERATION OF INVOICE – UTILITY SALES AND SERVICE: Supt. Olszewski reported the annual inspection of the bucket truck found the versa lift portion of the unit in need of substantial repair. The labor intensive job was expensive but cost effective when compared to replacing the entire boom portion of the truck at a cost of \$44,000. The repair was moved forward quickly due to its various uses in the department and the fact that rental equipment was approximately \$1,000/wk.

MOTION made by Warren, seconded by Miller authorizing the payment of \$4,794.10 to Utility Sales and Service for the repair of the Highway Department bucket truck. Funds to be allocated from Acct. #10-542-530-5400.

Motion carried unanimously.

REQUEST TO RELEASE RETAINER – FAHRNER ASPHALT:

MOTION made by Zabel, seconded by Warren authorizing staff to release the project retainer in the amount of \$19,501.58 to Fahrner Asphalt for the 2015 Seal Coat Projects.

Motion carried unanimously.

REQUEST TO RELEASE RETAINER – WATER WELL SOLUTIONS:

MOTION made by Warren, seconded by Miller authorizing the release of the retainer in the amount of \$4,135.00 to Water Well Solutions which was held for the Well #4 Pump Conversion.

Motion carried unanimously.

AWARD OF CONTRACT – TID NO. 6-NIMITZ COURT STREET LIGHTING: Dir. Ratayczak reported two bids received ranging from \$45,708.50 to \$49,363.00 for the TID No. 6 Nimitz Court Street Lighting Project. The project consisted of installing five street lights with associated in-duct wiring, pull boxes, and control cabinet which will include a panel sized to accommodate a future monument sign and future traffic signals.

MOTION made by Miller, seconded by Warren to forward to the Village Board with a positive recommendation to award the TID No. 6-Nimitz Court Street Lighting contract to Outdoor Lighting Construction Company, Inc. for an amount of \$45,798.50. Funds to be allocated from Acct. #46-574-530-4500.

Motion carried 3-1 (Zabel)

PARK AVENUE WATER MAIN FROM STH 145 TO THE NORTH SIDE OF FIRE STATION NO. 1:

Dir. Ratayczak reported Fire Station #1 was in need of Village water. The 2016 Budget included \$45,000 for installing approx. 400 l.f. of 2" diameter lateral and required interior plumbing updates. The Engineering Department revisited this project and decided that installing an 8" water main in Park Avenue would be more cost effective and provide better fire protection to service the building. Dir. Ratayczak provided a cost breakdown and location map for Committee review. The Water Main project went out for bid and eight bids were received ranging from \$130,790 to \$235,140.00. Dir. Ratayczak also noted the Carriage Hills Apartment complex by Developer Agreement would be held responsible for the cost to install water main past the frontage of their property. The Carriage Hills Apartment complex assessable amount was \$91,328.56 with the Village's remaining cost at \$39,461.44 of which \$22,000 would be paid from the Buildings and Grounds Maintenance budget and \$17,461.44 funded by the Water Utility Capital Budget.

Atty. Bruce McInay of McInay Button Law LLC, representative of Carriage Hills Germantown, LLC, recognized the benefit to extend water to the Fire Station but extending the watermain to the Fire Station's property limits was no benefit to Carriage Hills Germantown, LLC. Carriage Hills waived their rights to competitive bidding for the watermain project in front of their property. Atty. McInay asked the Committee to consider cost sharing a portion of the proposed special assessment.

Discussion included:

- The Assessment Policy should be reviewed regarding its terms;
- The Village would be superseding the Carriage Hills Development Agreement if a cost share was allowed;
- Village should not break the Water Supply Developer's Agreement between Carriage Hills Development and Village;

Mr. Richard Romanshek, Partner, Carriage Hills Germantown LLC, gave a brief history on the need for municipal water to service the Carriage Hills Apartments on Park Avenue. As their well went dry, they had no choice but to install a water line to service their building at a cost exceeding \$300,000. He was aware of the potential of an assessment in the event municipal water would be installed in Park Avenue but never thought it would happen so soon. Mr. Romanshek looked to the Committee to explore if there was any way within the law and within the agreements for some type of relief on paying a full assessment to his property limits.

Trustee Zabel suggested when the property assessments are set up, the Village could possibly delay payments for Carriage Hills for 2-3 years with little or no interest.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to award the Park Avenue Water Main project to Mueller Excavating, Inc. for an amount of \$130,000.00 and continue discussion on the Carriage Hills Apartment Complex assessment at a future Public Works and Highway Committee meeting.

Motion carried unanimously.

CONSIDERATION & DISCUSSION OF SECTION 11.08 & SECTION 11.081 (TRASH, REFUSE & RECYCLABLES COLLECTION): Trustee Zabel requested this topic be brought forth to the Committee for discussion. Dir. Ratayczak stated the Village Board at its July 18th meeting addressed the need to review and possibly make revisions to the current Municipal Code Sections 11.08 (Garbage & Recycling Collection) and 11.081 (Recycling Regulations). Specifically, areas that needed to be clarified were, what users are to have their trash, refuse, and recyclables collected by the Village, or in-turn what users shall not be provided collection services. Consideration must also be given to the fact that Garbage collection is governed by State Statutes and Recyclables are governed by the Department of Natural Resources.

Comments included:

- When there is a Development Agreement on file with the Village, the Development Agreement regulations related to garbage collection would supersede the Village Code;
- The potential changes to the Code include:
 - 1.) 11.08(c) in relation to multi-family. The current verbiage was misworded making it look like the Code was referencing the number of buildings on a site in a development and should state five or more dwellings in a building is when it becomes multi-family;
 - 2.) Remove the word “bags” and “18 gallon containers” throughout the Code;
 - 3.) Clarify definitions of who is and isn’t included in pickup. Parsonages and rectories are not specifically addressed but believed to be part of “churches” and therefore not collected.
- Dir. Ratayczak stated the Code needed to be updated and then staff will go back and look through all of the development agreements to see who the Code changes will affect.
- Trustee Zabel noted the Village currently does not collect garbage from condominium developments except for one development in which they won a court case. Under Chapter 25 and Chapter 17.25 of the Zoning Code, mobile home parks are responsible for their own garbage pickup. The Committee should be aware verbiage of refuse appears in different areas of the Municipal Code. Trustee Zabel did not believe the garbage portion of the Code would change much but recycling units would change quite a bit.
- Chm. Kaminski believed if a residential unit had a tax key number and pays property taxes they should be entitled to the same services.
- Trustee Zabel explained when housing units are part of a development as in Blackstone Creek, their taxes would be less based on density because the land is divided among more people.
- Trustee Zabel stated the first draft of Code revisions should be what do we have in relation; the second draft should be cleaning up the language; if you have commercial property, recycling pickup is the responsibility of the commercial property owner. Staff should consider Code revisions based on what exists now. When Code changes are made, staff needs to inform the Committee what dollar amount you are making changes to.

- Chm. Kaminski understood there was a process on collecting information on who the Village was and was not collecting from, and how many of the Village's developments had an agreement with Garbage Collection requirements. Once this information is collected, staff can update the Committee with their findings.
- Trustee Warren voiced concern noting if the findings impact more people than we thought we could decide to not change something that's rational on this end.
- It was agreed that the basis should be what the State Code and DNR Code is. Dir. Ratayczak would like to revise the Code through research of the State and DNR Code, what other municipalities do, collect Village data, and then do a comparison.

In closing, Chm. Kaminski stated staff should complete their research and return their findings at a future Public Works Committee meeting.

REQUEST APPROVAL TO ADVERTISE FOR BIDS FOR SANITARY SEWER RELAY – MAIN STREET & SANITARY SEWER EXTENSION: Dir. Ratayczak requested Committee approval to design and advertise for bids to relay an existing 655 lineal foot section of 8 inch and 10 inch sanitary sewer with a 15 inch sanitary sewer on Main Street. The other portion of work is the construction of 490 lineal feet of directionally drilled 18 inch pipe. This section of sewer begins at the same manhole where the above mentioned relay starts and proceeds south under the railroad tracks to the southwest and connects with the proposed 18 inch sanitary sewer (installed by others) and terminates at the existing 30 inch interceptor sewer. This proposed relay is to increase the size and associated capacity of the sanitary sewer system in order to meet the increase in discharge needs of Gehl's Foods. Gehl's Corporation and Saxony Village will enter into an agreement to install the straight section of 18" pipe with Gehl's covering the cost. In addition, the new sewer will create a reserve capacity for future Main Street development west of Park Avenue and reduce the potential for damage caused by sanitary sewer backup on Park Avenue. Estimated cost for the proposed work was \$285,000.00. Gehl's Foods had verbally committed to paying 100% of the relay costs on Main Street as they want to double their capacity and, 50% of the relay costs from Main Street to the existing 30 inch interceptor sewer. There is \$125,000 in the Budget for work to be done on Main Street and the balance of the funds would be obtained from other wastewater budgeted funds.

MOTION made by Warren, seconded by Miller authorizing staff to design and advertise for bids the sanitary sewer relay in Main Street and the new 18" sanitary sewer extension.

Trustee Zabel requested staff secure third party agreements prior to approving a final contract.

Dir. Ratayczak stated there will be two agreements in place; The first agreement will be between Gehl's and Saxony Village which will include either an Irrevocable Letter of Credit to Saxony Village or escrowed money; The second agreement will be between the Village and Gehl's guaranteeing to Gehl's that when they commit the money all the work will be completed .

Cost sharing as part of the Saxony Village agreement will be removed and the latest parameters will be inserted in the Saxony Village agreement and presented to the Village Board for final approval.

Trustee Zabel noted the sizing of the pipe will be an increase for Gehl's and the only cost the utilities should have is for the oversizing of the pipe.

Motion carried 3-1 (Zabel)

REQUEST APPROVAL OF MODIFICATIONS TO PRAIRIE GLEN II – DEVELOPMENT AGREEMENT: Dir. Ratayczak presented for review the latest modifications to the Prairie Glen II Development Agreement. Sidewalk requirements and other internal items have been resolved and the recapture over sizing of sanitary sewer had been approved July 6, 2016 and added to the agreement. The Village Attorney had reviewed and approved the latest updates to the agreement. Bielinski Homes, Inc. agreed to the latest changes via email.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to approve the revised Developers Agreement for Prairie Glen II subdivision.

Motion carried unanimously.

NEXT MEETING DATE: The next Public Works and Highway Committee meeting will be held Thursday, September 1, 2016 at 5:30 p.m.

ANNOUNCEMENTS: Trustee Zabel asked everyone to support Jesse Thielke, former member of the Germantown Wrestling Program, who will be participating in the Summer Olympics in RIO by attending a Wrestling Picnic Fund Raiser at Fireman's Park from 1 p.m. to 7 p.m. on Sunday, August 7th.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:50 p.m.

A handwritten signature in cursive script, appearing to read "Janice Wick", written in dark ink.

Janice Wick, Recording Secretary