

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

September 12, 2017
Village Hall Board Room

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

ROLL CALL: Chm. Kaminski, Trustee Members Campbell, Warren and Zabel. Also present were Director Ratayczak, Engr. Laning and Secretary Wick.

PREVIOUS MINUTES: MOTION made by Warren, seconded by Campbell to approve the minutes of August 9, 2017.

Motion carried unanimously.

PUBLIC COMMENT: None

DISCUSSION/RECOMMENDATION – POTENTIAL ACCESS TO PARCEL #313-990 – AMY BELLE ROAD:

Crystal Hess-Binnebose, 3201 S. 147th St., New Berlin, Trustee of GTNV 313-990, addressed the Committee with her request to gain an access easement to her property. The neighbor due north of her parcel was interested in gaining an easement to their property as well. Ms. Hess stated she was willing to take on the expense of the project.

Dir. Ratayczak stated the parcel of land has a 33' road reservation on the west side of the property and was land locked. Dir. Ratayczak noted this was the dividing line which the west half of a 66' road reservation was located in the Village of Richfield. The road reservation was created for the municipality in the event the land was ever developed. Currently there was a driveway along the road reservation to gain access to the property located in the Village of Richfield. The only possible access to the parcel is the 33' of road reservation located in Germantown. The parcel is somewhat land locked as there was another parcel of land to the north of Indian Parkway who had improved his portion of the 33' road reservation.

Ms. Hess stated it would be ideal to pay the neighboring Richfield parcel owner for a portion of the easement but didn't believe that method would work due to past dialogues with the Richfield homeowner. The Germantown parcel to the south of the Hess property was fully landscaped within the 33' road reservation. Dir. Ratayczak stated the Village could take the road reservation as a road right of way noting the road right of way would only extend to the parcel north of Ms. Hess's property due to terrain issues further north.

Further comments were:

- Ms. Hess stated the parcel was illegally divided many years ago;
- Dir. Ratayczak stated if the Village were to build a road along those parcels, the Village would have the road reservation to do so. Due to terrain issues, it was doubtful a road would ever be constructed;
- The property owner owns the land where the road reservation exists;
- Trustee Zabel clarified land cannot be developed until the owner can first prove the land can be developed. To create right of way to land that is not developable would be a lot of expense; the road reservation would need to be purchased from the land owner.

Alan Langmann, N99 W21950 Indian Parkway, Parcel #313-989, stated the 33' road reservation goes through his property. He noted he was the third owner of his property. Currently there had been no conversation with Ms. Hess as to a solution for access.

Ms. Hess noted ideally she would like to purchase an easement from the Richfield property owner on the west side of her property but knew the property owner was not interested.

Terry Lietzau, 261 Amy Belle Road, Richfield, stated he had bought the 33' Road Reservation along his property from the previous owner. The 33' was dedicated back to Richfield. He noted the current driveway access wasn't very safe and believed Richfield would not allow another person access onto the driveway.

Ms. Hess did not have a problem purchasing the 33' but there were cases of precedence based on land locked parcels. She again noted the parcel north of hers was interested in gaining access.

Lynnae Langmann, N99 W21950 Indian Parkway, Parcel #313-989, stated her plat survey did not show the 33' road reservation and they made many landscape improvements on their property not knowing the reservation existed. She referenced a serious accident along the dirt road back in the 80's in which the parties involved tried to sue the Village. The Village disclaimed any ownership of the road reservation. The parties involved then tried to sue the previous property owner of her property. In the end it was determined the parties involved were trespassing.

MOTION made by Kaminski, seconded by Campbell, requesting staff to confer with the Village's Attorney to find out if the Village can negate the road reservation on parcel #313-990 to allow the property owner to do what they want to do.

Motion carried unanimously.

UPDATE – WELL #11 PLC REPAIR: Supt. Haugen requested authorization to pay the invoices from Starnet Technologies and Ruckert & Mielke for the emergency repair of the main control panel at Well #11 which was damaged due to a pipe burst. Both invoices were submitted to the Village's Insurance Company and will be paid in full minus the \$1,000 deductible.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the payment of two invoices in the amounts of \$13,629.98 (Starnet Technologies) and \$14,618.99 (Ruckert & Mielke) for the emergency repair and replacement of the programmable logic controllers at Well #11 with all costs reimbursed by the Village's Insurance minus the Insurance deductible of \$1,000. Funds to be allocated from Acct. #'s 50-712-530-6170 and 50-712-530-6110.

Motion carried unanimously.

PRELIMINARY DISCUSSION- SANITARY/WATER MAIN TO PROPOSED WRENWOOD DEVELOPMENT: Dir. Ratayczak reported Developer Bill Carity requested the opportunity to present his proposed development and to discuss the possibilities of the development being served by Village sanitary sewer and water main. The proposed development was located north of Mequon Road, west of Country Aire Drive and extended north

to Freistadt Road. The proposed development was addressed at the Plan Commission were it received favorable recommendations.

Bill Carity, Developer, gave a brief summary explaining the proposed layout of homes, club house, park area and trails. It was noted the Village Planner was hesitant to present a preliminary plat to the Village Board unless the matter of the sanitary sewer and water were resolved.

Mr. Carity was aware the Village had considered the extension of an interceptor sewer to the area of the development and he would like to move forward and contemplate how that interceptor sewer would be designed and located. Discussions with Dir. Ratayczak and staff suggested Mr. Carity was willing to entertain locating the interceptor sewer down the main streets of their development or down Country Aire Drive which was adjacent to the proposed development. All of Mr. Carity's design from the standpoint of the sanitary sewer, the depth and size of the sanitary sewer, would be dependent upon if and when the possibility of an interceptor sewer would be constructed. The developer could not get in front of that but wanted to move forward in the approval process which contemplates zoning, amendments to the sanitary sewer districts, etc. Mr. Carity was willing to create a lift station and force main and expressed his desire to move forward with their project. He was willing to work with staff and any engineering firm that would design the potential for an interceptor sewer.

Dir. Ratayczak stated staff was in the process of developing the Request for Proposals (RFP) for the interceptor. In developing the method of expanding the service area, staff had met with SWRPC, DNR, & MMSD. Once the RFP was out, staff discussed with Mr. Carity and his Engineer that there was the possibility of going through the proposed development or up Country Aire north to Freistadt Road. The cost to bring sewer from the TID #4 area north across Mequon Road to Freistadt Road was estimated at \$5 million due to the possibility of soil conditions, rock, & depth. The Village Board gave staff direction to complete the engineering and plans and look at the potential cost. At that point, the Village Board would have to decide whether to go ahead with the interceptor project and how to fund it. Mr. Carity was informed it may take up to nine months to complete the design process.

Mr. Carity stated there were many variables and the elimination of Lift Station #1 and moving it to Country Aire Drive to TID #4 was indeed one of those possibilities. Mr. Carity would like to start construction in year 2018. He was willing to design around knowns and if need be build a lift station and go off line quickly in the event interceptor sewer came by their development.

Waste Water Supt. Zimmerman stated the preliminary design completed by Kapur when TIF #4 was conceptualized, included a sanitary sewer study that projected the tributary basin as far north as Rockfield Road. The Village can get to the middle branch of the Menomonee River with gravity sewer. After that, it can flow back towards the Menomonee from the north with a regional lift station to keep it pumping south. Supt. Zimmerman asked everyone to keep in mind anything you build on the east side of the Village going into the northeast interceptor pipe does not cost the Village anything after you put it in the ground. It was a complete gravity system all the way to Milwaukee. When developing the west side of the Village, it becomes very costly because you are pumping multiple times. The Village's bigger Lift Stations would then need to be upgraded. Supt. Zimmerman did express a temporary lift station on Mr. Carity's development was feasible. The sewer line was sized up to Well #11 to handle Well #11, the Wrenwood

Development, and the elimination of Lift Station #1 where it currently sits. The preferred route of the interceptor cannot happen because of the West Shore pipeline that runs where the preferred route was which was to parallel the railroad tracks all the way to Freistadt Road.

Dir. Ratayczak stated the time line for design, engineering planning, bidding, and start of construction for the interceptor sewer beyond Mequon Road on Country Aire Drive would not happen until early 2019. It was suggested the Committee look at a temporary lift station so development can occur with the intention that when sewer crosses Mequon Road up Country Aire Drive a connection can be made. The Committee favored the Wrenwood development and agreed an interim Lift Station to facilitate the development would be acceptable. The interim Lift Station would be at the developer's cost.

Mr. Carity stated there would be considerations of shared costs which could be the depth of his sanitary sewer to take Lift Station #1 off line, the size, etc.

Trustee Zabel noted the developer had to cover costs up to a 12" pipe. Anything over, the Village would pay the pipe difference. It was noted the Wrenwood Development would not be suitable for septic systems.

Kalvin Klimeck, Pioneer Engineering, stated if the Developer constructed a temporary lift station and takes it over to the pipe, the pipe has the capacity and there should be no worries as to how the pipe dovetailed into the interceptor.

Trustee Zabel voiced concern of future development of the SE quadrant of Country Aire Drive and Mequon Road. The interceptor would probably go through that property over to Country Aire Drive. On a temporary basis, the southern quadrant would be easily developed. Mr. Carity believed that the route for a force main was virtually all on Village property. There would be no property acquisition or easements needed. Mr. Carity will continue to work with staff to provide solutions that were flexible and obtainable.

AUTHORIZATION TO PAY INVOICE – STARNET TECHNOLOGIES:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation authorizing the payment of \$12,025.00 to Starnet Technologies for the emergency repair of the Variable Frequency Drive for pump #3 at the Main Street Lift Station. Funds to be allocated from Acct. #60-18-184-3230.

Motion carried unanimously.

DISCUSSION/RECOMMENDATION – OLD FARM SUBDIVISION MONUMENT SIGN:

Dir. Ratayczak stated Trustee Myers as agent for the property owners in the Old Farm Subdivision had requested approval for the replacement of a monument sign for the residential subdivision located at the intersection of Donges Bay Road and Division Road. The monument sign would be located in public right of way. The Old Farm Subdivision monument sign was discussed at the Plan Commission, Aug. 14, 2017 who suggested a Maintenance Agreement be executed. Committee comments included;

- There have been sign issues in the past where signage and landscaping have not been maintained in Village subdivisions. Staff should create a record of all of these locations with information on how the Village would address signage issues.
- Chm. Kaminski did not have an issue with the placement of the Old Farm Subdivision sign as long as there was a plan and agreement in place and the Village was not liable for any maintenance.

MOTION made by Zabel, seconded by Kaminski to go forward to the Village Board with the Old Farm Subdivision Monument Sign Maintenance Agreement for action.

Chm. Kaminski questioned if all Old Farm Subdivision residents were aware they would be responsible for the maintenance and costs incurred with the placement of the monument sign.

Trustee Myers stated he would take on the responsibility of maintenance and costs. If and when he was to move from Germantown, he stated the Village could take the sign down and get rid of it. Chm. Kaminski had no problem with Trustee Myers erecting the sign but disagreed with the Village removing the sign if it fell apart. The affected residents should be made aware of their maintenance and cost responsibilities upon approval of a Maintenance Agreement.

Trustee Warren recalled past discussion where the residents did not want to repair or maintain the previous sign and Wendland Nursery offered to dismantle the monument sign at their cost. Trustee Warren voiced concern as he had no knowledge of the monument sign request in his District and suggested he'd be copied on these types of issues. He had not received any calls from his constituents regarding the monument sign.

Motion carried 3-1 (Warren)

CONSIDERATION/APPROVAL OF EASEMENT DOCUMENTS – RAINBOW CHILD CARE: Dir. Ratayczak reported sanitary sewer and watermain easements were required for the proposed Rainbow Child Care, LLC on Mequon Road and for an existing watermain on the First Bank property which was not completed at the time of the Bank's construction.

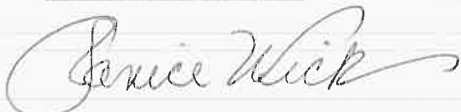
MOTION made by Warren, seconded by Campbell to approve the three easements presented for the proposed Rainbow Child Care, LLC sanitary sewer and water main and the existing water main on the First Bank property.

Motion carried unanimously.

NEXT MEETING DATE: The next Public Works and Highway Committee meeting will be held TUESDAY, October 3, 2017 at 5:30 p.m.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:42 p.m.



Janice Wick, Recording Secretary