

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

September 4, 2019
Village Hall Board Room

CALL: Chm. Kaminski called the meeting to order at 6:00 p.m.

ROLL CALL: Chm. Kaminski, Trustee Members Hughes (absent & excused), Warren and Zabel. Also present were Dir. Ratayczak, Engr. Nitschke and Secretary Wick.

APPROVAL OF MINUTES: MOTION made by Zabel, seconded by Warren to approve the Minutes of August 7th, 2019.

Motion carried unanimously.

PUBLIC COMMENT: *Delores Hudlett, N113 W20588 Edgewood Drive*, stated it had been four weeks since Edgewood Drive had been reconstructed and shoulder restoration had yet to be completed. She felt the edge of the road created very dangerous conditions for walkers and children.

Engr. Nitschke reported staff would be meeting with the paving contractor who hires a sub-contractor to complete the restoration process. A more definite date should be determined at that time. Engr. Nitschke noted the restoration will consist of topsoil and seed. The Contractor chose to complete the work in Fall (late September) due to more favorable weather conditions for growing grass.

MOTION made by Zabel, seconded by Kaminski to move to items “H” & “B” under New Business of the Public Works and Highway Committee Agenda.

Motion carried unanimously.

DRAINAGE DITCHES & CULVERT REPLACEMENT: Dir. Ratayczak noted at the request of Chm. Kaminski, discussion be held regarding the replacement of driveway culverts and responsible parties for drainage ditch maintenance. Pursuant to Section 8.03, it is the responsibility of the property owner of a private driveway culvert to bear the cost of replacement. Section 8.03 (c) allows the Dir. Of Public Works the authority to require the owner of an abutting property to remove, or cause to be removed or replaced with adequate facilities, any culverts or drain pipes which do not conform to the requirements as provided herein when, in his judgement, it is necessary to do so, either for the orderly construction, maintenance or repair of any such highway, street or alley or in providing for proper drainage system thereon. When the Village does a Road Program, only the road pavement is addressed with borrowed funds. Village wide drainage projects do address culverts, ditching and associated costs.

Jason Cee, N113 W20464 Edgewood Drive, a resident for 13 years, stated he continually reported his drainage issues to the Village noting stormwater never flowed from his property and the property to the east and down Hilltop Dr. He had been told every year that it was too expensive to make corrections until the roads were going to be redone. This year Trustee Myers told Mr. Cee that his road was to be reconstructed and promised culvert replacement and trenching of the ditches as part of the road project. A call to Public Works Dir. Ratayczak stated culverts and ditches were not part of the program so Mr. Cee contacted a private contractor who declined to replace his culvert as it was within Village right of way. During wet weather conditions, water backed up 18-20 feet onto his property and Mr. Cee felt it was unacceptable. He expressed the whole road project was a nightmare starting with being blocked from getting into his driveway up to this point where shoulder restoration had yet to be completed. He could

have cared less if the road was reconstructed. He suggested a policy change in which culverts and ditches could be addressed.

Cindy Knoll, W204 N11395 Hilltop Drive stated she has had water in her ditch for 30+ years. She cannot cut the lawn and the ditch is a haven for bugs, debris, etc. Traveling Hilltop Drive you will find water standing in everyone's yard. She felt the culverts should be lowered at the expense of the Village and not the homeowner. She expected something back for the 80+ years of property taxes paid for her property.

Steve Rugaber, W204 N11313 Hilltop Drive, stated in April Trustee Myers left notices on resident mailboxes stating their road was going to be reconstructed. Mr. Rugaber asked Trustee Myers to have someone look at the culverts and ditches prior to reconstruction. Trustee Myers told the residents not to do anything on their own with the culverts as they would be addressed as part of the road reconstruction project. Himself and neighbor then delayed doing anything with their culverts. He now finds out the Village was not replacing culverts and it is too late to hire a contractor to do the work. Currently the ditch is wet into the month of July making it difficult to maintain. Even though the ditch is saturated, water should still flow. He has noticed over the years the ditch was not as deep as it had use to be.

Engr. Nitschke explained as water does flow eventually, it stood in many of the ditches. Ditches silt in and raise in elevation and no longer flow very well. Prior years drainage complaints/issues were never tracked. Current staff was unaware of all the complaints in this area. In a general review of an area, staff looks first for drainage issues that were impacting safety, flooding of structures, flooding of roadways & access points where emergency personnel would not have access. When coming into an area with the Road Program, staff would also cross reference a drainage list with resident complaints and further their research with ditches themselves and how they were going to drain. Staff was not opposed to, as part of the Road Program, doing ditch work but it would need to be pre-identified. Currently the Village is abiding by the Village Code as it related to culverts and ditches. Committee comments included;

- Chm. Kaminski noted monies borrowed are for road reconstruction only. Those funds do not go very far, and she supported that policy. She understood the frustration of the residents being told conflicting stories as to who was responsible for ditch repairs. Based on the stories told she felt it was a quality of life and health issue when water appears 18 feet on to a property due to poor drainage. There are many bad culverts throughout the Village and understood it was a homeowner's responsibility for replacement costs. There should be some type of compromise to get the ditches cleaned up & if it required the reset of the culvert then it might be something the Village has to do.
- Trustee Warren took issue that ditches were not part of road projects. This would be the time to address drainage issues. He understood the conflicts of restoring ditches due to pitch, depth, slopes and maintenance, etc. He would like to look at the current policy to discuss possible changes to incorporate drainage with the design. It would not cost much to incorporate shooting ditch profiles during the planning stages. Engr. Nitschke agreed.
- Trustee Zabel stated at one point drainage was addressed with road reconstruction. There were projects that in order to get the slopes necessary for proper drainage, caused conflict with restoration and maintenance. There was only so much funding for pavement reconstruction averaging 2.5 miles each year.

- Dir. Ratayczak stated when looking at the reconstruction of a road you first look at the right of way you must work with; secondly a visual inspection would be done for any obvious drainage concerns. DPW would be the first point of contact to determine if drainage maintenance could be addressed by the department. Reworking ditches to include culverts can cause additional issues for a homeowner. The road reconstruction project then becomes more than a road program. Dir. Ratayczak further discussed other areas in the Village with ditching conflicts. He felt drainage issues could be addressed after a road project has been completed.
- Engr. Nitschke questioned if the Village were to do ditches, what does the Village do with driveway culverts? Current policy states culverts are the private property owner's responsibility. At a cost of \$3,000-\$5,000 per culvert, this would need to be addressed when considering changing policy. It would also help staff with estimating & budgeting.
- Trustee Warren stated cross culverts and driveway culverts should be part of road projects. The policy needs to be changed to allow staff to at least look at drainage issues.
- Adm. Kreklow stated it was important the Village Board set policies, review them and give staff direction on what to include and not include as part of the capital improvements budget over the next five years. Ditches/culverts/drainage issues could be added to the plan to determine funding allocation on an annual basis.
- Trustee Zabel stated the Ordinance changed in 2005 due to the amount of work put on the Highway Dept. to change out culverts. He felt culverts should be replaced by the Village. Staff repairs curb, gutter and drains. Its all within the right of way. A homeowner pays for the original culvert when their driveway is installed. The Village then relies on the homeowner for maintenance. Is it not the Village's responsibility to make sure the culverts are adequate when doing a road project seeing most culverts are placed within the right of way? If needed, Trustee Zabel stated he would like to see the culverts replaced as part of a road project as they were part of the right of way but would not include ditches as that would become expensive. If there were no visible signs of standing water prior to the road project that means the ditches are working.
- Supt. Olszewski stated past practice has varied throughout the years. From a maintenance perspective, staff would assess drainage issues and if culverts were in ill repair, a resident was notified that they would need to pay for a new culvert and the Village would complete the installation and associated ditching. As the Village grew, the work became greater and greater and the practice was discontinued. Supt. Olszewski referenced a new subdivision with culverts stating past practice would have been to set the culvert as homes were built. It was not a practical use of resources based on the department's size. He agreed firm language was needed in adjusting the current policy.

In closing the Committee agreed information should be obtained for all areas slated for road reconstruction in order to make wise decisions and judgements on what is seen. Until standards are set within the revised policy, Engineering staff can then move forward on addressing the drainage issues in the Edgewood Drive area. Engr. Nitschke explained the process would consist of doing an area survey and design analysis. This project can then go out for bid early in the

year when more favorable costs can be obtained. Staff will inform area residents with any updates.

RETAINING WALL QUOTES – N116 W16421 MAIN STREET: Supt. Olszewski reached out to four local landscapers and received one quote. It was suggested staff continue the attempt to solicit additional quotes. Discussion followed.

MOTION made by Zabel, seconded by Kaminski authorizing staff to obtain the services of others for the removal and replacement of a retaining wall at N116 W16421 Main Street for a cost not to exceed \$4,650.00 and, request the Village Attorney draft a maintenance agreement between the property owner and Village disclosing the Village would no longer be responsible for the retaining wall and future maintenance.

Motion carried unanimously.

TOWER #3 – PAINT COLOR SCHEME: Water Supt. Paul Haugen provided a handout and gave a visual presentation of various logo and color renderings for the Village's water towers. Discussion included the longevity of the paint, choosing a two-tone appearance to hide the exterior mold, color choices and font. Costs to completely paint one tower with logo were estimated at \$500,000. It was suggested if cell tower equipment were attached to a tower, the colors should match.

Dir. Ratayczak noted he participated in the 2050 planning meetings in which the Committee evaluates Germantown's appeal through logos, and the way Germantown presents their community. There was a desire to change the logo but maintain the color scheme. Dir. Ratayczak felt the 2050 Planning Committee would like to make their opinions known. The Public Works Committee suggested staff give a presentation to the 2050 Planning Committee on tower paint color schemes.

In closing Supt. Haugen noted he included a placeholder for this work in his 2020 budget.

AMY BELLE ROAD RIGHT OF WAY MAINTENANCE: Supt. Olszewski looked for direction by the Committee on maintenance responsibilities within the right of way of Amy Belle Road from Willow Creek Road north to Appleton Avenue. Historically Amy Belle Road has been maintained by the Village of Richfield regardless of residency. Staff had attempted to find records or documents detailing an agreement between Richfield and Germantown. Nothing was found. There were other boundary roads throughout the Village in which Germantown maintains the road and right of way even though one side is another community. Richfield has requested Germantown draft a maintenance document for roads that are serviced by both communities. Committee comments included;

- Seeing the Village of Germantown plows the section of Mequon Road just east of Amy Belle Road, Trustee Zabel stated it would make sense the Village of Germantown plow Amy Belle Road from Willow Creek Road to Mequon Road or from Appleton Avenue to Mequon Road.
- Dir. Ratayczak noted there was more responsibility other than plowing Amy Belle Road. Currently there is a request from one property owner who wants to install a second access to his property. The ditch area was not suited for a culvert, but a private contractor would do the installation. The question was, who then becomes responsible for the culvert? Other road responsibility items include signage, tree/brush maintenance, etc. It would be best to have a municipal agreement in force to determine road responsibility. The

Richfield Administrator provided a draft document to the Highway Supt. but requested Germantown's Attorney to draft a maintenance agreement for both communities to review.

- Moving forward, Trustee Zabel suggested the Village of Germantown take over maintenance/road responsibility of Amy Belle Road from Willow Creek Road to Mequon Road. Anything on the west side of the road i.e. signage, etc. would be Richfield's responsibility.

MOTION made by Kaminski, seconded by Zabel directing staff to move forward with creating a jurisdictional road maintenance agreement with abutting communities and to include the recommendation that the Village of Germantown be responsible for Amy Belle Road from Willow Creek Road to Mequon Road to include plowing and a 50-50 split for road maintenance.

Motion carried unanimously.

TOPSOIL REMOVAL – WRENWOOD SUBDIVISION: Dir. Ratayczak reported pursuant to Village Code 17.441, Neumann Companies submitted a request to remove 36,000 cubic yards of excess topsoil from the Wrenwood Subdivision project site. Soil borings indicate 12 inches of topsoil across the development site.

MOTION made by Zabel, seconded by Warren authorizing the request by Neumann Companies to remove 36,000 cubic yards of excess topsoil from the Wrenwood Subdivision site.

Motion carried unanimously.

DPW CAMPUS STORMWATER POLLUTION PREVENTION PLAN: Engr. Nitschke provided a copy of the revised Stormwater Pollution Prevention Plan for the DPW campus.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to adopt by Resolution the DPW Campus Stormwater Pollution Prevention Plan (SWPPP).

Motion carried unanimously.

FREISTADT ROAD & MAPLE ROAD INTERSECTION:

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation the State/Municipal Agreement with the WisDOT for the Freistadt and Mequon Road intersection signalization.

Discussion followed on further details of the agreement, associated costs and the process in selecting a consultant to complete the design work.

Motion carried unanimously.

2020 ROADWAY CIP RECOMMENDATIONS: Engr. Nitschke provided the Committee with the proposed 2020 Road Capital Improvement Plan. The plan included completing the remaining portions of the Old Farm Subdivision. Esquire Estates and portions of Hawthorne Drive were added prior to the Glenwood Park and Hickory Hills Subdivisions as there was concern that funding was limited to incorporate those subdivisions due to utility work and the private property infiltration inflow project. The Plan not only included the PASER ratings but the funding sources for what was proposed to be drawn for funding and what was not. Engr. Nitschke noted there was also a cost benefit by staying in similar areas i.e. curb & gutter areas vs. shoulder & ditch areas. Also suggested was starting the process of obtaining easements and right of way along Lovers Lane and Century Lane between Division Road and STH 145. Costs for the 2020 improvements were not currently available. Discussion followed.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation the 2020 Roadway Capital Improvement Plan recommendations upon verification that road areas selected will fall into the \$1.5 million level of spending.

Motion carried unanimously.

DEVELOPMENT HANDBOOK: Engr. Nitschke provided the Committee with the draft Development Handbook for the Village of Germantown Infrastructure Standards. The Handbook is meant to assist staff, developers, contractors and consulting engineers with high quality, consistent designs and specifications for public and private projects within Germantown. The Handbook was also a working document and corrections, errors, modifications, were expected. The document still needed to be cross referenced with the Village's Zoning and Municipal Code and was assumed to be a revision of Chapter 18 of the Village Code. The Handbook would be available as a user-friendly document on the Village's website.

PROJECTS UPDATE: Dir. Ratayczak provided the Committee with a list of Village projects with associated updates and answered questions.

NEXT MEETING DATE: The next Public Works and Highway Committee meeting will be held TUESDAY, October 1, 2019 at 6:00 p.m.

ANNOUNCEMENTS: None.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:03 p.m.



Janice Wick, Recording Secretary