

VILLAGE OF ELM GROVE

13600 Juneau Boulevard
Elm Grove, WI 53122

PUBLIC WORKS UTILITIES COMMITTEE

Monday, March 8th, 2021 * 6:00 PM * Park View Room

AGENDA

1. Call meeting to order

Documents:

[*Meeting Memo 3-8-2021.pdf*](#)

2. Review and act on minutes from February 8th, 2021 meeting

Documents:

[*PW020821md.pdf*](#)

3. Review and discussion on ROW modification ordinance language

Documents:

[*Rights of Way Ordinance Draft 3-4-21.pdf*](#)

4. Update on SSND

5. Update on Streambank Stabilization Project

6. Update on Underwood Creek Daylighting Project

7. Update on PP I/I

Documents:

[*PP II Memo 2-24-2021.pdf*](#)

8. Update on Transportation Utility

9. Update on Public Works Projects

10. Other Business

11. Adjourn

Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires that the meeting or materials for the meeting has to be in an accessible location or format must contact the Village Clerk, Michelle Luedtke, at 262-782-6700 or 13600 Juneau Boulevard by 3:00 PM Friday prior to the meeting so that any necessary arrangements can be made to accommodate your request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.

Memo

To: Public Works Utilities Committee
From: David De Angelis, Village Manager, Richard Paul Jr., Director of Public Works
Date: March 4, 2021
Re: Public Works Agenda March Meeting

Item 3: Review and discussion on ROW modification ordinance language

Included in your packets is a draft of a Right of Way ordinance that addresses the concerns the committee has been faced with in the recent past. The committee shall review, comment, and possibly amend the language as necessary with a goal to recommend adoption to the Legislative Committee for review before recommendation to the Board.

Item 4: Update on SSND

No updates as of 3/4/21

Item 5: Update on Streambank Stabilization Project

No updates as of 3/4/21, but with the snow melting, InterFluve should be starting with the field work.

Item 6: Update on Underwood Creek Daylighting Project

No updates as of 3/4/21

Item 7: Update on PP I/I

Included in your packet is a copy of the last e-mail we received from Ruckert-Mielke as it relates to the status of projects and MMSD. Currently MMSD is still investigating issues they have had with CIPP lining and therefore have put our type of project on hold until a later date.

Item 8: Update on Transportation Utility

No updates as of 3/4/21

**PUBLIC WORKS/UTILITIES (PWUC) COMMITTEE
MEETING MINUTES
Monday, February 8th, 2021 6:00 p.m., Park View Room**

1. Roll call.

Meeting was called to order at 6:04 pm by Mr. Kressin

Present: Via Zoom Mr. Haas, Mr. Coons, Mr. Harley, Mr. Kressin, Mr., Casperson, & Mr. McNamara

Absent: Mr. Domaszek

Also Present: Mr. De Angelis and Mr. Paul in person

2. Review and act on minutes for November 9th, 2020 Meeting.

Mr. Harley moved and Mr. Coons seconded to approve the November 9th, 2020 meeting minutes. Motion carried 6-0.

3. Review and possible action on ROW Policy relative to 15200 Westover Rd request for plantings in ROW/ditch

Mr. Paul reviewed with the committee the information he gathered from other Waukesha County municipalities regarding governance of ROW. The common theme was 'nothing shall be placed in the ROW' aside from the allowable mailboxes. The municipalities that responded to the inquiry had varying levels of enforcement programs and newer ordinances that address items more directly. Overall, with the current climate of increasing telecommunications requests and existing utility upgrades and renewals, ROW real estate has become increasingly competitive. Additionally, storm water management has been on the forefront of many municipalities' lists to improve and maintain to avoid localized flooding and basement backups. Mr. Kressin and Mr. Coons felt that it was essential to develop criteria necessary for the Village to even consider allowing any modifications to the ROW whether it be the ditch area or any other part of the ROW. The committee agreed that there may be some instances in which the DPW could assist with making improvements and yet there are other situations in which the current conditions of ditches etc. are reasonable to maintain, albeit more difficult than others.

The committee tasked Mr. Paul and Mr. De Angelis to establish a draft of criteria, and then reasonable standards to follow relative to ROW requests for the committee to review at the next meeting

4. Update on SSND municipal water, sanitary and access

The initial plans were shared with the PWUC in order to act as an introduction to the upcoming and more detailed and separated utility plans so that the committee is aware.

5. Update on Streambank Stabilization

This also will soon be a regular item for updates to the committee. Mr. De Angelis informed the committee that the contract has been signed and Inter-Fluve will begin gathering data points and should have items available for review by May and the project to likely be placed out to bid by October/November.

6. Update on Underwood Creek Daylighting

Mr. De Angelis informed the committee that the Board approved moving forward with relocation and acquisition of One Hour Martinizing as well as initiating the process with the remaining properties.

7. Update on PP I/I

Mr. De Angelis informed the committee that there is nothing new to report yet in regards to the status of the follow up televising of the project that dates back to 2000. The district did however roll over the money from 2020 to 2021 since there was already a work plan in place. The village of Elm Grove is one of two communities that received the rollover funding.

9. Update on Transportation Utility

Mr. De Angelis informed the committee that the Board approved the bid for Ehler's to move forward with implementing the study needed to develop a Transportation Utility. The utility will be a means to fund the needed street reconstruction, pathways and bridges that the Village is in need to plan for as the Village faces costs far outpacing the revenue needed to proceed with the Board's prioritization and desire to keep on top of the roads and bridges that need reconstruction and future pathways throughout the Village. The goal is to have the study done by late spring with the goal for implementation by 2022.

4. Update on Public Works Projects

Mr. Paul explained that the DPW has been primarily focused on the snow removal as of late and has a healthy salt reserve at this point. Other activities outside of the snow removal are focused on tree removal and pruning as well as building maintenance.

10. Other Business

None.

11. Adjourn.

Mr. McNamara moved and Mr. Casperson seconded to adjourn. Motion carried 6-0. Meeting adjourned at 6:58 pm.

Respectfully Submitted,

Richard Paul, Jr., Public Works Director

DRAFT

Rights of Way

In order to maintain consistent and unobstructed conveyance of stormwater in roadside ditches, proper placement and maintenance of street signs, access for repair and maintenance to sanitary sewer structures, maintenance and/or construction of pedestrian pathways, maintenance and planting of urban forest trees, access for utility providers to place infrastructure and storage for removal of snow from the streets, the area designated as the Right of Way, owned by the Village, shall not have anything constructed, placed, planted, modified, etc., above or below ground, within the first 20' from the road edge into the adjacent lot. The Village of Elm Grove further prohibits the placement of any woody plants or vegetation which may be considered an obstruction or objects of any type within the remainder of the Village ROW without a ROW indemnity agreement.

No person shall encroach upon or obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed to remain on any public way adjoining the premises of which they are owner or occupant, with exceptions noted for mailboxes, temporary delivery for a jobsite, official Village signage, utilities, etc.

Existing items currently within the ROW:

Anything currently in place in the ROW without an indemnification agreement, prior to the enactment of this ordinance, with the exception of any items that have been or may be deemed a hazard by the Village, may require removal under the authority of the Public Works Director if it conflicts with any public works maintenance projects or repairs. Inaction on the Village's behalf does not constitute consent and the Village of Elm Grove does reserve the right to remove said item and pursue legal action as necessary. There is no assumption of liability by the Village for structures or plantings placed there by a homeowner without the consent or ROW Indemnification from the Village of Elm Grove.

An indemnity agreement is required for the placement by a property owner of any plantings, light poles, landscape hardscaping or anything within the ROW outside of the 20' setback from the road edge. The agreement must be completed and submitted to the Public Works Director who will review and make a recommendation to the Public Works/Utilities Committee for their review and action. The Village reserves the right to deny any request it deems as unacceptable for any reason.

Excessive slopes of drainage ditches is defined as any ditch which exceeds 2:1 slopes. Property owners who have concerns over the slope of a ditch which meets this criteria may request a review of the ditch for the purpose of possibly ameliorating the condition, if practicable.

The Village is not required to alter any ditch and there is no implication of consent for any further action. Any modifications the Village is able to perform will be done within the general work schedules and placed in order of other already pending projects.

Only the most severe conditions will be entertained by committee to approve with any options.

Pavement, pathway or other public Works Projects that include regrading ditches for stormwater conveyance, road reconstruction, etc. will address most of these issues at that time and any trees removed will be replaced by the Forestry Dept. as deemed necessary at some point in the future.

ROW Indemnification Agreements will only be allowable under certain circumstances, including but not limited to installation of underground sprinkler systems and electric dog fences outside of the 20' from road edge zone.

E-mail regarding status of PP I/I lining process with Ruekert-Mielke...

Good morning Dave/Richard,

Here's a summary of the information provided by Jerome on Feb. 12:


- A. The Village has an available balance of \$410,334 in the Municipal Funding Allocation Account.
- B. The District 2021 budget for the program was \$0, so there were no new allocation for 2021.
- C. A Statement of Intent of current funding must be submitted to the District by June 1, 2021.
There are 5 options on the form provided:
 1. Commit funds to a PPII project, and submit the Work Plan by October 1, 2021.
 2. Request to roll over funds for 1 budget year. You will then be required to commit this rollover balance next year.
 3. Statement of Decline in which you request to return all or part of the current account balance to the District general capital improvement budget, making the funds not available for PPII work in other municipalities.
 4. Transfer all or part of the current account balance to the Green Solutions or Residential PPII programs.
 5. Surrender funds not committed or accounted by the form, which will then be pooled for a Competitive Application process that makes the funding available to other municipalities.
- D. The Village currently has a draft Work Plan that was submitted to the District on 7/30/19 for the construction of PPII lateral work in the Terrace Dr and Wrayburn Road Areas. The work included the rehab of 30 sewer laterals (29 laterals on Terrace Dr area and 1 on Wrayburn Rd area), with most of the work being CIPP lining. The District is still "investigating" the CIPP issues they've encountered, so technically CIPP is still on hold (Jerome's words). He did advise to not hold out waiting for lining work to get approved again, and said we should discuss options prior to re-submitting an updated work plan.
- E. There's a consultant workshop scheduled for March 16, that I plan to attend (this is a new requirement for any consultant doing any work on the program).


How would you like to proceed? Would you like me to set up a meeting with Jerome to discuss the options for lateral lining? It's still early in the year that we should be able to bid/construct a project in 2021, would that be something you would want to pursue? Or have the work bid out by the end of this year for 2022 construction? I guess this would all depend on the "options" for lateral lining. So this is all I know for now. Looking forward to hearing from you and working together on this project.

Violet V. Razo, P.E. (wd)

Project Manager



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