

Village of Weston, Wisconsin
OFFICIAL MEETING AGENDA OF THE PUBLIC WORKS & UTILITY COMMITTEE
Monday, March 11, 2019, at 4:30 p.m.

AGENDA ITEMS.

1. Meeting called to order by Acting Chairman Ermeling.
2. Welcome, introductions and acknowledgement of guests.
3. Roll Call by Recording Secretary.

Roll call indicated 3 Property & Infrastructure Members present.

<u>Member</u>	<u>Present</u>
Ziegler, Jon	No (Excused)
Hubbard, Tom	Yes
Jensen, John	Yes
Ostrowski, Kevin	No (Excused)
Priebe, Matthew	Yes

Village staff present were Keith Donner, Michael Wodalski, Theresa Coleman, and Donna Van Swol. Also present was Loren White, Dan Weilep the owner of Crane Meadows Golf Course, Darlene Wiesneski (property owner on the west side of Zinser Street across from Crane Meadows), and Attorney Guy Fredel representing Darlene Wiesneski.

4. Approval of minutes from previous meeting: February 11, 2019.

****M/S/P Priebe/Hubbard: to approve the minutes from the meeting of February 11, 2019 as presented.***

Yes Vote: 3 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	-
Hubbard, Tom	Yes
Jensen, John	Yes
Ostrowski, Kevin	-
Priebe, Matthew	Yes

5. Public Comments. None.

6. Approval of permits and applications.

****M/S/P Priebe/Jensen: to approve water/sewer permit 201900073 & 201900089.***

Yes Vote: 3 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	-
Hubbard, Tom	Yes
Jensen, John	Yes
Ostrowski, Kevin	-
Priebe, Matthew	Yes

ACKNOWLEDGE WORK PRODUCT TRANSMITTALS. None.

PUBLIC HEARINGS

7. Zinser Street Utility Extension.

- a. Open Public Hearing: Special Assessments for Water and Sanitary Sewer Improvements, Including Laterals.** Ermeling called the public hearing to order and read the public hearing notice. Committee members and staff introduced themselves.

- i. Review Project and Special Assessment Report.** Wodalski described the proposed water and sewer main extension and lateral installation on Zinser Street south of Weston Avenue approximately 600 feet. Staff was approached late in 2018 by the owner of Crane Meadows Golf Course inquiring about the availability of municipal sewer and water facilities for their new clubhouse they plan to build. Looking at the options between public sewer and water and private sewer and water it was deemed that public facilities were available due to the fact that soil conditions would only allow a holding tank for a sanitary sewer system. Our comprehensive plan and zoning code restricts the use of holding tanks unless there is no other viable option. When looking at the cost of a private system versus a public system the costs were comparable. It was determined that municipal facilities are available. The next step was to proceed with the process of installing public facilities on Zinser Street. Per the village's special assessment ordinance whenever new facilities are extended the property owners adjacent to the facilities that would potentially benefit from the new infrastructure would pay the assessment costs of the new facilities. As proposed, the road reconstruction will not be special assessed it will be absorbed as a village cost. Only the water and sewer improvements will be assessed. The water main will be extended approximately 675 feet from where it currently terminates. The proposed water main will be installed as 8 inches but will be assessed at 6 inches, the oversizing costs will be absorbed by the village. We are proposing a 2" sanitary force main rather than gravity sewer due to the flat topography and shallow depth. The sanitary force main would require the property owners to have a grinder pump so they are able to pump into the main. The preliminary costs for sanitary sewer are \$23.20/LF, sanitary laterals \$75.78/LF, water main \$45.86/LF, and water laterals \$65.90/LF. Laterals will only be installed on the east side of the street because there are no structures on the west side of the street. The proposed assessments are estimated at \$48,830 for Crane Meadows Golf Course and \$43,163 for the Wiesneski property on the west side of the street. The total project cost is estimated at \$206,720. The proposed interest rate is 3.5% over 10 years. Wodalski added if the project is done in 2019 the first installment will be in 2020.

- ii. Testimony/Questions & Answers.** Attorney Guy Fredel is representing and spoke on Darlene Wiesneski's behalf. Fredel distributed to the committee members copies of a 5-year property crop land lease between Wiesneski and her tenant (executed December 2018). The village is proposing an assessment of \$43,163 for the Wiesneski property. This property is currently vacant and zoned Agriculture/Residential. The property has been in her family for 3 generations. Fredel said this would be a financial hardship for his client. She entered into the crop land lease to pay the taxes for the property and her elderly mother's home. The property was listed for sale and she never received any written offers to purchase the property. Fredel stated that his client will not benefit from water and sewer installation. Fredel referenced the Leonard Wolff case (special assessed using police powers) versus the Town of Weston and the Weston Sanitary District. Fredel stated, in the Wolff case it was determined the lots may be saleable at some future date, but it did not mean the benefits were substantial, certain, or capable of being realized in a reasonable time. Fredel emphasized Wiesneski could not realize any benefit for a minimum of 5 years because of the crop land lease and after that point it was still uncertain. Fredel referenced another court case of 1994 Lac la Belle Golf Club vs. Lac la Belle. Fredel stated there is no certainty as to when his client would realize a value. Fredel recommended a

solution of not to assess his client at this time or the village could defer special assessments until she sold her property or some portion of it.

Donner stated this property is not in cropland preservation. Donner added the village has deferred special assessments in the past. This is something the village would need to consider and take action on.

Dan Weilep owner of Crane Meadows reported he approached the village last December wanting to break ground for his new clubhouse in October 2019. He initially approached the village to install a private well and a holding tank. In the process special assessments came up. Installing a public system and special assessing him, would cost approximately \$15,000 more than installing a private system. Weilep said he would be in favor of installing a public system. He may have to delay construction until 2020 due to the condition of the golf course greens (currently having 2 inches of ice). Weilep added he does not want to cause a financial burden to his neighbors.

b. Close Public Hearing: Special Assessments for Water and Sanitary Sewer Improvements, Including Laterals. Ermeling closed the public hearing at 5:07 p.m.

c. Discussion and Possible Action on Matters Discussed at the Public Hearing. Donner reported the village would draft an authorizing resolution if we proceed with the project. The final resolution would not be adopted after the project was complete. The committee can accept the report as presented or direct staff to modify the engineer's report and make a recommendation to the Board of Trustees describing the modification (e.g. to defer the water and sewer special assessments for the Wiesneski property on the west side of the street).

****M/S Priebe/Jensen: to recommend to the Board of Trustees to accept the engineer's report with the modification to defer special assessments to the Wiesneski property until the sale of any portion of the property up to a maximum of 10 years.***

****M/S Priebe/Jensen: to withdraw the motion to recommend to the Board of Trustees to accept the engineer's report with the modification to defer special assessments to the Wiesneski property until the sale of any portion of the property up to a maximum of 10 years.***

There was discussion on whether interest would accrue during the deferment period, or would we expect the interest to be paid during the deferment period? There was discussion if the property did not sell within the 10-year period would the special assessments be due at that time or does the repayment schedule start at that point? Donner thought we should consider more options before making a recommendation to the Board of Trustees.

****M/S/P Priebe/Jensen: to refer back to staff to consider more deferral/repayment options for this project before making a recommendation to the Board of Trustees.***

Yes Vote: 3 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	-
Hubbard, Tom	Yes
Jensen, John	Yes
Ostrowski, Kevin	-
Priebe, Matthew	Yes

POLICY DISCUSSIONS AND RECOMMENDATIONS.

8. **2019-2020 Capital Improvement Plan Update.** Donner reported 2 weeks ago there was a special meeting of the Board of Trustees to refine the proposed capital borrowing for the year. Earlier this year the Finance Committee recommended to borrow up to \$6M this year for the general fund (exclusive of any utility borrowing).

Wodalski broke out the proposed capital expenses for 2019 and 2020. Wodalski briefly reviewed the expenses for 2019 (\$3.85M) and 2020 (\$3.25). Hubbard asked when the street reconstruction was going to take place. Wodalski stated the street reconstruction projects are looking to occur between 2020 and 2022 timeframe.

9. **Sanitary Sewer Capacity, Management, Operations & Maintenance (CMOM) Goals.** Wodalski reported we are in the process of putting together our Capacity Management Operation Maintenance (CMOM) for the sanitary sewer utility. In the program we are supposed to specify several goals for our community over the next few years. Staff met with Clark Dietz last Friday to discuss the goals further. Some of the main goals are to develop a schedule for sewer cleaning (we currently do about 1/3 of the system annually), more routine televising and manhole inspections following the sewer cleaning, take care of infiltration issues, etc. We need to put a formal plan into writing with realistic goals of how much will be completed each year. Additional needs include improving communication with customers regarding the sewer use ordinance, fats and greases, contamination, and sump pump discharges entering the sanitary sewer system. We need to have employee training systems and an overflow emergency response plan. We informally have procedures, but we need to have a written procedure to follow.
10. **Municipal Facilities Update.** Donner reported in the past we have discussed the condition of our municipal center facilities and its deficiencies. Some staff and Board members were taken on a tour of some municipal facilities Kueny Architects designed located in Oshkosh and Little Chute on February 27.

RESOLUTIONS/ORDINANCES.

11. **Resolution No. 2019-005: A Resolution on Governmental Responsibility for Urban Nonpoint Source and Stormwater Grants.** Wodalski reported in November we approved a contract with Strand Associates to assist the village with submitting a Wisconsin Department of Natural Resources grant for the creation of a stormwater management plan update. As part of the grant process a resolution needs to be approved by the municipality agreeing to the DNR’s requirements if we were to receive the cost sharing grant and authorizing staff to submit the grant on behalf of the village.

****M/S/P Jensen/Hubbard: to recommend to the Board of Trustees to adopt Resolution No. 2019-005 A Resolution on Governmental Responsibility for Urban Nonpoint Source and Stormwater Grants.***

Yes Vote: 3 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	-
Hubbard, Tom	Yes
Jensen, John	Yes
Ostrowski, Kevin	-
Priebe, Matthew	Yes

FUTURE ITEMS.

12. **Next meeting date(s):**
 a. **Monday, April 8, 2019 @ 4:30 p.m.** **Regular Meeting**
 b. **Monday, May 13, 2019 @ 4:30 p.m.** **Regular Meeting**

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| c. Monday, June 10, 2019 @ 4:40 p.m. | Regular Meeting |
| d. Monday, July 8, 2019 @ 4:30 p.m. | Regular Meeting |
| e. Monday, August 12, 2019 @ 4:30 p.m. | Regular Meeting |
| f. Monday, September 9, 2019 @ 4:30 p.m. | Regular Meeting |
| g. Monday, October 14, 2019 @ 4:30 p.m. | Regular Meeting |
| h. Monday, November 11, 2019 @ 4:30 p.m. | Regular Meeting |
| i. Monday, December 9, 2019 @ 4:30 p.m. | Regular Meeting |

13. Topics for future meetings. Zinser Street utility extension deferred assessments.

14. Remarks from staff.

- a. **Current projects.** Donner reported we are working with AquaHawk software and Civics utility software to get our customer portal up and operating. We have had several snow events and we have received a number of positive comments from residents regarding snow removal. Staff is concerned about a rapid snow melt as we are also supposed to get some rain.

Wodalski reported last week was a full blown snow removal project. This week we are starting to clean stormwater inlets and getting everything opened up.

15. Remarks from Committee members. None.

16. Announcements. Donner reported since the last committee meeting it has been made official that he is now the new Administrator and as a result there are some staffing adjustments being made. The Board of Trustees will be considering the recommendation made by the Human Resources Committee for Michael Wodalski to be promoted to the position to the Director of Public Works & Utilities. There are some other recruitments underway. Donner added at the end of March, Donna Van Swol will be retiring and will be replaced by Theresa Coleman.

17. Adjournment.

Acting Chairman Ermeling adjourned the meeting at 5:48 p.m.

Donna Van Swol, Utility Clerk