

**VILLAGE OF WALWORTH
VILLAGE BOARD**

Monday, February 10, 2020, 6:00 p.m.
Village Hall, 227 N. Main St., Walworth, Wisconsin

MINUTES

Call to Order: President Connelly called the meeting to order at 6:00 p.m.

Roll Call: Present: President Tom Connelly, Trustees Louise Czaja, Dan Mizialko, Kristi Reiersen, Pat McMahon, Randy Maynard. Also Present: Attorney Brad Lochowicz, Clerk Treasurer Sabrina Waswo

Pledge of Allegiance

Approval of Minutes from the August 12, 2019 Regular Board meeting

Mizialko/Czaja motion to approve with correcting the FWWPCC section to state sewer plant instead of water plant. Unanimously carried.

December 2019 & January 2020 Financial Reports – Village and Water/Sewer Budgets

President Connelly asked the board to review the financial reports.

January 2020 Village and Water/Sewer Payables including Additions

Czaja/Reiersen motion to approve payables including additions. Unanimously carried.

Comments from Citizens Present: Any item presented to the Village Board by a citizen will be heard and may be placed on the next regular meeting's agenda

Kelly Freeman, 410 Oak Hill Rd, stated the Library is hosting the 4th annual Candidate's Forum on March 19 at 6:30 p.m. She spoke to the Village Hall handicap accessible doors and recommended a parking stall with a ramp. She feels the project needs to be finished.

Joan Sallee, 129 Phillips Ave, asked about the forum and submitting questions. Trustee Czaja directed her to the Interested Citizens Group website.

Communication and Miscellaneous Business – Discussion, Consideration, and Action on the following:

Accept Donation in the amount of \$750 from Lakeland Community Church

President Connelly stated Lakeland Community Church raised \$75,000 on Christmas Eve. They presented checks to government agencies (police, fire, and school administrators). Connelly attended a service, stating it was extremely positive and well received.

Maynard/Mizialko motion to accept the donation from Lakeland Community Church. Trustee Czaja said, considering the last experience, she asked the Attorney's opinion on accepting the donation. Attorney Lochowicz replied this is a different situation than the Disaster Relief Fund; he has no issue from a legal perspective. Connelly read the letter from Pastor Josh, noting they did leave the donation very broad. He suggested the donation go towards Holiday lights since funds were raised on Christmas Eve. Unanimously carried.

Baxter and Woodman Drainage Study

Village Engineer Mark Kolczaski and John Stineboch from Baxter and Woodman presented the drainage study. They looked at drainage in the south end of the village. The bulk of what was studied was the Oak Knolls area. Oak Knolls has had chronic flooding for many years; some owners have

installed berms in their rear yards. There are many walkout basements which are susceptible to flooding. The larger storms will back up water into side yards and streets. With the existing system, the water comes into the basin and is designed to soak into the ground. With larger storms it can only soak in so fast, especially if the basin has water already or is frozen. It's difficult to get infiltration systems to work properly. There is a 10 foot deep outflow/discharge pipe that extends a few blocks and stops at Ridge Road. They looked at what is really draining into Oak Knolls and conducted hydraulic monitoring to find water flow. They looked at 6 square miles of area. When studying storm water management, they use 24 hour duration storms; a 2 year storm up to a 100 year storm. They studied percentages of occurrence in any one year: 4% chance/4.9 inch rainfall, 2% chance/5.6 inch rainfall, and 1% chance/6.4 inch rainfall. The events that occurred in September were 11 inches of rain over 4 days. They found the existing systems did have protection for up to the 25 year or 4% chance storm for a 24 hour event. They noticed Lake Petite overtops its banks somewhere between a 4% and 2% storm, which is around a 25 year storm.

One alternative they looked at was raising the berm 4 feet to 990 foot elevation, eliminate walkout basements and fill in rear yards. They looked at providing a permanent outflow. There is currently a 30 inch pipe that was installed as an overflow pipe. The pipe goes up before it starts to go down. It comes out of the pond and acts as a local drainage storm sewer. It's not the most hydraulically efficient type of outlet. Where the high point is in that, basements are already flooded.

We looked at a couple options for an outflow. One was a dedicated gravity sewer pipe. There would be no pumps involved. It would just flow. Other option is a pump system installed by the Oak Knolls basin. It would be a pressurized sewer and runs out past the village. The other option is a hybrid system that would be pumped up past Ridge Road and ran through a series of swales and large culverts to the lower lands in the west. The last thing we looked at was if we could enlarge the Oak Knolls infiltration basin.

First conceptual alternative is our gravity option pulling off the south end of the Oak Knolls basin and running a pipe all the way out to where the elevation will meet up on the west side of the village. The study looks at just the gravity system and then how it would flow if the berm was increased to 990 feet and increasing storage.

Alternate 2 is the pumped option, running a pipe to the same place but putting a lift station near the basin. Then including the raised berm and increased storage.

Alternate 3 is the hybrid of the pumping system with the lift station. It would be pumped up Ridge Road in a pipe and ran through swales and culverts out to the west. Then including options of raising the berm and additional storage.

The cost estimates are all pretty hefty. They looked at a phased improvement. The first thing to note is the existing system handles a 25 year storm event. The first thing to do is to clean out the basin. The basin needs to be cleaned and maintained every 5 to 10 years. It should be dreaded to get all the sediment out which is really preventing the water from soaking through into the gravel soil below. Phase 1 would be raising the berm and dreading out the system to get it back to working the way it was designed. This should get you to about a 50 year event or a 2% chance of happening in any one year.

The next phase would be the gravity sewer. The cost of that is about 3.6 million and would get you to a 60 year storm. The last phase would be expanding Oak Knolls basin into the Pines of Big Foot subdivision to the west where they already have detention and a low area. It would give you protection for a 75 year storm. If you want to get to a 100 year storm, you can take these cost figures and double them. It is very expensive.

The engineer took questions. Mark noted they are not talking about providing protection for the 500 to 1,000 year storm event. That is unheard of, but they do seem to be happening a lot more often. John estimated the water level to be at 991 to 992 feet based on where the water was, swales in the area and the elevations. Mark stated ground water is extremely high this year and still is.

President Connelly noted if we went through this whole process and phased it in according to the plan, it just gets us to a 75 year event. If we have another event like we did in September, we would not be protected against the 100 year event. Mark replied your choices are, you either are not protected or you spend 15 million dollars to get there.

The effect of running the pump really does not add a lot of capacity, it is less than half a foot. Where it does help is between storm events. Connelly noted we have the pump, but it will not prevent what happened in September.

Mark explained if you wanted to put a pumping station in, those pumps would not need to be replaced every year. Those would last like a sewage pump but would require weekly maintenance. Connelly asked if the costs in the study include maintenance and ongoing operational costs. Mark looked at the two different options between the 11,000 gallon a minute pumping station and the gravity sewer. The gravity sewer is very little maintenance. Water comes up and it spills down. You may clean that out every 10 years. The pumping station is less expensive but there are operational and maintenance costs. Over 20 years the costs would be the same. If the costs are the same, Mark would put in a failsafe. Pipes are a lot more failsafe.

Joan Sallee asked about the effect of the water on the farmers with the gravity system. Mark replied the farms to the west of the village will not see water as it will be soak into the ground. He did hear about fields flooding out in September. He noted perhaps the village could put in a larger culvert to address that situation. There may be an increase in water going to the west with these improvements. Trustee Czaja stated we could be talking about a stormwater utility situation. Connelly stated when you talk about these numbers, he does not know how we could do it without a funding mechanism. If you take out the whole drainage system, there is still a natural flow of water to west. Even if we had no development at all, Petersen's would still get water cutting through their farm field with the type of event we had in September.

Mark stated they put together an application to the WI DNR last fall to potentially fund these types of improvements. This would help the village get a lower interest loan, or you could pay it over 20 years. Connelly noted this is similar to what we just did with the Clean Water Fund Loan. We talked about having something in place in a year. We may have a berm around the basin in one year. Mark stated it's more about funding than anything else. To tackle the next 3 million dollars will take quite a bit of analysis and design and would be a period of time. Future phase may be the possibility of expanding to the east and working with the Pines of Big Foot. They looked at a phased approach knowing the village cannot afford 7.5 million dollars at once. Mark did not see that happening next year or in two years. President Connelly stated our debt ceiling is 11 million.

Bob Ball questioned the pipe buried too deep to be of any use. Mark replied the outflow pipe in the Oak Knolls basin extends through the subdivision and comes out at Ridge Road to about 10 feet deep. If you compare that to the elevations in the high school drainage way, that pipe is about 3 feet lower than the high school drainage. To tie into the high school system, the pipe would need to be raised higher than the basin. Mark feels Lake Petite was never considered in the design of the Oak Knolls system. John pointed out the village will need cooperation with the Town of Walworth for all options excluding raising the berm.

Trustee Czaja questioned the new Shodeen property annexation and if there any remedial remedies we could require that would slow down the flow. Mark replied the Pines of Big Foot subdivision does have large infiltration basins in the drainage path. These systems were designed for a 200 year storm, knowing there is a problem downstream. The outlet is Oak Knolls; it is the natural flow of water. Czaja asked about a dam on Lake Petite. John stated we looked at a dam which is more of an earthen berm, not a traditional dam.

By increasing the berm 4 feet higher, water could potentially collect behind it in people's back yards. This is why Mark is suggesting residents block out their walkout basements and fill in their backyards or install a pump. Oak Knolls system was originally designed with a berm of 990 feet and no walkout basements. Connelly noted, the engineer at the time, Strand, said do not build houses around the retention area. They didn't think the developer would because it would be too costly to build them at the correct elevation, but they were built anyway.

Mark stated this is not going to happen all at once. The estimated cost to raise the berm would be \$850,000. As they would get into designing, they would refine these estimates.

McMahon/Mizialko motion to refer the drainage study to the Public Works Committee, Finance Committee, and Plan Commission. Connelly noted it is a testament to when we enter into developments like this, we follow the engineer's recommendation. He felt there was enough information when Oak Knolls was being built to say no walkout basements. This was planned 25 years ago and now we have a problem. Those decisions are critical and have long lasting effects. Trustee McMahon questioned what they are going to discuss at Finance and Public Works Committees. Mark stated the project costs do not include easement acquisition. There is a 30% contingency. Trustee Czaja asked if they have to decide on a method first. Mark replied, that's where Public Works comes in. Unanimously carried.

Oak Knolls Flooding as it relates to the Pines of Big Foot Subdivision Plans

David Patzelt attended the meeting representing Shodeen and Pines of Big Foot. President Connelly said the design is for a 200 year standard, which is double for the project of your size. Dave questioned if a basin was built at 200%, if that same storm event went through would that provide a positive effect. Mark noted they did not look at that scenario, but it certainly would help. Based on the September event, he does not know of any facility that would have helped. It may have just prolonged the event, but it would eventually spill over.

Connelly asked, based on Shodeen's plans, could Baxter Woodman put that into their model and see what the effect could be? Mark stated it could be done but would have to be a separate project. They already spent about \$20,000 of their \$16,000 budget. It took a lot of analysis. Connelly noted it's surprising to see what size basin Lake Petite is.

Dave stated Mark was pointing to the land south of the pines to add another 31 acre foot basin. Dave thought this open space is a high knoll. He believes it's 10 feet higher there. Mark replied there would be substantial costs to put that in. Dave said the first step would be to input the 200 year storm water basin and see what the savings is.

Trustee Czaja felt conservancy would have a place in this discussion. She questioned if the village should discuss areas of conservancy in the Pines of Big Foot to help absorb some of these drainage issues; and would that have any remedial effect downstream if some of the land is left in a conservancy. Mark replied the reduced amount of impervious surfaces and increased green space would benefit. Czaja feels this is something our developer needs to think about.

Mark will put together a workorder for the next meeting. He does not show the Pines has been platted. Connelly stated this is correct, nothing has been filed as far as a final plate, but we do have a developer's agreement. Dave stated, at this point, the cost to put the Pines of Big Foot in is greater than the return to do the development. He does not have any short term plans to build any of that.

Paul and Russ Petersen from Petersen Farms noted they were getting a lot of water. Russ was concerned as there will be no infiltration systems if a straight pipe is installed. Dave pointed out the village would essentially be putting up a dam by increasing the height of the berm in Oak Knolls. That will push the water back to his property. Connelly feels the committees can discuss this more. Mark purposely left recommendations out of the report until the village has a chance to think about how they want to go about this. Connelly noted the intent is not to take a problem and move a problem. We need to take into consideration where this water all goes.

Brennan Letter of Credit Notice of Non-Extension regarding Big Foot Ridge Subdivision

The village has the authority to request another Letter of Credit or draw on the Letter of Credit. The work is not complete. Attorney Lochowicz stated once it expires, we have nothing.

Czaja/Mizialko motion to recess at 7:20 p.m. Unanimously carried.

McMahon/Reierson motion to go back into session at 7:25 p.m. Unanimously carried.

Attorney Lochowicz stated one option would be to draw the funds from the Letter of Credit. It does not eliminate Brennan's obligation under the agreement to complete the project. We still have a contractual obligation for Brennan to complete the subdivision, but if we let the LOC expire we don't have a mechanism to ensure that it gets done. Trustee McMahon suggested Brennan issue another Letter of Credit or we draw the funds. Connelly feels the board should take into consideration that Brennan wants to finish the project, but will he want to develop it if we draw on it. Attorney Lochowicz does not want the village to be in a position where Brennan says he wants to finish this and on February 21st we get a different story. McMahon feels we should protect ourselves.

Mizialko/McMahon motion to issue a 5 day notice that if a new letter of credit is not established and filed with Village Hall, we will draw on the Letter of Credit. Unanimously carried.

Village of Fontana Reconstruction of South Lakeshore Drive and Detour Route

Connelly provided information to the board as the detour route will come through the village. Project is scheduled to start in March and finish in November.

Standing Committee Recommendations & Reports – Discussion and Action on the following:

Finance: Meeting Update

Request to Purchase Tractor Salt Spreader

Connelly has been in discussion with DPW Boss. Boss thinks he may be able to limp along with what he has. Czaja noted the truck and loader came in lower than expected so there is additional borrowing. Connelly does not feel we should take action on the item as it is unbudgeted. Item will be put on the August agenda to discuss during budgeting for 2021.

Contract with ABT Mailcom for Water and Sewer Billing

ABT Mailcom works with our new software. It is the same cost for them to stuff and mail the bills as it is for Village Hall to do it.

Mizialko/Reierson motion to approve. Unanimously Carried.

Civic Systems Contract to assist with Bank Statement Reconciliation for Audit

Received a quote for \$2,400. This will help get us get up to speed on reconciliations for both water/sewer and general funds. CT Waswo noted, our auditors have requested Civic set up additional funds – Debt Service, Impact Fees, and Capital Improvements. These will be removed from the General Fund.

Mizialko/Maynard motion to engage with Civic Systems to help get us caught up with bank reconciliations. Unanimously carried.

Village Hall and Police Department Cleaning Services

Connelly noted we have discussed with other agencies and individuals. Consensus was to obtain more quotes.

General Services: Meeting Update

Amend Ordinance 10-6-1 – Weight Limits and Heavy Traffic Routes and, 10-1-11 – Street Traffic Regulations. During General Services we made some changes to the ordinances for clarification. Ordinance 2020-1 changes the weight from 8,000 lbs. to 20,000 lbs. or ten tons. This will match our signs on our residential streets that prohibit trucks to use those routes unless they have a delivery on those streets.

Reierson/Maynard motion to approve Ordinance 2020-1 amending from 8,000 lbs. to 20,000 lbs. Unanimously carried.

Ordinance 2020-2 amends the definition of heavy traffic poundage from 10,000 lbs. to 20,000 lbs., adds language “When being used for refuse collection or recycling pick up, vehicles owned and operated by a village approved provider of said services will be exempt from the provisions of this section,” and amends heavy traffic routes to remove Beloit Street and add “That portion of Beloit Street included in the B1 zoning district.”

Maynard/Mizialko motion to approve ordinance 2020-2. Unanimously carried.

Hiring Part-Time Officer Salvador Marquez

Maynard/Mizialko motion to approve hiring part-time Officer Salvador Marquez. Unanimously carried.

Lt. Alonzo request to carry over 40 hours vacation

Salaried employees are allowed to carryover 40 hours.

Mizialko/McMahon motion to allow Lt. Alonzo to carryover 40 hours vacation. Unanimously carried.

Original 2019-2020 Operator’s License application for Karen Navlyt, Renee Beierwaltes, John Liptak, Dana Meyers, Destanie Tedder, Brandi Hughes, Sandra Grundmann, JoAnn Thies

Mizialko/Reierson motion to approve the operator’s license applications. Unanimously carried.

Public Works: Meeting Update

Disposal of old Generator on Wisconsin Surplus

Czaja/Mizialko motion to list the old generator on Wisconsin Surplus. Unanimously carried.

Amend Ordinance 6-2-7(f), decreasing the Snow and Ice Removal Expense from \$200 to \$100

This came out of Public Works. Ordinance 2020-3 would change the minimum expense from \$200 to \$100. This is the cost recovery mechanism. The penalty is \$50, which has never changed. Normally the village has never charged the penalty.

Maynard/Reierson motion to approve Ordinance 2020-3 amending the minimum expense from \$200 to \$100. Motion carried 5 to 1 with Trustee McMahon voting “no.

Commission and Special Committee Reports: Discussion, Consideration, and Action on the following:

Plan Commission: Meeting Update

Uniti Tower Update

The Certified Survey Map needs to be signed and filed. Clerk to send invoice for Building Permit fees.

FWWPCC: Meeting Update

Phosphorus Reduction Project Information and Update

Connelly read Doug York’s explanation of the project into the record.

Emergency Government: Meeting Update. No update.

Library Board: Meeting Update. Nothing new to report.

Closed Session

To consider a motion on whether or not to conduct a closed session pursuant to Wis. Stat. 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for employee pay increases, departmental performance data, and employee benefit summary forms for Public Works and Clerk Treasurer Departments

Reierson/Mizialko motion to go into closed session at 8:04 p.m.

Roll Call: Czaja, Mizialko, Maynard, Reierson, Connelly, McMahon voting “yes.” Unanimously carried.

Open Session

Return to open session pursuant to Wisconsin Statutes 19.85(2) and take action on any items discussed in closed session

Czaja/Maynard motion to go into open session at 8:35pm. Unanimously carried.

Maynard/McMahon motion to change Deputy Clerk Treasurer Lisa Roger’s Benefit Summary Form language to state “The Village shall pay the Deputy Clerk Treasurer the sum of \$50 per meeting required to attend.” Unanimously carried.

Reierson/Maynard motion to change Clerk Treasurer Sabrina Waswo’s Benefit Summary Form to remove the language “that convene after 5:00 p.m.” Unanimously carried.

Adjournment

Czaja/Mizialko motion to adjourn at 8:38 p.m. Unanimously carried.

Sabrina Waswo, Clerk Treasurer