



Public Works Committee  
Tuesday, November 14, 2023  
5:00 p.m.  
Cravath Conference Room  
Municipal Building - 2<sup>nd</sup> Floor  
312 W. Whitewater St  
Whitewater, WI 53190

### MINUTES

#### **1. Call to order and roll call.**

The meeting was called to order by Stone at 5:00 p.m. The meeting was held at the Municipal Building in the Cravath Conference Room on the 2<sup>nd</sup> floor.

Present: Allen, Gerber, Stone

Others: Marquardt

#### **2. Approval of minutes from September 12, 2023**

It was moved by Allen and seconded by Gerber to approve the Public Works Committee minutes from September 12, 2023.

AYES: All by via voice vote (3). NOES: None. ABSENT: None.

#### **3. Hearing of Citizen Comments**

No hearing of citizens comments at that time.

#### **4. New Business**

##### **a. Discussion and Possible Action regarding private side lead water lateral replacement costs.**

Marquardt stated a discussion by City staff needed to start regarding how to proceed on handling the cost associated with replacing private side laterals, which are privately owned and 100% responsibility of the homeowner. It was noted this program, replacing lead laterals, is a requirement through the EPA. The City needs to replace lead water laterals on both the public and private side throughout the City. Through our inventory process we believe there are 163 laterals that need replacing on the private side. 92 laterals serve rental property and 71 serve owner occupied property. Staff submitted an Intent to Apply to obtain funding through the Safe Drinking Water Loan Program (SDWLP). If the City ranks high enough to obtain a loan, the City would also be eligible for some Principal Loan Forgiveness towards the private side costs. It is estimated that 50% of the cost to replace the private side lead water laterals would be eligible. The remaining 50% is what needs to be discussed.

Options include:

1. Property owner pays through a special assessment
2. Water Utility pays using rate payer funding. This process would need PSC approval.

3. City pays by obtaining a General Obligation bond.

The cost, on the private side, will vary depending on the length of the lateral and other above ground obstructions; however, staff is estimating between \$2,000 and \$4,000, per lateral. Considering the 50% principal forgiveness, this would leave the property owner with a cost between \$1,000 and \$2,000.

Stone asked what the timeline was for this replacement program. Marquardt stated the replacements do not have to all be done in one year. However, the City would receive more points in the scoring system if that was done. Whitewater would be ranked among other municipality projects throughout the State. The more points we get, the higher up we are, which means the more likelihood we would be approved for the project and get principal forgiveness.

Gerber asked how much is given out in the Water Loan Program? Marquardt stated he did know, but not off the top of his head. Gerber asked how many people are selected for the program. Marquardt stated it depends each year based on the costs of the projects that are submitted and how they are ranked. Gerber said she is leaning toward option #1, as residents would only be paying 50% to begin with. Marquardt stated that would be true if the City gets the principal forgiveness. Gerber said she hates to put the City on the line if we don't get the loan. Then the City would be responsible for the whole thing and the residents would pay nothing. That just doesn't seem right.

Marquardt stated he did do the application last year and we ranked pretty high. The issue was by June 1<sup>st</sup> the City had to have actual plans and specification prepared to submit the actual application. He feels we are in a better place this year than last year. Marquardt will start putting together an actual plan and specifications after the first of the year. Rankings should come out by the end of the year. Therefore, we will have a better idea where we stand in comparison to other projects.

Staff is not providing any recommendation at this time. This item was meant only for discussion and to obtain questions and comments from the Committee. One thing to keep in mind is that all property owners must be treated equally.

**b. Discussion and Possible Action regarding an underground detention basin at Starin Park.**

Marquardt stated earlier this year a report was submitted to the DNR telling them how we are meeting our MS4 requirements and what we plan on doing in the next permit cycle, which starts next year. The DNR also reached out to UW-Whitewater because they also have their own MS4. One of the projects identified for both entities was an underground detention basin in Starin Park. The University wants to move on this as it helps them get closer to their phosphorus removal and it helps the City as well with their requirement. Staff is looking at the possibility of installing an underground detention basin in Starin Park to help remove Total Suspended Solids and Phosphorus from stormwater before it enters Whitewater Creek.

A presentation was given to the Park & Recreation Board and to the Urban Forestry Commission to gather information and answer questions. The concept shown in 2017 had it west of the entrance way that feeds the parking lot by the Senior Center. Since 2017 the playground has been extended and an arboretum has gone in. Therefore, that would not be a good location now. The Park board asked Marquardt to look at other options. As referenced in the maps, one option was to do something on the east side of the drive, more in the southern parking lot. The other thought was putting it in under the baseball field, which would be the first one to the north.

There are limitations where the City could place this detention basin. We have to stay 400 ft away from an existing well, and there is an existing well at the Water Utility. Another location was under the parking lot by the Senior Center. After reviewing the costs of that option, it was determined the hydraulics wouldn't really work. Therefore, that's how it came down to these two locations. Marquardt plans on taking this to the Park Board meeting tomorrow. The purpose of discussion at the Public Works Committee is to bring the Committee up to speed on this potential project.

Marquardt stated the reason Strand identified this area to begin with is it serves 175 acres of University and City property. It is a lot of impervious area now and the City would be getting a good bang for their buck from having dirty water, rather than residential areas where there is a lot of pervious area already and the water is getting clean through lawns and coming to the streets. This water all drains through a large storm sewer underneath Starin Road and out to the creek. This is diverting a small amount to this underground detention pond and that's why it's located where it is. It would be located at the lowest end of the storm sewer and treats all of the storm water.

Marquardt stated this project would be funded through the storm water fund and it would be another project they would try and submit for clean water funds.

**c. Discussion and Possible Action regarding sidewalk replacement program.**

Marquardt stated he started updating the Sidewalk Ordinance to come in line with today's standards.

Some of the noted changes are as follows:

- The ~~building inspector~~ Public Works Director or designee shall be designated as the sidewalk administrator.
- It shall be the responsibility of the sidewalk administrator to administer the provisions of this chapter. ~~He~~ The sidewalk administrator shall determine that new sidewalks are laid where required, that existing sidewalks are repaired or replaced when required, and that all sidewalk construction is completed according to the requirements of this chapter.
- All sidewalks shall be laid within the street right-of-way and shall be laid one foot from the property line, and shall be four to five feet in width unless otherwise specified in this chapter.
- All concrete work done after November 1st and before March 1st shall be protected against freezing ~~with a four-inch layer of hay covered and anchored in place~~ for seventy-two hours.
- The elevation measured at the edge of the sidewalk nearest the property line shall not be less than two percent ~~nor more than five percent~~ above the top of the adjacent curb. For all practical purposes the sidewalk shall be located at a higher elevation than the curb as stipulated above, and shall follow the uniformity of the curb and not the fluctuating lot elevations.
- The transverse slope of the sidewalk shall not ~~be less than~~ exceed one quarter inch per foot, ~~or more than one inch per foot~~ sloping toward the public street.
- Dummy joints shall be installed either by sawing or grooving at approximately ~~four-foot intervals~~ the same width of the sidewalk constructed at right angles to the centerline. Expansion joints shall be installed at a maximum of ~~ninety-six~~ one hundred-foot intervals and at property lines.

- Unless otherwise herein specified, all sidewalk shall be constructed in accordance with applicable provisions of the most current State of Wisconsin Standard Specifications for Road and Bridge Highway and Structure Construction, 1981 Edition.
- ~~During the calendar year 1983, the sidewalk administrator shall perform a comprehensive survey of the structural conditions of all sidewalks in the City of Whitewater and shall report to the council those sidewalks which are unsafe, defective or insufficient. Starting in the calendar year 1984, the sidewalk administrator shall annually review the sidewalks in one of the wards per year on a rotating basis.~~
- When a portion of an old sidewalk is repaired or replaced and the original width of said sidewalk was less than or greater than four feet, the original width of the sidewalk shall prevail provided that the original width is uniform within the entire block and also that less than all of the sidewalk on the entire block will be replaced. ~~In all other circumstances the four foot width regulation shall be applicable.~~
- Whenever the sidewalk administrator determines that the provisions in this chapter require the construction of new sidewalk, or the repair or replacement of existing sidewalk, ~~he shall prepare~~ an order requiring that new sidewalk be constructed or that existing sidewalk be repaired or replaced shall be prepared. A copy of the order directing such construction, replacement or repairs shall be served upon the owner of each lot or parcel of land. The sidewalk administrator shall serve such notice. Service of the notice may be made by personal delivery, by certified or registered mail, or by publication in the Whitewater Register as a Class I notice under Chapter 985 of the Wisconsin Statutes, together with mailing, by first class mail, if the name and mailing address of the owner can be readily ascertained.
- Whenever any such property owner, who has been notified, shall neglect for a period of twenty days after such notification to lay, remove or replace, or repair any such sidewalk, the sidewalk administrator may cause such work to be done at the expense of such owner. All work for the construction of new sidewalks and the replacement or ~~requiring~~ repairing of existing sidewalks shall ~~annually be let by competitive bidding to the lowest responsible bidder be bid following the City's Procurement Policy,~~ or done by public works personnel ~~currently~~ employed by the City of Whitewater.
- Sidewalk Construction Release Form  
~~Other description if required~~ ESTIMATED COST: Length x Width x Estimated Cost = Preliminary Cost  
If Applicable: 50% Cost  
Final Estimated Cost to Property Owner: Total Cost
- Whenever the amount to be levied is in excess of ~~one~~ five hundred dollars, the property owner may elect to pay over a ~~five~~ three-year period and have the city clerk enter said costs, together with interest at the prevailing interest rate on the tax roll, as a special assessment against such lot or a parcel of land.
- ~~The city shall be responsible for the costs incurred to reconstruct curbs and sidewalks to comply with Section 66.616 of the Wisconsin Statutes, except where the sidewalk involved was determined to be unsafe, defective, or insufficient. In that case, the property owner shall be assessed on a square foot basis for the sidewalk replaced which is in the normal construction limits of a standard sidewalk, that is, one foot from property line, four feet in width.~~
- Where there is a replacement of sidewalk and there has been a previous assessment for sidewalk, a credit shall be given for the remaining useful life of the sidewalk. The useful life of the sidewalk for his purpose shall be ~~ten~~ twenty-five years.

- ~~• Unless changed by Resolution, the property owner is responsible for 50% of the estimated cost. If it is determined by the sidewalk administrator that the sidewalk to be replaced or repaired is due to a city terrace tree, the City shall pay 100% of the cost to replace or repair.~~

The complete unedited version of this document can be found under the City of Whitewater's website, Municipal Code of Ordinances, Chapter 12.22 Construction Standards Adopted.

A motion was made, by Gerber, to approve the Sidewalk Ordinance as presented and seconded by Allen.

AYES: Gerber, Allen. NOES: Stone. Absent: None.

Marquardt stated this ordinance will be forwarded to Council for final action.

## **5. Future Agenda Items**

No items at this time.

## **6. Adjournment**

It was moved by Gerber and seconded by Allen to adjourn the Public Works Committee meeting at 5:42 p.m.

AYES: Ally by via voice vote (3). NOES: None. ABSENT: None.

Respectfully submitted,

*Alison Stoll*

Alison Stoll, Administrative Assistant  
Department of Public Works