

**VILLAGE OF GRAFTON**  
**BOARD OF PUBLIC WORKS MEETING MINUTES**

**AUGUST 18, 2014**

The Board of Public Works meeting was called to order at 4:00 p.m. by Chair Sue Meinecke.

Board members present: Trustee Sue Meinecke, Trustee Dave Antoine, Pat Murray, Les Blum, and Trustee Lisa Harbeck (4:07 p.m.).

Staff present: Director of Public Works/Village Engineer Dave Murphy, Superintendent of Public Works Gary Helm, Utility Superintendent Tim Nennig, Utility Program Coordinator Larry Roy, Village Attorney Michael Herbrand, and Administrative Assistant Melissa Depies.

Other Officials present: Village President Jim Brunnquell

Public present: Bill Hass and Sue Hass

**HEAR PERSONS REQUESTING TO BE HEARD**

None

**MINUTES**

Motion by Trustee Antoine, seconded by Mr. Murray, to approve the June 9, 2014 Board of Public Works meeting minutes. Motion carried.

**WATER & WASTEWATER / PUBLIC WORKS**

Addendums to maintenance contracts for Water Tower 1 and 2

Utility Program Coordinator Larry Roy explained that in March 2011, the Utility entered into a maintenance contract for Tower 1 with Utility Service Company. In March 2012 the Utility entered into a similar contract for maintenance of Tower 2.

When negotiating these agreements, it was believed that this work would be considered maintenance and not subject to prevailing wage rules, however in May 2012, the Utility was notified by the Department of Workforce Development that it was being investigated for failure to comply with the prevailing wage law for work performed at Tower 1. Therefore, prevailing wages were paid to the employees when work was being done on Tower 2.

Mr. Roy is requesting approval of addendums to the existing maintenance contracts due to the increased costs associated with the prevailing wage requirements.

Attorney Mike Herbrand indicated that there were several meetings and correspondence between himself, Utility Service Company, and the Department of Workforce Development and it has been verified that prevailing wages were paid to the

employees. Utility Service Company has agreed to adjust Village payments over the term of the contract so additional costs can be evenly absorbed.

Mr. Blum questioned the penalty cost. Attorney Herbrand indicated that the penalty is 100 percent of the back pay. The back pay and penalty totaled \$59,169.58.

Mr. Blum stated that on page 2 of Addendum 1 it states "All applicable taxes are the responsibility of the Owner and are in addition to the stated costs and fees in this Contract". He questioned why that language was included as the Village is tax exempt. Mr. Roy responded that this is boiler plate language that is in all contracts, there have never been taxes paid on any of these contracts in the past.

Motion by Mr. Blum, seconded by Trustee Antoine, to recommend the Village Board approve the Utility Service Company, Addendum #1 for Tower 1, and Addendum #1 for Tower 2, that includes increased fees and new fee schedules that comply with the State of Wisconsin Department of Workforce Development prevailing wage law. Motion carried.

#### Utility Garage/Septic Receiving Station Change Order 3

Director of Public Works/Village Engineer Dave Murphy stated that this change order includes two items: fabrication and installation of the deflector plate and a credit for elimination of the heater cabinet.

Mr. Murphy indicated that there are some minor issues with the deflector plate; therefore, there may be some additional charges for moving the plate to resolve the issues. All costs associated with this change order have been incurred.

Trustee Harbeck questioned if the pressure was too much for the system to handle, or if the pipes were too small, could that be why material is coming back up. Mr. Nennig responded that the deflector plate was installed too close to the pipe which is causing clogging of the pipes and the material to flow back. Moving of the deflector plate should resolve the problem.

Motion by Trustee Harbeck, seconded by Mr. Murray, to recommend the Village Board approve Change Order 3 to Jos. Schmitt & Sons for an additional cost of \$780.32 associated with the Utility Garage and Septic Receiving Station project. Motion carried.

#### Status of WWTP sludge hauling, disposal options, and future contract agreement

Utility Superintendent Tim Nennig explained that he has been working with two area facilities permitted by the DNR and Milwaukee Metropolitan Sewerage District to discharge Grafton's sludge directly into the MMSD collection system since early 2013.

Mr. Nennig noted that after several months and many meetings and discussions with the DNR and MMSD, the Utility was informed that MMSD discharge was no longer a viable option and permission to discharge would not be granted.

Mr. Nennig reported that the sludge generated at the Grafton WWTP is considered high quality for traditional land application methods; however, certain metals in the sludge exceed the allowable amounts for sludge receiving facility permit limits.

Currently the sludge is being trucked and stored at a facility over an hour away and then after the appropriate storage time it is being applied to the fields. There may be a sludge storage facility approximately 30 minutes away and the Town has given the Utility permission to use the available tanks. However, along with this, the Utility would need to acquire and secure adequate land application sites (500 acres per field) near the storage facility. This action would require DNR review and approval.

Mr. Nennig stated that the Utility will continue to investigate alternatives to reduce the annual sludge hauling and disposal costs.

Trustee Antoine questioned if the high levels of copper, zinc, and iron are the reason why we cannot utilize MMSD. Mr. Nennig responded yes, our levels are higher than what they will allow.

Mr. Blum questioned if the Utility assumed any liability from dumping the sludge on farmer's fields. Mr. Nennig stated that the Village has a high quality sludge that farmers want.

#### River Bend Road / 17th Avenue road project

Director of Public Works/Village Engineer Dave Murphy stated that at the July Joint Town/Village of Grafton meeting reconstruction of River Bend Road and 17th Avenue was discussed.

Mr. Murphy explained that the Village has annexed the property on the north and east side of the road with the exception of two corner homes. The Town has jurisdiction for the property on the west and south side of the road with the exception of two lots on the west side of 17th Avenue.

The improvements would include sidewalk, curb and gutter on the north and east side of the road to the Village limits (just east of Yuma Street). This would connect the sidewalk from 17th Avenue to Yuma Street. The south and west side of the road would remain rural with no sidewalk or curb and gutter.

The Village would charge the developer of Blackhawk Valley Subdivision for much of the road improvement costs.

Motion by Trustee Antoine, seconded by Mr. Murray, to recommend the Village Board include improvements to River Bend Road and 17th Avenue into the 5 year Capital Improvement Program with the Village budgeting for the sidewalk and curb and gutter in front of the two Town properties and cost share the culvert as follows: Extended to the north – Village cost / Extended to the south – Town cost / If replaced – Village 65 percent and Town 35 percent (this is due to the added width for the sidewalk). Motion carried.

### Falls Road Improvement Project and related cost allocation

Director of Public Works/Village Engineer Dave Murphy explained that at the July Joint Town/Village of Grafton meeting, the Town requested to know what special charges would be allocated to the Town properties, if they were to annex to the Village in the future. A spreadsheet showing costs for curb/gutter, sidewalk, driveway approaches, water main, and sanitary sewer was developed based on property frontages.

Mr. Blum questioned why the Village would subsidize some of the costs for the Town. The Town's portion is approximately \$100,000 more than what they agreed to pay. Mr. Murphy explained that the Town was willing to pay for pulverizing and repaving the road with no other improvements. The Village wanted to upgrade the road to a safer cross section for bikers and pedestrians. A portion of the construction cost will be recouped when Blue Stem subdivision is developed.

Mr. Blum questioned if the DOT had a standard cross section for rural roads. Mr. Murphy responded that the DOT does not; however, Ozaukee County does and what is being proposed is similar to what the county standards are.

Mr. Blum questioned if it was ultimately the Village's goal to annex these properties into the Village. Jim Brunnquell responded that the Village does not request property to annex; the property owner must make the request. The Village wants these upgrades so there is a safe way to get pedestrians and bicyclist to and from Falls Crossing subdivision.

Motion by Mr. Murray, seconded by Trustee Harbeck, to recommend the Village Board accept the Town of Grafton's offer of \$218,540 for their share of costs for improvements to Falls Road (between Blackhawk Drive and Port Washington Road) and direct the Village Engineer to identify deferred special assessments for benefiting Town property owners consistent with the improvement categories as identified on the attached Falls Road Special Charge report in a future Special Assessment Resolution. Motion passed 4-1 (Mr. Blum – nay).

### Bridge Street dam lighting – light placement

Director of Public Works/Village Engineer Dave Murphy indicated that he has been working closely with Mr. Blum on this project. As part of the new bid package, Mr. Blum suggested mounting the lights on the bottom of the deck closer to the edges to make it easier to install and maintain the lights.

Trustee Antoine questioned Mr. and Mrs. Hass if they had any objection to this lighting project. Mr. Hass responded that they are in favor of the project.

Mr. Blum stated that the light candles are about 8 to 10 foot candles and if the lights are placed on the beam they would be maxed output distance.

Trustee Meinecke questioned if the conduit was already in place across the bridge. Mr. Murphy responded that there are several conduits under the dam; however, there is nothing on the bridge.

Trustee Antoine questioned if these changes would bring the cost down enough that the Public Art Board would have enough money for the project. Mr. Murphy believes that the costs should now be in the ballpark; however, he does not know for sure.

Mr. Blum noted that the contractor will do a demonstration of the fixtures from the bridge deck showing the results of the selected lights prior to installation.

Motion by Mr. Blum, seconded by Trustee Meinecke, to recommend the Village Board approve mounting the Bridge Street dam lights to the underside of the Bridge Street bridge deck six to 12 inches south of the north face. Motion carried.

#### Bridge Street dam Change Order 4

Director of Public Works/Village Engineer Dave Murphy explained that during the lowering of the gate, the east wall was undermined by rushing water and few large rocks fell into the river. When the gate was closed, one could clearly determine that the wall was not tied into the bedrock as required by the contract.

Mr. Murphy noted that some additional sod was needed to restore the access area on the east side of the project.

Mr. Blum questioned if additional engineering fees were requesting for extending the wall to the bedrock. Mr. Murphy responded no.

Mr. Murphy indicated that the original installation of the wall was not taken to bedrock; therefore, the only charges for this item is the material and labor necessary to extend the wall to the bedrock.

Trustee Meinecke stated that Staab did not build the wall correctly as they did not tie it into bedrock, and Ayres did not require it as part of their inspection, why is the Village paying more for it now.

Trustee Meinecke questioned what type of warranty this project had. Mr. Murphy responded that there is a one year warranty from the date of substantial completion which he believed to be about June 23.

Mr. Blum stated that Ayres did a terrible job on the way they handled this project. It is embarrassing on what the Village had to go through for this project.

Trustee Meinecke commented that the Ayres project management contract was for over \$28,000 and she does not believe that they had the Village's best interest in mind during this project.

Motion by Mr. Blum, seconded by Trustee Antoine, to recommend the Village Board approve Change Order #4 to Staab Construction Company for \$19,034:

ITEM		TOTAL COST
Reinforced concrete-east wall	13.11 cy @ \$800/cy	\$10,488
Dowel into bedrock	36 dowels @ \$50/dowel	\$1,800
Earthwork	24.84 cy @ \$25/cy	\$621
Railing	24.50 lf @ \$250/lf	\$6,125
Credit for removed wall section	0.85 cy @ \$800/cy	(\$680)
Sod	129.5 sy @ \$10/sy	\$1,295
Total Change Order #4		<u>\$19,034</u>

Motion passed 4-1 (Trustee Meinecke – nay).

#### East Side Sanitary Sewer Study

Director of Public Works/Village Engineer Dave Murphy highlighted the Eastside Sanitary Sewer Study which outlines the most economical way to serve the southeast corner of the Village.

Mr. Murphy stated there are three phases to this plan:

Phase I: Replace the Falls Road lift station and the Blackhawk temporary lift station with a new lift station west of Yuma Street and north of River Bend Road.

Phase II: Extend a sanitary sewer collector directly east along River Bend Road to Port Washington Road.

Phase III: Install a new lift station by Port Washington Road and Lakefield Road.

Mr. Murphy stated that M Squared Engineering wanted to present this study in more detail and would be able to attend the September 8 meeting if the Board so wished.

It was the consensus of the Board to table approval of the study to hear the presentation from a representative from M Squared Engineering.

Mr. Blum questioned what the time frame for these projects would be. Mr. Murphy stated that the River Bend Road lift station would be designed in 2015 with construction scheduled for 2016.

Motion by Trustee Antoine, seconded by Trustee Harbeck, to recommend tabling approval of the East Side Sanitary Sewer Study to the September 8 meeting after presentation is made by M Squared Engineering. Motion carried.

#### Projects update: Department of Public Works / Utility

Public Works:

*Water Storage Building and Septage Receiving Station:* This project is substantially complete. The receiving station has been up and running for about a week.

*Bridge Street Dam Repair:* The railing still needs to be installed. It is anticipated that the Village will receive the full \$400,000 grant for the dam. The Emergency Action Plan should be completed and available at the September meeting.

*Street Reconstruction:* The Utility work is complete on Rose Street. On Fourth Avenue the water main is installed and they are currently installing sanitary sewer. Once all underground utilities are complete they will begin with the road. Anticipated completion is the end of October.

Water and Wastewater Utility:

Utility Superintendent Tim Nennig handed out a packet of photographs of the Utility projects.

*Ninth Avenue Lift Station Replacement:* The new wet well is complete. The wet well is 30 feet deep and was a major undertaking for this project. Project activities will continue with excavation of the new buildings footings and foundation walls; followed by construction of brick and block walls and roof assembly.

*Annual Water System Valve Exercising and Leak Survey:* Both projects were completed by M.E. Simpson Company. A total of six leaks were identified totaling an estimated 18,720 gallons of lost water per day. Mr. Nennig stated that in 2000 the Utility was running at approximately 25 percent water loss, currently the Utility is at approximately 7 percent water loss.

*WWTP Roof 4 Replacement:* Project is scheduled to begin this week.

Report of benchmark measurements: Department of Public Works / Utility

Public Works:

*Crack Sealing:*

Due to the amount of cracks, less square footage was covered; however, the same amount of material was used as in previous years. Due to the very cold winter, many cracks that were filled opened up and many more were created.

*Asphalt placed by Village staff:*

Crews have been patching the roads however the asphalt invoices have not been received, therefore the tonnage will appear on the September report. More asphalt is being used due to the pull paver the Village purchased in 2013.

Trustee Antoine questioned the status of the Emerald Ash Borer. Mr. Helm stated that he has identified only three Village trees that have EAB. He is noticing; however, that the Maple trees are in poor condition which he believes to be from the very dry weather over the past 5 years.

Mr. Helm stated that the Village is purchasing a new chemical (Treeage) to treat trees against EAB, however a special applicators license is necessary. Therefore, three Public Works staff will be attending some training in late winter/early spring to receive this license. The benefits of Treeage is that it requires that the tree be treated every 3

years rather than every other year and the trees can be treated for a longer period of time rather than the very short window of April.

Trustee Antoine questioned if the wood from an EAB infected tree could be used for firewood or ground mulch. Mr. Helm responded that one can use as mulch as long as it is chipped to a smaller size. He is hoping to have the bigger chunks used for firewood and/or for furniture.

Trustee Antoine questioned how many Ash trees are in the Village. Mr. Murphy indicated that the Village has over 1,000 Ash streets in the streets; that number does not include any Ash trees that may be in the parks or on private property.

Water and Wastewater Utility:

Utility Superintendent Tim Nennig gave kudos to the Utility crew for getting all the work done to date. He indicated that he is delighted with where the Utility was at as it pertains to benchmark goals and progress.

### **OLD BUSINESS**

Trustee Meinecke questioned why the small pool of water at the dam was so black, murky, and smelly. Mr. Murphy explained that the inlet was plugged in the river so the gate valve was closed so the debris could be removed, when the gate valve was reopened the pond flow started back up. This will be an ongoing maintenance item.

Trustee Meinecke questioned if it was caused by the rodent guard; would there be a better design for a rodent guard that would not allow the debris to collect at that point. Mr. Murphy indicated that the intake will need to be cleaned on a regular basis to keep the water flowing. Mr. Hass suggested installing a debris convertor so the debris goes around the inlet rather than straight to it where it collects. This may be able to be done; however, Village staff would have to draw down the river for a few days to design and install this convertor.

### **NEW BUSINESS**

Trustee Harbeck indicated that there are many weeds between the Riverwalk and the water. There is also some tall grass in need of mowing by the municipal parking lots near the bank.

Mr. Blum stated that there is a piece of re-bar sticking out of the ground by the boat ramp that needs to be removed.

### **ADJOURN**

Motion by Trustee Harbeck, seconded by Mr. Murray, to adjourn the meeting at 5:45 p.m. Motion carried.