

It is expected that a Quorum of the Personnel Committee, Administration Committee, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA  
Board of Public Works  
Third Floor Council Chambers  
140 Main Street, Menasha  
January 3, 2012  
6:45 PM  
or immediately following the Administration Committee  
AGENDA**

A. CALL TO ORDER

B. ROLL CALL/EXCUSED ABSENCES

C. MINUTES TO APPROVE

1. [December 19, 2011](#)

D. ACTION ITEMS

1. [An Ordinance Amending Title 9, Chapter 6 – Municipal Stormwater Utility, of the Municipal Code](#)

E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA  
Board of Public Works  
Third Floor Council Chambers  
140 Main Street, Menasha  
December 19, 2011  
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 7:45 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Zelinski, Benner, Klein, Taylor, Sevenich, Langdon, Krueger

EXCUSED: Alderman Englebert

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, DPW Radtke, CDD Keil, LD Lenz, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. [December 5, 2011](#)

Moved by Ald. Krueger, seconded by Ald. Langdon to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. [Change Order – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Sanitary Sewer Rehabilitation; Contract E145-11-01A; Terra Engineering & Construction Corporation; Request a 30-Day Time Extension to Provide Close-Out Documentation \(Change Order No. 3\)](#)

DPW Radtke explained the change order is for a 30-day time extension to provide project close-out documentation for the sanitary sewer rehabilitation. Since this is a Clean Water Fund project it requires more specific close-out documentation.

Moved by Ald. Krueger, seconded by Ald. Benner to recommend to Common Council.  
Motion carried on roll call 7-0.

2. [Change Order – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Sanitary Manhole Lining; Contract E145-11-01C; Infrastructure Technologies, Inc; Request a 30-Day Time Extension to Provide Close-Out Documentation \(Change Order No. 2\)](#)

DPW Radtke explained the change order is for a 30-day time extension to provide project close-out documentation for the sanitary manhole lining. Since this is a Clean Water Fund project it requires more specific close-out documentation.

Moved by Ald. Krueger, seconded by Ald. Benner to recommend to Common Council.  
Motion carried on roll call 7-0.

E. ADJOURNMENT

Moved by Ald. Krueger, seconded by Ald. Benner to adjourn at 7:50 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk



To: Board of Public Works

From: Kara Homah, AICP, Principal Planner

Date: December 29, 2011

**RE: Proposed Amendments to Municipal Stormwater Utility Ordinance**

Ordinance O-01-12 proposes changes to how unimproved, undeveloped property is assigned ERUs, and adds language exempting undeveloped property possessing wetlands and/or protective areas from stormwater charges. Below is a more detailed explanation of these changes.

***Wetlands and Protective Areas***

Properties that are currently undeveloped and contain Wetlands<sup>i</sup> and/or Protective Areas<sup>ii</sup>, making them undevelopable in the future are proposed to be exempt from Stormwater Utility charges.

Undevelopable properties with these characteristics cannot be developed and will not contribute to increases in stormwater runoff. In fact, properties of this nature often help relieve stormwater runoff from neighboring properties.

***Undeveloped, Unimproved Property***

A definition for “unimproved” is proposed to mean “lots within a subdivision or certified survey map, or units within a condominium plat which do not abut an improved street”. The definition for “undeveloped” property is already defined in the ordinance and will not change with the approval of this ordinance.

The proposed ordinance would add language that allows for undeveloped, unimproved property to be aggregated with other undeveloped, unimproved property in a given subdivision, CSM, or condominium plat, and charged a single ERU.

Properties of this nature do not contribute additional stormwater runoff based on platting; thus the proposed changes are designed to reflect this.

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<sup>i</sup> As defined in Section 23.32(1) of the Wisconsin Statutes.

<sup>ii</sup> As defined by Wis. Admin. Code NR 151.12(5)(d)1.

ORDINANCE O-01-12

AN ORDINANCE AMENDING TITLE 9, CHAPTER 6 - MUNICIPAL STORMWATER UTILITY, OF THE MUNICIPAL CODE

Introduced by Mayor Merkes

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Amend Title 9, CHAPTER 6, SEC. 9-6-6 and SEC. 9-6-7 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

**Title 9 – Public Utilities**

**CHAPTER 6**

**Municipal Stormwater Utility**

SEC. 9-6-6 DEFINITIONS

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- (12) “Unimproved” means lots within a subdivision or certified survey map, or units within a condominium plat which do not abut an improved street.
- (12) (13) “Waters of the State” means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, and all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within Wisconsin or its jurisdiction.

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SEC. 9-6-7 BASIS OF CHARGE

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- (2) The rate classifications used to distribute the costs of the Stormwater Program among utility customers shall be based on the Equivalent Runoff Unit (ERU). The charge assigned to each developed parcel shall be assessed based upon the impervious areas or living units as reasonably determined by the city. Undeveloped properties shall be assessed a fraction of an ERU based on proportionate costs of administration and operating costs. For the purposes of this section, undeveloped, unimproved property shall be aggregated, and a single ERU charge shall be assigned to the aggregated lots. Public right-of-way and undeveloped properties which are predominantly classified as “Wetlands” as defined by Section 23.32(1) of the Wisconsin Statutes and/or “Protective Areas” as defined by Wis. Admin. Code NR

151.12(5)(d)1. where such classifications render the property undevelopable which shall be exempt from the utility charge.

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SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this \_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Donald Merkes, Mayor

ATTEST:

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Deborah A. Galeazzi, City Clerk