



Board of Public Works

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Final Minutes

Monday, July 10, 2023

7:30 PM

Council Chambers and Virtual

I. Call to Order

The meeting was called to order at 7:30 PM by Mayor James Boyd

Attendee Name	Title	Status	Arrived
James Boyd	Mayor	Present	
Dan Carpenter	Aldersperson	Present	
Jonathon Hansen	Aldersperson	Present	
Shana Defnet Ledvina	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	

Eric Rakers, City Engineer
Chase Kuffel, Assistant City Engineer
Betty Sellenheim, Recording Secretary

II. Public comment upon matters not on the agenda. Comments made during the public comment period shall pertain only to matters under the jurisdiction of the Board of Public Works. Section 6-3(f) DPMC

None

III. Items

1. Approval of the June 12, 2023 Board of Public Works Meeting Minutes

Aldersperson Carpenter moved to approve the June 12, 2023 Board of Public Works Meeting Minutes, seconded by Aldersperson Raasch.

Aldersperson Hansen asked if Craig & Courtney Smith should be listed as being present at the meeting regarding their carriage walk request. Betty Sellenheim, Recording Secretary, stated they were not listed as being present because they did not speak at the meeting. Ms. Sellenheim stated that has been the standard for other Board of Public Works meetings in the past.

Upon vote, the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Aldersperson
SECONDER:	Dean Raasch, Aldersperson
AYES:	Boyd, Carpenter, Hansen, Defnet Ledvina, Raasch

2. Discussion on Foundation Drain Disconnection Program

Mayor Boyd requested staff explain why this program is being considered. Chase Kuffel, Assistant City Engineer, explained that Common Council approved ARPA (American Rescue Plan Act) funds be designated for installation of sump pumps in homes that were built before sump pumps were mandated in 1973. Mr. Kuffel explained that up to 50% of the groundwater that is transported as sanitary sewer to the wastewater plant can be attributed to inflow and infiltration from private services. Mr. Kuffel stated that disconnecting foundation drains would decrease the amount of clear water being treated,

increase capacity at the wastewater treatment plant, and decreases costs. Mayor Boyd asked if it was a substantial cost reduction. Mr. Kuffel and Eric Rakers, City Engineer, explained that it could save hundreds of thousands of dollars in treatment costs and utility cost by not requiring treatment plant capacity and sanitary main lines being upsized to accommodate for the increased flow. Mr. Kuffel outlined progress since the Board initially saw the program in April 2023. This work included mailing letters to approximately 2,400 properties. Of those 2,400 properties, staff has received responses from approximately 800 properties. Of those 800 properties, approximately 600 have sump pumps installed. Alderperson Raasch asked if staff has confirmed these sump pumps. Mr. Kuffel explained the process moving forward to verify the installation and inspection of installed sump pumps. Mr. Kuffel stated that staff also heard from three plumbing contractors and received contact information and price estimates from them of approximately \$2,000-\$3,000 to install a sump pump. Mr. Kuffel explained that staff had previously informed residents that prices could range from \$3,000-\$5,000 based on similar programs in other municipalities. Mr. Kuffel explained that the lower prices will allow for more homes to have sump pumps installed utilizing the ARPA funding. Mr. Kuffel outlined the next steps in the program. Mr. Kuffel stated that Engineering staff met with the Building Inspection team and Building Inspection indicated that they would have the capacity to complete the inspections required for this program. The Building Inspection staff further shared with Engineering staff that homes built on slab or crawlspace did not require sump pumps and would be exempt from the program. Mr. Kuffel stated another step of the program would be to verify the 600 properties that self-reported that they have a sump pump. This verification would start by searching the paper inspection records that date back to the 1940s and 1950s. Properties that could not be verified through the paper records would require an in-person inspection. Alderperson Raasch asked why homes built on slab or crawlspace were exempt. Mr. Kuffel and Mr. Rakers explained that these homes would not likely have drain tile or foundation drains and due to the lack of depth would not collect groundwater. Mr. Kuffel added that a clause would be included in the ordinance update to include the ability to take enforcement measures if homes on slab or crawlspace become a clear water nuisance. Alderperson Carpenter asked if it would be quicker to have staff do an external inspection to verify sump pump discharge. Mr. Kuffel explained that staff did not have rights to go on private property to complete the inspections. Alderperson Hansen added that staff previously completed a windshield survey for visible sump pump discharges. Mr. Kuffel stated moving forward that staff would need to update the City Ordinance to include the requirement to disconnect foundation drains, install sump pumps, and outline exemptions and finalize cost sharing. Mr. Kuffel outlined his proposed cost sharing scenario for volunteer properties the City would cover 5/6 of the cost and mandated properties would be split 50/50 with the resident. Mr. Kuffel explained that by having the City cover a larger amount, he feels it will make the program more desirable and not require mandates for many years. Mr. Kuffel explained after his volunteer list was depleted, he would look to segment the City similar to the sidewalk program for mandating installations. Mr. Kuffel explained the program could take about 20 years to complete. Mr. Kuffel further added with the cost-sharing, that a cap should be established on the amount of reimbursement per property. Alderperson Hansen asked if the City would provide payment at the time the bill was due or reimburse the resident who paid the invoice in full. Mr. Kuffel stated it is intended to be a reimbursement after the installation can be inspected and verified. Alderperson Hansen voiced his concerns that many residents may not be able to pay the full amount up front. Mr. Kuffel stated there could be an option to offer a payback option similar to sidewalks. Mayor Boyd added that contractors often

work with the homeowner on financing or payment options and may be more likely to do so knowing a portion is being paid by the City. Mr. Rakers added that payment should be to the property owner to keep the warranty and liability between the property owner and the contractor they hired. Alderperson Raasch suggested having the check be paid to both parties. Mr. Kuffel stated it would be part of the discussion with the City Attorney. Alderperson Raasch explained how the two party check could be beneficial. Alderperson Ledvina asked what other communities in the area are doing for I & I reduction. Mr. Rakers explained the approach from the wastewater treatment plant and that other communities are taking similar steps to De Pere including sump pump installations, sewer lining and replacements, and full length lateral replacements. Alderperson Ledvina asked if staff has considered imposing a fee for residents that refuse to participate in the foundation drain disconnection program or do not volunteer (volunteer properties would have the fee waived until their property was reached on the volunteer list). Staff explained that they need to research their options for imposing a penalty or fee or forcing installation. Alderperson Ledvina suggested enforcing installation at the sale of the property. Alderperson Carpenter explained that was not legal to do. Mr. Rakers stated that would be an ideal time as the homeowner likely has funds, but agreed it was not legal. Mayor Boyd spoke in favor of the program and cost share and outlined the amount of money to be used for this program by the end of 2024. Alderperson Hansen asked how much of a bill reduction residents may see if the I & I was more under control. Mr. Rakers stated there could potentially be hundreds of thousands less in treatment costs if 50% of the I & I was controlled and staff would need to reach out to the wastewater treatment plant to see if and how that would impact billing. Mr. Rakers added that in wet conditions the wastewater treatment plant gets close to capacity and if nothing is done, there will be large increases to fund capacity upgrades. Alderperson Ledvina questioned discharge at the Milwaukee wastewater plant. Mr. Rakers explained that Milwaukee has a combined sewer system and during high capacity the excess is discharged into the tunnels for treatment after the flow goes down and if that system fails then a blend of sanitary and storm water would discharge directly to water bodies. Alderperson Hansen asked about exemptions for properties built in the 1800s. Mr. Kuffel explained that on those old homes it could be a structural issue to cut the hole and those homeowners could apply for an exemption. Similar to properties on slab or crawlspace, if they were later deemed a clearwater nuisance, the exemption would be removed. Alderperson Ledvina asked how these properties would become a nuisance if they do not have foundation drains or drain tile. Mr. Kuffel explained that it could include a leaking lateral collecting clearwater. Alderperson Hansen asked staff's response to residents who own older homes that fear the sump pump installation will cause more issues than they currently have. Mr. Kuffel explained there are risks with anything but staff will do their best by offering reputable contractor contacts and quality inspection. Alderperson Carpenter added with the sump pump pit in the floor, it should not impact walls and if it does, the wall was likely a pre-existing issue. Alderperson Raasch asked what percentage of I & I is being sent to the wastewater treatment plant and what level the plant finds acceptable. Mr. Rakers explained the wastewater treatment plant had not notified communities of the acceptable level and added that in 2013 staff had roughly figured a cost of approximately \$600k in I & I treatment. Mr. Rakers added that staff needs to work with the treatment plant to get a better handle on the actual I & I number. Alderperson Raasch asked staff how much of a reduction the treatment plant would need to see before noting a significant reduction from communities. Mr. Rakers explained staff would need to work with the treatment plant for clarification but had previously reported that approximately 60% of treated water was I & I. Alderperson Raasch asked if the City could possibly not see as much savings because

other communities will not do the work and still require new plant or plant capacity upgrades. Mr. Rakers stated that is a fair concern but added that the treatment plant has an active I & I reduction program with hired consultants to evaluate based on the entire system and offering meetings for all municipalities to actively participate. Alderperson Raasch asked staff to work with the treatment plant to firm up numbers for current I & I and acceptable I & I levels moving forward. Alderperson Carpenter shared regarding limits imposed by the treatment plant based on capacity for development. Mr. Rakers explained the two regulatory agencies including Wisconsin DNR on capacity issues at the plant and the plant on capacity issues at the municipalities. Mr. Rakers stated if De Pere was at their allocated capacity, Green Bay Metropolitan Sewerage District could refuse to approve plans for development. Mr. Kuffel and Mr. Rakers further explained the agreements in place between the City and the treatment plant regarding flow and capacity. Alderperson Carpenter asked how much the City sends to the plant monthly for treatment. Mr. Rakers explained that in 2012/2013 over 100 million gallons are sent to the treatment plant each month by City residents. Mr. Kuffel asked the Board to provide input on the start date for reimbursement under the foundation drain disconnection program. Board members were in favor of reimbursing retroactive to January 1, 2023. Mayor Boyd stated he would check if that action can be taken prior to fully establishing the program. Alderperson Hansen voiced concerns with providing contractor information for only two contractors in future mailings to residents and suggested a request for proposal from contractors to be included. Mr. Kuffel explained that a request for proposals would not fit because it is intended as a homeowner-led program and an RFP would make it City-led. Mr. Kuffel explained the list of contractors could be limitless and would depend entirely on the distance contractors were willing to travel for the work. Mayor Boyd suggested having a system similar to concrete workers. Mr. Kuffel explained those contractors are licensed, which would not be required for this work. Alderperson Carpenter stated in the past the City would provide a short list of 5-6 contractors for service and lateral repairs and suggested offering a similar list if requested. Alderperson Raasch voiced concerns with having disreputable contractors contacting residents to complete the work. Mr. Kuffel stated staff could work with the Building Inspection Department for a list of contractors that have been permitted in the past for this work. Betty Sellenheim, Recording Secretary, stated staff compiled a similar list of all permitted contractors over a 3-5 year period for laterals and water service and could compile a similar list for this work. Mayor Boyd asked for information on next steps moving forward. Mr. Kuffel stated he will continue to speak with homeowners as they contact staff, staff will work with the City Attorney on a draft ordinance, and look to bring more detailed information back to Board in the next two months. Alderperson Raasch asked for quicker action on the retroactive date for reimbursement. Mayor Boyd asked staff to touch base with him following the meeting to discuss with the City Attorney and City Administrator. Mr. Kuffel asked for Board opinion on the example cost sharing percentages. Mayor Boyd spoke in favor of the proposed percentages. Alderperson Carpenter stated that considerations will be made regarding funding the program once ARPA money is depleted. Alderperson Hansen stated the infinite decimal places might become confusing but agreed with 5/6 reimbursement. Alderperson Raasch agreed with removing extra decimal places. Alderperson Carpenter and Alderperson Ledvina were in favor of the proposed cost share. Alderperson Raasch and Mayor Boyd spoke in favor of an 80/20 cost share, which could allow for more homes to participate. Mayor Boyd stated he was pleasantly surprised by the estimates being proposed by contractors and asked Alderperson Ledvina how much the sump pump installation cost at her home recently. Alderperson Ledvina stated it was not an accurate comparison

because a lot of additional work was performed. Alderperson Carpenter voiced concerns regarding work quality and ensuring the foundation drains were actually disconnected. Mr. Kuffel stated that Building Inspection would require they inspect in person prior to completion or have a master plumber certify the disconnect and provide televising. Mayor Boyd asked Board members their opinion on using smoother cost share numbers like 85/15 or 80/20. Alderpersons agreed with an 80/20 split. Mr. Kuffel asked if Board members were agreeable with a 50/50 split when properties were mandated to connect. Alderpersons agreed with a 50/50 split at that time. Alderperson Carpenter brought back the potential for a payback plan through the City. Mr. Kuffel stated that would be written into future considerations. Alderperson Carpenter stated that by having the City pay the plumber up-front and allow a payback by the resident, it takes away the homeowner-led program aspect and creates liability on the City. Mr. Rakers agreed with those concerns and stated staff would look into it further.

RESULT:	DISCUSSED
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IV. Future Agenda Items

None

V. Adjournment

Mayor Boyd moved to adjourn the meeting at 8:22 PM, seconded by Alderperson Ledvina. Upon vote, the motion passed unanimously.

Respectfully submitted,
Betty Sellenheim