

Town of Menasha  
Utility District Commission Regular Meeting  
Municipal Complex - Assembly Room - Monday, June 9, 2008

Minutes

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance. Secretary Backman took roll call and present were President Tews, Commissioner Gerhart, Commissioner Hanson Commissioner Ziegler and Commissioner Youngquist.

Also present were Administrator Sturgell, Com. Dev. Dir. Dearborn, Engineer Werner, Accts. Mgr/Deputy Treas. Pagel, Wastewater Supt. Laabs, Water Supt. Roth, Paul Caspers, Beverley Caspers, Rich Hedman, Melvin Schultz, Patti Haase, Pat Dobberke, Claude Foster, Penny Troiber, Terrance Buck, William Ottow, Dale McNamee, Mike Dillon, Paul Eisen, and Shelly Allness. Excused was Finance Director Piergrossi.

2. AWARDS/PRESENTATIONS

3. PUBLIC FORUM

Paul Caspers of 926 Millbrook Drive informed the Board of flooding in his yard by the creek. He contacted Town staff who came to look at the problem and was told the creek was a DNR issue and should contact them. After speaking with the DNR, Beverley Caspers stated they were referred back to the Town again. He described the flooding which he feels is being caused by large concrete blocks sitting in the creek and causing the water to back up. He further described logs floating and makeshift bridges going over the creek which are moving with the flow of water, along with animals such as muskrat that are coming down the creek.

Rich Hedman of 936 Millbrook Drive had similar complaints. He has just over one acre and stated these blockages caused approximately 1/3 his property to fill with water.

President Tews referred the issue to staff to see who will be removing the debris. The property owner asked whether the Commission would like to see pictures of the flooding to which they agreed and he offered to bring them in.

4. DISCUSSION ITEMS

a) **Water & Sewer Connection Ordinance Amendment:** Administrator Sturgell gave another summary of this ordinance and explained currently when sewer runs across a property; the property owner is required to hook up within 360 days. He explained staff had worked through an impact fee study and discussed when to suspend deferral of the current ordinance. Staff also discussed a draft of the proposed ordinance amendment and exceptions for some private wells and septic systems still working. Administrator Sturgell stated with the exception of a couple property owners who already had prior recorded documents with Winnebago County, others would have to meet the requirements for hook up.

Commissioner Youngquist suggested a change to Municipal Code Chapter 28.25 Mandatory Connection to Sewer and Water, (2) Exceptions, (g): Any structural modifications, and include the words "that required additional sewer or water capacity" to said house or building will require connection to public water and sewer within 90 days of such event.

Commissioners discussed the pros and cons of requiring hookup upon the sale of a property. Comm. Dev. Dir. Dearborn felt it appropriate to require hook up to public water and sewer due to the fact that the Town is in an arsenic area and problems can occur and occur rapidly. The DNR said wells now must be tested for not only bacteria, but for arsenic. Other reasons he gave were septic system failures when a sale occurs and family sizes change (increase) causing different usage with their system, as well as with an increase in water usage when a larger family moves in. Another example was using a garbage disposal which can affect the system and failure can occur. Water Superintendent Roth agreed with Director Dearborn and gave comments.

Res. Claude Foster, Irish Road, spoke about old wells that were built on rock ledges and stated they will fail; stated if he sold his property, would sell to a developer and doesn't agree with spending a lot of money to pay for a pipe from the road to his house to have it bulldozed; has issues with the proposed amendment and says he tests his well now every 3 years. Staff and Commission members discussed. Commissioner Youngquist suggested wording to address specific numbers of acreage, as well as if/when an individual or developer sells, so there is some middle ground for circumstances. He proposed annual testing versus testing every three years. Commissioner Hanson disagreed on hookup and feels undue costs are placed on those who currently have good working well and septic systems and make a prospective property for sale unattractive putting a damper on its sale. Commissioner Gerhart suggested as

a requirement to a property sale, a check of increased usage in six months after the sale occurred. In addition, he does not agree with having to spend money to hook up if their systems are good. President Tews stated if residents had their wells tested and water was found to contain more than just what the average test includes, he feared it would come back to the municipality and wants to eliminate that from happening.

Res. Pat Dobberke wondered how the Town would be negligent and stated buyers should assume some responsibility when researching as a prospective home buyer in the Town.

Res. Patti Haase, E. Shady Lane, stated she understands how a sale can be affected due to the presence of arsenic; doesn't understand why the Town would be liable; stated residents with large amounts of land and good systems should maybe be grandfathered in; stated those with several hundred feet and unnecessary hook up will find it very expensive, and felt distance should be a part of the ordinance.

Administrator Sturgell made the point that it is not uncommon in municipalities across the county to have a hookup ordinance in a specific period of time. He further pointed out that we are stretching the time period [for payment of assessments] out even longer than it was, and reminded residents that the reason for providing public sewer/water is to have safe drinking water and proper disposal of waste water. Director Dearborn suggested a second test for arsenic as well as extensive testing for the presence of pesticides, lead, and more.

President Tews stated he wanted to test for more than bacteria and in addition, wants the next home owner moving in to know their well is ok. He asked that when the information on pricing becomes available, this topic be placed on a future meeting.

5. OLD BUSINESS

6. NEW BUSINESS

a) 080609-1:UD Accept Compliance Maintenance Annual Report

MOTION: Youngquist/Gerhart to adopt as submitted. Motion carried.

b) 080609-2:UD Expenditures

MOTION: Youngquist/Ziegler to approve the expenditures as submitted with the exception of none. Motion carried.

7. ORDINANCES/POLICIES/AGREEMENTS

8. APPROVAL OF MINUTES

a) Regular Meeting - May 19, 2008

MOTION: Hanson/Gerhart to dispense with the reading of the above minutes and approve as submitted. Motion carried.

9. CORRESPONDENCE

a) Water Main Breaks - April 2008

b) Water Pumpage Report - May 2008

MOTION: Hanson/Youngquist to accept the correspondence for filing as submitted. Motion carried.

10. REPORTS

a) Water Superintendent Roth - Stroebe Road Water Main: The water main installation has been completed but had to reschedule the hookup to this coming Saturday due to rain.

11. MOTIONS BY COMMISSIONERS

12. ADJOURNMENT

At 5:58 p.m., MOTION: Gerhart/Hanson to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary