

**Town of Menasha Stormwater Utility Commission Regular Meeting  
Municipal Complex - Assembly Room - Monday, October 12, 2009**

**Minutes**

**1. Call to Order, Pledge of Allegiance, and Roll Call**

President Tews called the Stormwater Utility Commission meeting to order at 5:30 p.m. Everyone stood for the Pledge of Allegiance. Secretary Backman took roll call and present were Pres. Tews, Commissioners Gerhart, Hanson, Ziegler, and Youngquist, Adm. Sturgell, Com. Dev. Dir. Dearborn, and Street Supt. Gallow. Fin. Dir. Piergrossi was excused. Also present was Paul Eisen.

**2. Awards/Presentations**

**3. Minutes to Approve**

a) Stormwater Utility Commission Meeting - September 28, 2009

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

**4. Minutes and Correspondence to Receive**

**5. Public forum on any matters of concern to the Town. The public may comment however, no action can be taken. Five minute time limit per person on non-repetitive matters.**

**6. Discussion Items**

**7. Unfinished Business**

**8. New Business-Resolutions/Ordinances/Policies**

a) 091012-1:STM Expenditures

MOTION: Youngquist/Ziegler to approve \$19,260.77 without exception. Comm. Gerhart inquired about a \$155.40 bill from McMahon for stormwater creation, and asked whether any other bills were forthcoming. After discussion, the Commission and staff assumed this was most likely a delayed invoice just recently received from earlier work but Dir. Dearborn (in Fin. Dir. Piergrossi's absence) said he would look into it. Motion carried.

**9. Reports**

a) Administrator Sturgell - *Stormwater Updates*: Northern Road Pond--Adm. Sturgell, Comm. Dev. Dir. Dearborn and Assoc. Planner Hull met with the DNR (and several other communities) on Oct. 1, 2009 regarding the DNR's denial of the Northern Road Pond permit. After expending tens of thousands of dollars on Northern Road Pond, Adm. Sturgell stated the project was denied and is now finished. He described how he approached the DNR in October 2008 and described the difficulties municipalities faced while trying to permit a pond and determine which pond sites to pursue.

He met with DNR representatives again last April to once again describe the problems facing municipalities in conforming with the DNR stormwater requirements. Meanwhile, stimulus grant money was awarded so the town moved forward with plans to construct the Northern Road Pond. At the October 1 meeting with the DNR, staff explained the town will not be able to meet 40% particulate removal by 2013 if the DNR does not permit on-stream ponds. Northern Road Pond would have given the town the most particulate removal (52,000 lbs) of all the ponds. Statistics on our other pond sites were given. In the end, Adm. Sturgell told the DNR that without Northern Road Pond and one other on-stream pond site, Millcreek Pond, the town would only be able to achieve 32-1/2% to 33% by 2013. The DNR has a new regulation NR151 which may be forthcoming and would extend the deadline out to 2023 (communities must have an action plan in place to get to the 40% requirement), but nothing has been finalized. Adm. Sturgell explained his frustration that he tried to tell the DNR a better process for pond site permitting needed to be put in place over the past year, but the DNR did not listen until the DNR had denied the (four) ponds in the Town of Menasha, as well as Kaukauna, Kimberly, Combined Locks, and Little Chute.

Pres. Tews asked that Adm. Sturgell send a letter to the DNR for future reference detailing all of these events including the three previous discussions, the timeline of events, and all of the town's bills

expended for this project, to have it on record. Commissioners received confirmation this item was not on the levy. Adm. Sturgell stated the DNR now wants to switch the stimulus money from Northern Pond over to Independence Pond to not lose stimulus funding, so the Assessor, engineers and other staff are moving forward with these plans.

- b) Street Superintendent Gallow - *Cold Spring Road Pond Update*: Supt. Gallow gave an update and progress made with landscaping on the back side of the pond. Beginning this Monday, crews will install 54" storm sewers and storm sewer manholes from the new storm water detention pond to the existing storm sewer on Cold Spring Rd. The pond will be active in approximately 2-3 weeks, with the balance of the wetland plantings and other landscaping completed in the summer of 2010. Returning to fill in low areas of blacktop along the trail after winter settling was discussed, as well as getting the fencing installed sometime this year.

Comm. Gerhart asked about the progress with Michels Quarry and their concern with fees, and receiving full credit for qualifying as a stormwater detention pond. Dir. Dearborn stated there has been no update with Michels Quarry, although he has a meeting with Northeast Asphalt this week and plans to discuss this issue.

**10. Motions by Commissioners**

**11. Adjourn**

At 6:01 p.m., MOTION: Ziegler/Hanson to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

**Note:** *These minutes are not to be considered official until acted upon at an upcoming regular meeting, therefore, are subject to revision.*