



Stormwater Commission Meeting Summary **Friday August 12, 2016**

Members Present: Fred Kudert, Steven Vinezeano, Joseph LoVerde, Rich Wlodarski, Andrew Vitale, Thomas Powers, Mary Anderson, Robert Callero.

Others present: Jeff Wickenkamp from Hey & Associates, Jack Grana Utilities Superintendent,

The Stormwater Commission meeting convened at 8:00 a.m. in the Council Chambers at Village Hall.

June 16th Meeting Summary: The Meeting Summary for the June 16th, 2016 were approved.

Old Business: The following topics were presented and discussed.

Cleveland Corridor Sewer Improvements Status

Cleveland 72" Storm sewer has been installed from Caldwell to Harlem. Watermain relocations at Harlem will take place the following week to clear the way for the storm sewer installation to continue.

Unforeseen project issues include sanitary sewer services deeper than expected, sanitary drop manhole conflict, watermain conflicts, abandoned box culvert removal, and trench collapses. A change order will likely be necessary to cover some of the unforeseen work items.

Chair LoVerde asked for a detailed breakdown of any added costs to the project.

Flood Control Assistance Program

This fiscal year \$50,000 is budgeted which would serve twelve home. Ten houses have signed up so far this year which leaves room for two more houses. The commission decided when the funds are completely committed, we should keep a list of potential applicants for consideration in future fiscal years.

New Business: The following topics were presented and discussed

Merrill Flooding

A brief history of flooding investigations and analysis was related regarding the 8700 Block of Merrill. The area had been previously identified in the Stormwater program, studied. So far it

has been determined that benefit to cost ratio analysis indicates a large scale sewer improvement was not economically feasible. Mr. Marcin Grochola testified that he has raised issues of flooding with the Village for the past 2-3 years. He testified that street flooding has been ongoing. He has safety concerns regarding traffic and feels an improvement should be made. Mr. Grochola was under the impression that the sewer diameter was decreased in 2003 at 8718 N. Merrill. The residents believe the flooding has gotten worse and more frequent including a storm on last Sunday where the street flooded. Approximately four homes are affected by the flooding.

Jeff Wickenkamp testified about the nature of the problem. He investigated flooding in the area and met with Marcin previously. The street has a sag at the point of the flooding, and the situation is not uncommon for Nile where roadway sag points flood when the sewer is above capacity. Jeff's recollection was that the roadway inlets were checked and found to be draining free and clear. While the street flooding concerns are valid there are more significant problems involving home flooding that were prioritized. Jeff also mentioned that a map was prepared for Nile's emergency services showing depths of flooding, and when the map was reviewed with emergency services they indicated that street flooding would not stop them from responding to emergency calls.

There was discussion about whether the catch basin was restricted or not. Public services believes that the connection is an unrestricted 6" half trap. Staff reviewed the sewer main atlas and did not find a choke point in the sewer main. Mr. Grochola indicated the concern is with regard to a specific catch basin and a potential lateral size decreased in 2003. The Village will investigate records to determine what was done in 2003. He previously investigated what a larger lateral would do, they found no decrease in flood stage and a small decrease in flood duration results. However the increase in the lateral size would increase risks to basement flooding. A large capacity improvement could technically work, but since the location is at the upstream end of the watershed, the sewer improvement would have to extend to the River to avoid impacting downstream neighbors. The cost of such an improvement does not compare favorably with other areas of town where there is house flooding.

A resident had questions regarding street flooding and basement flooding. Jeff provided a summary of why increased stormwater flow into the sewer can increase the risk of basement flooding from combined sewer backup. One resident testified that their basement flooded previously, but they were unsure if it was prior to 2003 or not. Another resident testified that they moved into their home in 2006, and had a basement backup in 2008.

The Village Manager mentioned that Public services deploys barricades to avoid wakes in known areas of street flooding. While Public Services commits to deploying the barricades, will also provide barricades to residents just in case the crews are unable to get out in a timely fashion. There is also the flood control program available to prevent basement backups. A final thought was the potential provide a flood warning sign to warn people about street flooding and the potential for vehicle damage.

A concern was raised and noted about neighborhood complaints regarding flood signs. Jeff mentioned that Gurnee has a successful similar program where chest high home flooding is documented with neighborhood signs.

Buyout Policy Discussion

Per previous discussions staff worked with Hey and Associates to draft a buyout policy. The

policy preparation was expedited due to a potential candidate house being placed on the market. The draft policy was provided for the Commission's review. The Village Attorney has reviewed the document and had comments on the mission statement. The Village Engineer had similar comments to the Attorney and the mission statement was revised to be less open ended. There was concern regarding the benefits of buying out a single house versus providing flood control assistance to multiple homes. There was some discussion that a buyout should provide benefit to multiple homes as well. Hey felt that since the buyout would be based on the results of engineering study the opportunity to determine if the buyout was the best solution would be fully vetted. Specific questions were asked about the Oconto area and benefits to other properties. The buyout would reduce risk in the area but would not remove risk, with little net benefit to other flood prone properties on the block. There was debate about whether benefits should be in the mission statement or just in the determination section.

There was a discussion of whether the amount of homes benefitted is taken into consideration when buyout funding is pursued. Hey indicated that buyouts are typically considered on the basis of only a single homes benefitting, but if a benefit was able to be demonstrated for multiple homes it would rate higher.

The suggestion was made that the point rating system be omitted from the policy.

The Village manager reviewed the funding pursued by the Village to date and the tight funding formulas involved. There are some very preliminary indications that as the worst cases are resolved, that the bar for funding may be lowered. Regarding acquisition's and liability the Village attorney has weighed in that new home purchasers are responsible to do their due diligence when buying a home. The Village does not have any liability in the matter except to respond truthfully when real estate agents inquire about the Village's knowledge of flooding history with regard to a particular property.

Chair LoVerde felt the Elmhurst mission statement provided as a sample was good and agreed with the others Commissioners that the rating system should not be used.

A discussion was held regarding 9401 Western and whether it would qualify under this policy. Currently 9401 Western would not qualify under this draft policy.

Hey indicated that they received feedback from a real estate agents about the obligation of estates to report flooding. It appears an estate can mark that they have not lived in the house within the past 12 months and omit the section about flooding. However the estate could still be held liable if know flooding information was withheld. Staff mentioned that the CRS program requires the Village to notify repetitive loss properties that have flood insurance about flood risk at the location. Hey indicated that the Village has wide discretion in terms of notifying residents of repetitive loss properties.

It was agreed to revise the policy per the discussion and return to the Commission to discuss. It was recommended that any acquisition policy be taken into consideration with the upcoming stormwater update.

Back Yard Drainage Assistance

The Village assists residents with backyard drainage issues throughout the year. The Village fields about 30 drainage assistance call per year. Staff researches and meets with residents to diagnose the drainage problem. Once a likely cause of the problem is determined, the resident is

notified either verbally or in writing of the solution to the problem. The resident is then responsible for designing, permitting, and making an improvement to the property. Staff has noted that often residents are dissatisfied with the end result of the assistance provided by the Village.

Commissioners felt that providing some standard details to residents would be a good approach to providing additional assistance.

The Village manager recommended sticking to the major projects and revisit nuisance flooding at a later date. In terms of funding, commissioners indicated that historically yard flooding was decided to be a lower priority by the Commission.

Chair LoVerde indicated that the Village should hold property owners who create drainage problems accountable. The Village Engineer indicated the proposed program is not intended to resolve code violations, but more to address historic drainage issues. The Commission had concerns that politics could come into play even with regard to code violations. There are also concerns of finding revenue to pay for a program and the equity of other residents paying for private property issues. In general the commission felt providing engineering assistance to home owners for non-code violations issues was acceptable.

Staff was directed to adjust the policy per the discussion and resubmit for committee review.

Rear Yard Sewer Ownership

Public services raised the issues of rear yard sewer ownership and maintenance of issues. Preliminary indications are that there are thousands of feet of rear yard/private property sewers. The Village historically has not had agreements created that define who owns the sewers on private property, and therefore responsibility for maintenance is also undefined. Sometimes the sewers are located in public easements, sometimes they are not. If the Village takes maintenance responsibility then there is a significant cost involved.

Historically the Village also installed many sewers on private property. There needs to be a legal opinion about who owns these sewers.

The Village Manager inquired on how new developments document sewer ownership. Currently new developments are required to have a plan note documenting private ownership. The commission indicated that there is little to no documentation regarding historic sewers installed by the Village in back yards.

Another issue raised was regarding what the legal ramifications are for sewers on private property that cross multiple lot lines.

The Commission agreed to obtain legal opinions on these issues and return to discuss the issue further.

Other Business

Oak Park Bioswale bids came in over budget, staff is working with the low bidder to reduce scope to provide an on budget project. The changes are not substantial and we must still meet the MWRD IGA rainwater storage requirements.

Stormwater update schedule and process description was provided for the Commission's information. The Village Manager asked that Hey incorporate the recent improvements at Maryhill into the update.

Public Comment:

Next Meeting Date

The date of the next meeting will be determined at the call of the Chairman.

The meeting was adjourned at 9:54 a.m.