



**Public Works and Safety Committee Meeting Agenda
Village Board Room
235 Hickory Street, Pewaukee, WI 53072**

February 6, 2024 – 4:30 p.m.

1. Call to Order
2. Approval of Minutes of the October 3, 2023, meeting
3. Citizen Comments
4. Old Business
 - a. Review and Discussion/Possible Action on Prospect Avenue/School District Area Sign Evaluation Results.
5. New Business
 - a. Discussion Regarding Use of Fluoride in Water Supply
 - b. Discussion and Direction Regarding Use of Speed Humps for Traffic/Speed Control on Lake Street, School Street and Prospect Avenue
 - c. Discussion Regarding Riverside Preserve Stormwater Pond Maintenance
6. Adjournment

Note: It is possible that members and/or possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; action will not be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in the notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. To request such assistance, contact the Village Clerk at 262-691-5660.

Posted: February 2, 2024

**Village of Pewaukee
Public Works and Safety Committee Meeting Minutes
October 3, 2023**

1. Call to Order

Meeting called to order at approximately 4:30 pm by Clerk Smith inviting participation in the Pledge of Allegiance.

Members present: Laurin Miller, Trustee Krasovich, Trustee Grabowski, Nick Wellenstein, Patrick Wunsch, Ed Hill arrived at 4:55 p.m.

Members absent: Mark Grabowski

Also Present: Administrator Scott Gosse and Clerk Casandra Smith

Clerk Smith requested nominations for acting as Chairman of the meeting.

Trustee Krasovich moved, seconded by Member Wellenstein to nominate Trustee Grabowski as acting Chairman.

Motion carried unanimously.

2. Minutes of March 21, 2023, meeting

Member Miller moved, seconded by Member Wellenstein to approve the March 21, 2023, Minutes of the Regular Village Board meeting as presented.

Motion passed unanimously.

3. Citizen Comments – None

The items below were presented out of order.

4. Old Business

a. Discussion and Possible Action on Prospect Avenue/School District Area Sign Evaluation Results.

Administrator Gosse explained that this item was presented on a past agenda in December 2021 at the Public Works and Safety meeting. Discussions regarding current issues and how signs will be paid for were discussed. Trustee Grabowski stated that the Pewaukee School Board may possibly be in favor of paying for the replacement of the signs, but they would need a priority list and cost associated with each sign before deciding. The consensus was to proceed with the evaluation process and bring this item back at the next meeting in January.

5. New Business

a. Discussion and/or Possible Action on Placing No Parking Street Signs on Tower Court

Officers Buddenhagen and Corrus gave background information regarding parking on Tower Court. During a recent training held with other emergency response units, a third access point was identified off Tower Court in the event of an emergency. The fenced-in area off Tower Court is where the youngest children play and the officers would like to ensure the safety of those children as well by the prohibition of parking on Tower Court during school days/hours. Most residents were okay with no parking on the road and the Officers asked to implement no parking on the school side of Leanore and Tower Ct.

Trustee Krasovich moved, seconded by Trustee Miller to Approve a Recommendation to the Village Board to Place No Parking Signs on Leanore and Tower Ct as Specified in the Attached Diagram.

Motion passed unanimously.

**Village of Pewaukee
Public Works and Safety Committee Meeting Minutes
October 3, 2023**

6. Adjournment

**Trustee Krasovich moved, seconded by Member Miller to adjourn the October 3, 2023, Public Works and Safety meeting at approximately 5:00 pm.
Motion passed unanimously.**

Respectfully Submitted,

Casandra Smith
Village Clerk

DRAFT



PUBLIC WORKS DEPARTMENT
1000 Hickory Street
Pewaukee, WI 53072

Memo

To: Public Works and Safety Committee Members
From: Dave Buechl, P.E., P.L.S., Director of Public Works/Village Engineer
Date: January 31, 2024
Re: Agenda Item 4a, February 6, 2024 PWSC Meeting Item 4a – Review and Discussion/Possible Action on Prospect Avenue/School District Area Sign Evaluation Results

There are aging traffic and pedestrian signs around the school district properties which include two different school related speed zones, and school related signs not fully compliant with the Manual of Traffic Control Devices (MUTCD) recommendations. Generally, a school pedestrian zone must be abutting a school property, so some signs on Prospect Avenue don't meet that standard. Therefore in 2021, a Traffic Engineer consultant conducted an analysis of the signs on Village streets, excluding the signs on school property. There is a distinction between school pedestrian crossings and school area speed designations so the final recommendations take a conservative approach. The results of the analysis are recommendations for sign removals and replacements, and new flashing beacons, located as indicated in the attached drawings.

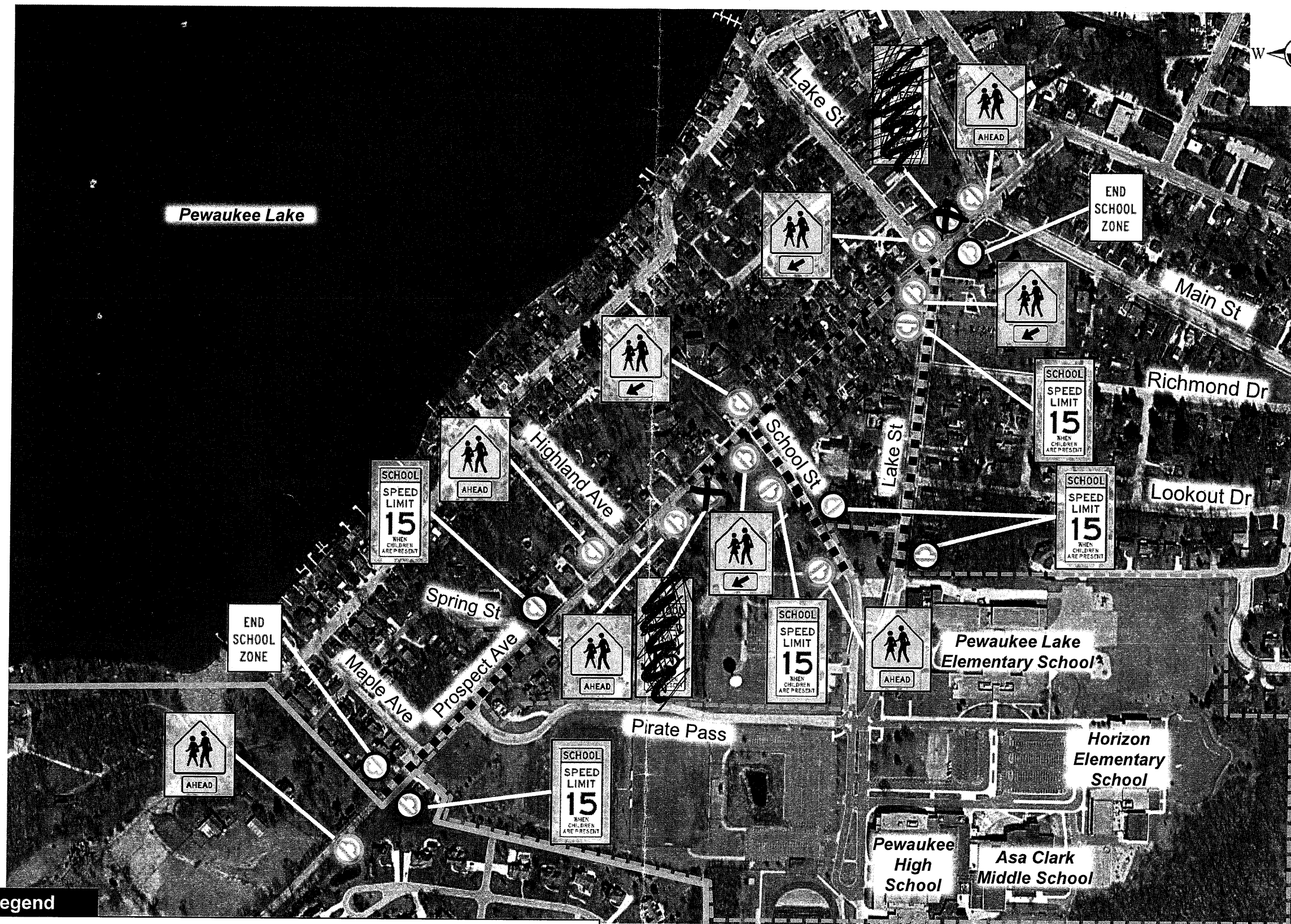
In 2023, the flashing beacon and sign on the northeast end of Prospect Avenue was relocated and updated to match the proposed signage plan. The flashing beacon and sign on the southwest end of Prospect Avenue was also updated. For 2024, the Village sign budget proposal was \$3,800. Based on a quote from a sign supplier dated December 21, 2023, the materials for the 16 signs and post assemblies can be purchased for approximately \$2,402.05 not including labor time for installation from either Village staff or a Contractor.

Village staff met with representatives from the Pewaukee School District on January 15, 2024. The latest school related signage costs were presented to School District staff. School representatives thought that a more comprehensive analysis needed to be completed to quantify what are all the increased costs the School District is currently facing and have already funded in comparison to the costs the Village is funding to review what is equitable to both parties. As of now, the School District has not committed to participating in funding the 16 school related signs.








The traffic signage study completed in 2021 treated the intersection of Prospect Avenue and School Street and the intersection of Prospect Avenue and Lake Street as "school zones". The traffic signage study called for replacements and repositioning of signage appropriate for a school zone and specified the S1-1 school zone pedestrian crossing signage.

Recommendation:

Recommend proceeding with replacement of signs as shown on signage plans subject to available signage funding. Funds from the signage account may be needed for other signage projects this year.



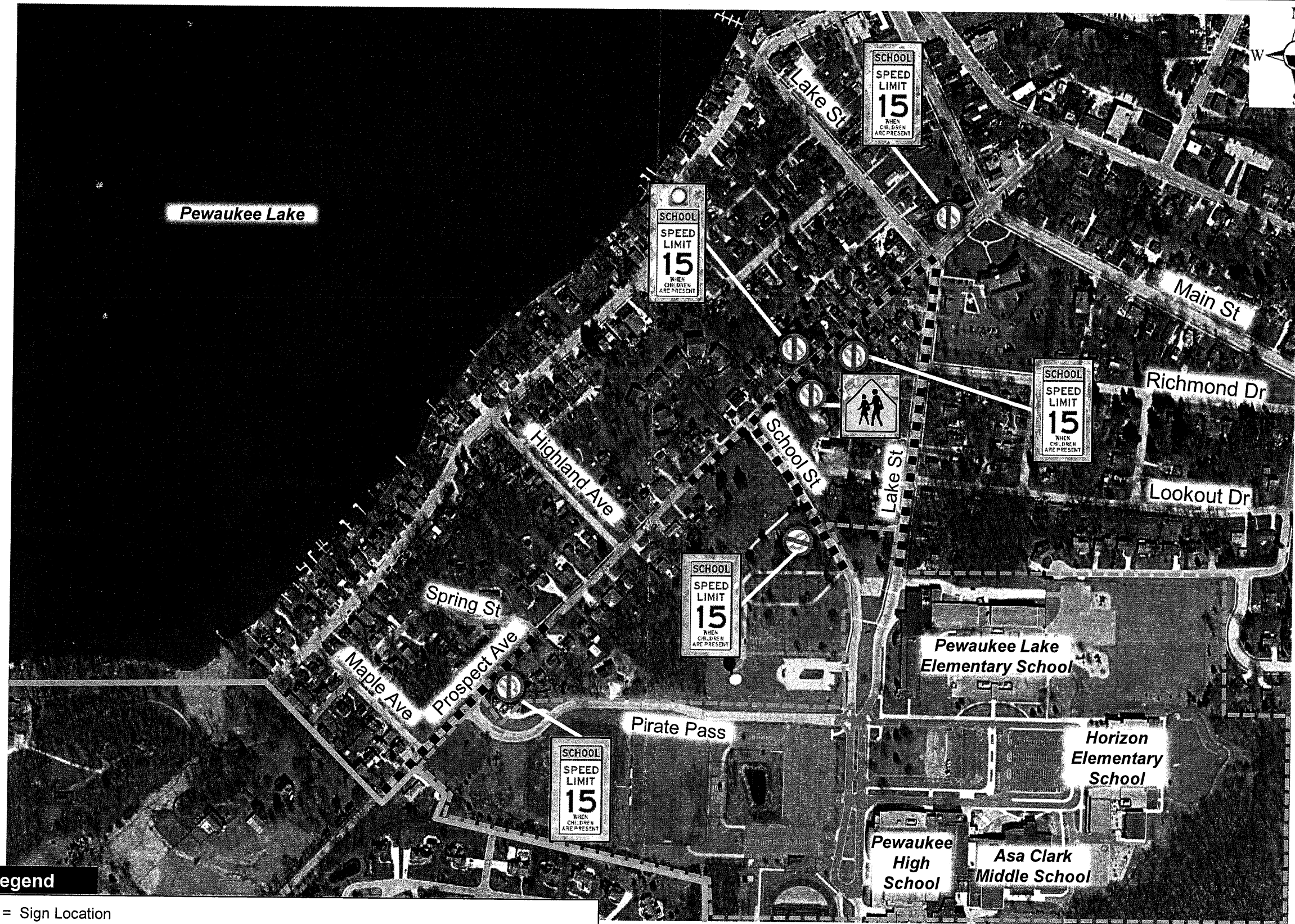
Legend

-  = Sign Location
-  = Village of Pewaukee Municipal Boundary
-  = School Zone (Public Street)
-  = Pewaukee School District Campus Boundary
-  = Install New Sign
-  = Replace Existing Sign
-  = Existing Sign to Remain






Notes: 1) Sign locations and boundaries are approximate
 2) School zone extends into Pewaukee School District Campus

**Recommended School and Pedestrian
 Signing Layout**

Exhibit
3



Legend

-  = Sign Location
-  = Village of Pewaukee Municipal Boundary
-  = School Zone (Public Street)
-  = Pewaukee School District Campus Boundary
-  = Remove Sign

Notes: 1) Sign locations and boundaries are approximate
 2) School zone extends into Pewaukee School District Campus

School and Pedestrian Signing Removals

Exhibit
2



PUBLIC WORKS DEPARTMENT
1000 Hickory Street
Pewaukee, WI 53072

Memo

To: Public Works and Safety Committee Members
From: Dave Buechl, P.E., P.L.S., Director of Public Works/Engineer
Date: January 31, 2024
Re: Agenda Item 5a, February 6, 2024 PWSC Meeting Item 5a –Discussion regarding use of fluoride in Water Supply

Information from the Center for Disease Control and Prevention on the addition of Fluoride to public water

1. What positives does fluoride provide?
 - a. Helps to rebuild and strengthen the tooth's surface or enamel
 - b. Helps prevent tooth decay by providing frequent and consistent contact with low levels of fluoride
 - c. By keeping the tooth strong and solid, fluoride stops cavities from forming and can even rebuild the tooth's surface.
 - d. Good practice to use toothpaste with fluoride added, and get fluoride treatment at visit to dentist.
 - e. Since 1945 hundreds of cities have started community fluoridation. Nearly 73% of the United States served by community water systems has access to fluoridated water. Tooth decay has declined dramatically in last 75 years.
2. What are negatives of fluoride use?
 - a. Too much fluoride is not good for body. Communities required to test that fluoride rates remain below threshold, otherwise fluoride can be harmful and poisonous to human body
 - b. Cost
 - i. Labor: Daily testing
 - ii. Example: Village staff conducted a fluoride test about 1 month ago at Well 4. The raw fluoride level was 0.395 ppm. Fluoride is a naturally occurring substance. WDNR wants to see 0.6 – 0.8 ppm. We don't have to add much fluoride to Village water.
 - iii. Annual Village Material cost: \$2,500/yr
3. Several medical studies have been completed with results dependent on concentration of fluoride.
 - a. Impact of fluoride on development of general cognitive ability in children
 - b. Impact of fluoride on causing dental fluorosis in children and adolescents
4. Other local area community's status for adding fluoride:
 - a. Yes - Village of Butler, Village of Hartland, Village of Menomonee Falls, Village of Mukwonago, City of New Berlin, City of Oconomowoc, City of Waukesha, Village of Pewaukee - yes
 - b. No - City of Pewaukee, Village of Dousman, Village of Eagle, Village of Lannon, City of Muskego, Village of North Prairie, Village of Sussex
5. Village of Pewaukee did win award in 2023 from State of Wisconsin for use of fluoride in public drinking water, as attached

Tony Evers
Governor



DIVISION OF PUBLIC HEALTH

1 WEST WILSON STREET
PO BOX 2659
MADISON WI 53701-2659

Karen E. Timberlake
Secretary

State of Wisconsin
Department of Health Services

Telephone: 608-266-1251
Fax: 608-267-2832
TTY: 711 or 800-947-3529

February 13, 2023

Pewaukee
235 Hickory Street
Pewaukee, WI 53072

Dear Dan Naze:

Congratulations! On behalf of the Oral Health Unit in the Division of Public Health, we would like to present Pewaukee with a Water Fluoridation Quality Award from the U.S. Centers for Disease Control and Prevention (CDC). Fluoridation is the adjustment of fluoride in the water to a level that is optimal for preventing tooth decay. The award recognizes those water systems that adjust the fluoride concentration in drinking water and achieve a monthly average fluoride level that is in the optimal range for 12 consecutive months in a year. Pewaukee maintained a consistent level of optimally fluoridated water throughout 2018, 2019, 2020, and 2021.

Community water fluoridation has been recognized by the CDC as one of 10 great public health achievements of the 20th Century. Water fluoridation has helped improve the quality of life in the U.S., through reduced pain and suffering related to tooth decay, reduced time lost from school and work, and less money spent to restore, remove, or replace decayed teeth. Fluoridation is the single most effective public health measure to prevent tooth decay and improve oral health over a lifetime, for both children and adults. CDC recommends water fluoridation as a safe, effective, and inexpensive method of preventing tooth decay.

On behalf of the Oral Health Unit in the Division of Public Health, I would like to congratulate you again for your efforts to protect the oral health of your community. This award recognizes your commitment and dedication to provide the benefits of water fluoridation for the citizens in your community. Please forward our congratulations to other members of your community who support water fluoridation efforts in Pewaukee. Please do not hesitate to call our office with any questions regarding your award or community water fluoridation.

Sincerely,

A handwritten signature in cursive script that reads 'Robbyn Kuester'.

Robbyn Kuester, BSDH, RDH
Oral Health Unit Supervisor
robbyn.kuester@wisconsin.gov
608-212-6851



**PUBLIC WORKS DEPARTMENT
1000 Hickory Street
Pewaukee, WI 53072**

Memo

To: Public Works and Safety Committee Members
From: Dave Buechl, P.E., P.L.S., Director of Public Works/Engineer
Date: January 31, 2024
Re: Agenda Item 5b, February 6, 2024 PWSC Meeting Item 5b –Discussion and direction regarding use of speed humps for Traffic/Speed Control on Lake Street, School Street and Prospect Avenue

Speed humps are a form of traffic control. Some main points are listed below.

- a. Speed humps are less abrupt, have a smoother impact, and are much wider than speed bumps. The main purpose is to slow vehicles down in public right of ways. The slowing of vehicles can be important in areas that get high pedestrian traffic. Strategically placed speed humps can hinder speeding vehicles before crossings, entrances and exists.
- b. Speed humps are parabolic vertical traffic calming devices intended to slow traffic speeds typically on low volume, low speed roads. Speed humps are 3-4 inches high, and 12-14 feet wide; there may be a ramp width of 3-6 feet, depending on target speed.

Some reasons to not use speed humps are listed below.

- a. The installation of speed humps with screws drilled into asphalt pavement deteriorates pavement. The speed bumps may impede fire trucks and emergency vehicles. The speed humps should not be used in winter because snow plows would hit the speed bump and damage the plows, trucks, and speed humps.
- b. The thought of using speed humps could initially seem like a great idea to deploy as a method of slowing down drivers who are more than likely breaking the law. It's a quick, easily deployed, feel-good option that the general public often thinks is a great idea and often appeals to elected officials. There are unexpected consequences dependent on the application chosen. The solution can punish both the violators, and those who aren't breaking the law. The untargeted, majority group could react negatively to the resulting obstruction who may then call for the removal of the devices.
- c. The speed humps can be obstacles to motorcycles and cyclists, or potential risk of causing an errant vehicle to lose control. The speed hump could be considered a liability to the municipality.
- d. If the speed humps were staggered, the resulting driving could be in a serpentine manner to avoid them which could be dangerous to bikers or pedestrians, or

possibly causing head-on conflicts. Installation should be reviewed to as not obstruct drainage.

Reference: APWA Reporter, December 2023 Speed humps, bumps, tables, and other obstructions meant to slow the fast and furious in your neighborhood

As part of a broader traffic review of the public streets in the school area, the Village Police Department was asked if they could assist with collecting vehicle speed data by conducting a speed study along Prospect Avenue, collecting accident data, and increasing traffic enforcement in the area. After the study was conducted in late December and early January, a summary of the results is listed below.

Attached is the traffic data for Prospect Ave from 12/14/2023 thru 01/05/2024.

The speed sign was placed at 330 Prospect Av. facing S/B.

The average speed is 29 MPH with outliers of up to 51 MPH or double the speed.

The recent accident history in the area along Prospect Avenue from Maple Avenue to Wisconsin Avenue from 1-1-2020 to 12-14-2023 is listed below.

Accidents in 2020: 3

Accidents in 2021: 5

Accidents in 2022: 9

Accidents in 2023: 5

Average speed is within 4 MPH of the posted speed limit with 85% of drivers within 8 MPH of the posted speed.

Yes, there are outliers each hour however, based on the high volume of traffic on this street, average daily speed and minimal accidents, this street does not seem to be a problem.

The Police Department will be assigning officers for speed enforcement to this area.

DATE: 01-07-2024

TO: Chief Heier

FROM: Sergeant Lucas G Twelmeyer

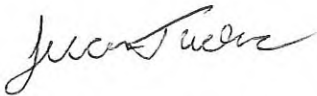
REF: Speed Analysis

The Traffic Logic Speed Sign was deployed at 330 Prospect Ave, facing N/B Traffic from 12/14/2023 – 01/05/2024. This section of Prospect Ave, is an aggressive downhill grade, has narrow shoulders, and is clearly marked with 25 mph speed limit signage.

During this time period, the sign recorded a total number of S/B vehicles to be 43,718. The average speed was registered at 29mph, and a maximum speed of 51mph. With the highest percent of violations to be between 6:00am and 7:00am. The highest vehicle count was recorded at 4:00pm.

Between 01/01/2020 and 12/14/2023 there were 22 recorded crashes within the target area. As recorded, 68% of the crashes were "Property Damage Only", 18% "Hit and Run", and 13% Injury crashes.

Respectfully Submitted;

A handwritten signature in black ink, appearing to read "Lucas Twelmeyer", written in a cursive style.

Sgt. Lucas G Twelmeyer

Average Vehicle Count

Technician Name: administrator

Location: Prospect

Report Period: 12/14/2023 to 1/5/2024

Address: 330 Prospect Ave, Pewaukee, WI, 53072

Total Vehicle Count: 43,718

Speed Limit: 25



| Hour | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday | Average Weekday | Average Weekend | Average Week | Average Speed | 85% Speed |
|---------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-----------------|-----------------|--------------|---------------|-----------|
| 00-01 | 16 | 6 | 6 | 6 | 7 | 13 | 15 | 8 | 14 | 10 | 30 | 34 |
| 01-02 | 16 | 4 | 4 | 6 | 6 | 10 | 8 | 7 | 9 | 8 | 29 | 34 |
| 02-03 | 7 | 1 | 3 | 3 | 3 | 8 | 4 | 3 | 6 | 4 | 28 | 32 |
| 03-04 | 4 | 3 | 5 | 5 | 3 | 6 | 2 | 4 | 4 | 4 | 27 | 32 |
| 04-05 | 4 | 10 | 12 | 11 | 12 | 5 | 2 | 10 | 4 | 8 | 29 | 32 |
| 05-06 | 12 | 25 | 37 | 34 | 27 | 12 | 4 | 27 | 8 | 22 | 29 | 33 |
| 06-07 | 27 | 62 | 66 | 66 | 63 | 21 | 14 | 57 | 18 | 46 | 29 | 33 |
| 07-08 | 49 | 99 | 99 | 107 | 96 | 46 | 30 | 90 | 38 | 75 | 29 | 33 |
| 08-09 | 64 | 128 | 152 | 135 | 137 | 92 | 70 | 123 | 81 | 111 | 29 | 33 |
| 09-10 | 94 | 129 | 135 | 136 | 136 | 137 | 93 | 126 | 115 | 123 | 29 | 33 |
| 10-11 | 102 | 150 | 134 | 148 | 154 | 152 | ^H 135 | 138 | 144 | 139 | 29 | 33 |
| 11-12 | 104 | 164 | 160 | 165 | 159 | ^H 180 | 134 | 150 | 157 | 152 | 29 | 32 |
| 12-13 | 115 | 145 | 156 | 145 | 174 | 152 | 125 | 147 | 139 | 145 | 29 | 33 |
| 13-14 | 105 | 158 | 160 | 166 | 170 | 144 | 95 | 152 | 120 | 143 | 29 | 33 |
| 14-15 | ^H 142 | 171 | 172 | 189 | ^H 204 | 152 | 91 | 176 | 122 | 160 | 28 | 32 |
| 15-16 | ^H 142 | ^H 183 | ^H 191 | ^H 197 | 201 | 141 | 122 | 183 | 132 | 168 | 28 | 32 |
| 16-17 | 115 | 158 | 189 | 147 | 190 | 136 | 104 | 160 | 120 | 148 | 29 | 32 |
| 17-18 | 97 | 138 | 155 | 159 | 164 | 122 | 99 | 143 | 111 | 133 | 30 | 33 |
| 18-19 | 75 | 89 | 125 | 116 | 132 | 116 | 75 | 107 | 96 | 104 | 30 | 33 |
| 19-20 | 69 | 63 | 82 | 90 | 98 | 99 | 62 | 80 | 81 | 80 | 30 | 33 |
| 20-21 | 49 | 61 | 61 | 86 | 56 | 67 | 60 | 63 | 64 | 63 | 29 | 33 |
| 21-22 | 32 | 42 | 38 | 39 | 56 | 69 | 55 | 41 | 62 | 47 | 30 | 33 |
| 22-23 | 20 | 21 | 28 | 26 | 51 | 48 | 40 | 29 | 44 | 33 | 30 | 34 |
| 23-24 | 6 | 12 | 11 | 16 | 29 | 27 | 27 | 15 | 27 | 18 | 30 | 34 |
| TOTAL: | 1,466 | 2,022 | 2,181 | 2,198 | 2,328 | 1,955 | 1,466 | 2,039 | 1,716 | 1,944 | 29 | 33 |

Statistics Summary Report

Technician Name: administrator

Location: Prospect

Report Period: 12/14/2023 to 1/5/2024

Address: 330 Prospect Ave, Pewaukee, WI, 53072

Total Vehicle Count: 43,718

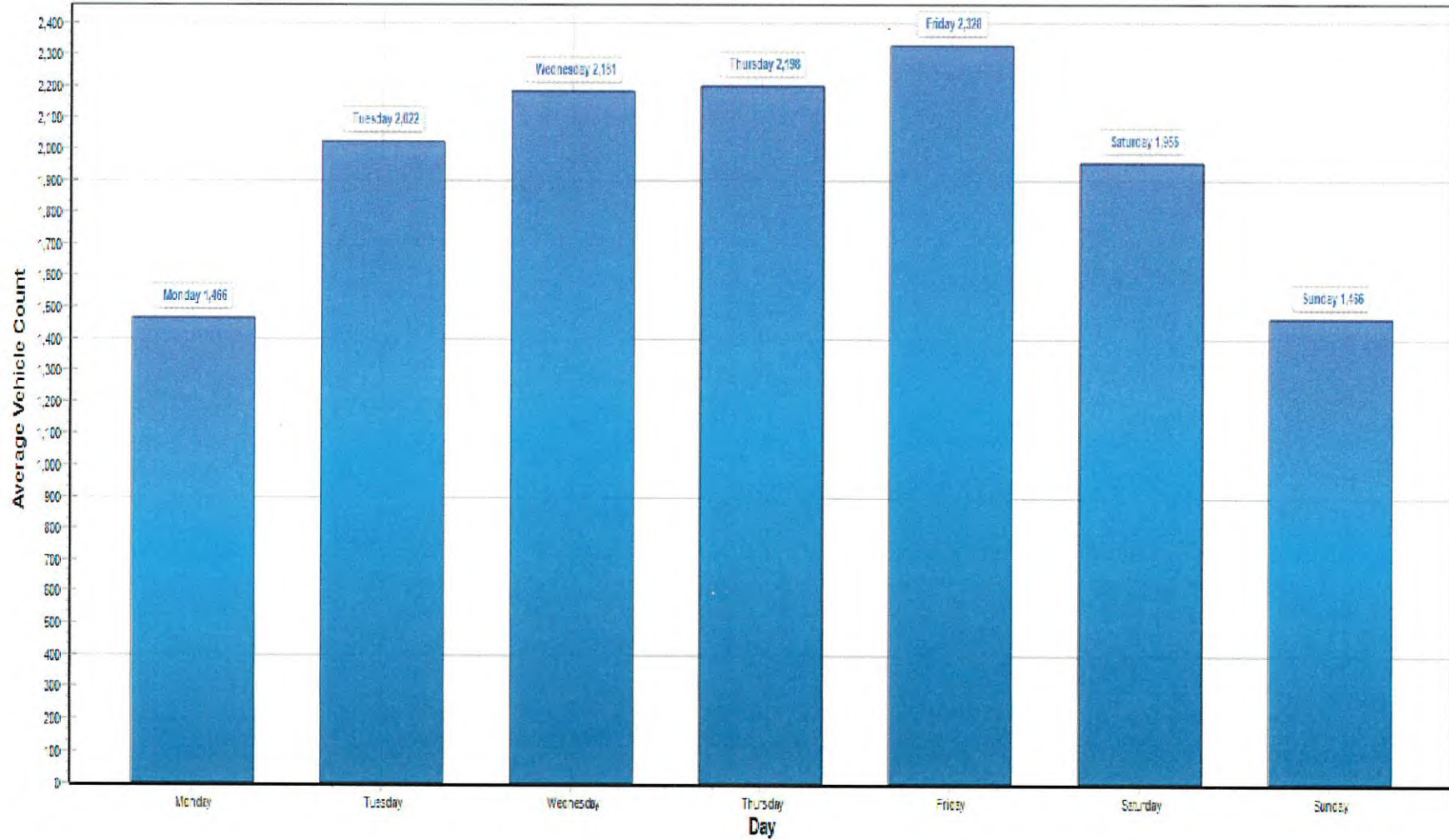
Speed Limit: 25



| Hour | Total Vehicles | Average Vehicles | Total Violations | % Violations | Min. Speed | Max. Speed | Avg. Speed | 85% Speed |
|-------|----------------|------------------|------------------|--------------|------------|------------|------------|-----------|
| 00-01 | 216 | 31 | 197 | 91 % | 4 | 49 | 30 | 34 |
| 01-02 | 171 | 24 | 148 | 87 % | 10 | 39 | 29 | 34 |
| 02-03 | 89 | 13 | 75 | 84 % | 6 | 38 | 28 | 32 |
| 03-04 | 87 | 12 | 62 | 71 % | 6 | 39 | 27 | 32 |
| 04-05 | 180 | 26 | 148 | 82 % | 4 | 50 | 29 | 32 |
| 05-06 | 481 | 69 | 401 | 83 % | 4 | 40 | 29 | 33 |
| 06-07 | 1,021 | 146 | 920 | 90 % | 9 | 43 | 29 | 33 |
| 07-08 | 1,674 | 239 | 1,468 | 88 % | 4 | 41 | 29 | 33 |
| 08-09 | 2,474 | 353 | 2,094 | 85 % | 5 | 45 | 29 | 33 |
| 09-10 | 2,717 | 388 | 2,428 | 89 % | 4 | 48 | 29 | 33 |
| 10-11 | 3,080 | 440 | 2,639 | 86 % | 4 | 51 | 29 | 33 |
| 11-12 | 3,361 | 480 | 2,894 | 86 % | 4 | 45 | 29 | 32 |
| 12-13 | 3,211 | 459 | 2,766 | 86 % | 4 | 46 | 29 | 33 |
| 13-14 | 3,165 | 452 | 2,748 | 87 % | 4 | 43 | 29 | 33 |
| 14-15 | 3,567 | 510 | 2,854 | 80 % | 3 | 47 | 28 | 32 |
| 15-16 | 3,730 | 533 | 2,969 | 80 % | 3 | 50 | 28 | 32 |
| 16-17 | 3,452 | 493 | 2,988 | 87 % | 3 | 42 | 29 | 32 |
| 17-18 | 3,126 | 447 | 2,782 | 89 % | 3 | 45 | 30 | 33 |
| 18-19 | 2,429 | 347 | 2,147 | 88 % | 4 | 46 | 30 | 33 |
| 19-20 | 1,873 | 268 | 1,652 | 88 % | 3 | 46 | 30 | 33 |
| 20-21 | 1,468 | 210 | 1,278 | 87 % | 9 | 50 | 29 | 33 |
| 21-22 | 1,028 | 147 | 914 | 89 % | 6 | 48 | 30 | 33 |
| 22-23 | 723 | 103 | 659 | 91 % | 9 | 45 | 30 | 34 |
| 23-24 | 395 | 56 | 363 | 92 % | 9 | 42 | 30 | 34 |
| | 43,718 | 6,246 | 37,594 | 86 % | 5 | 45 | 29 | 33 |

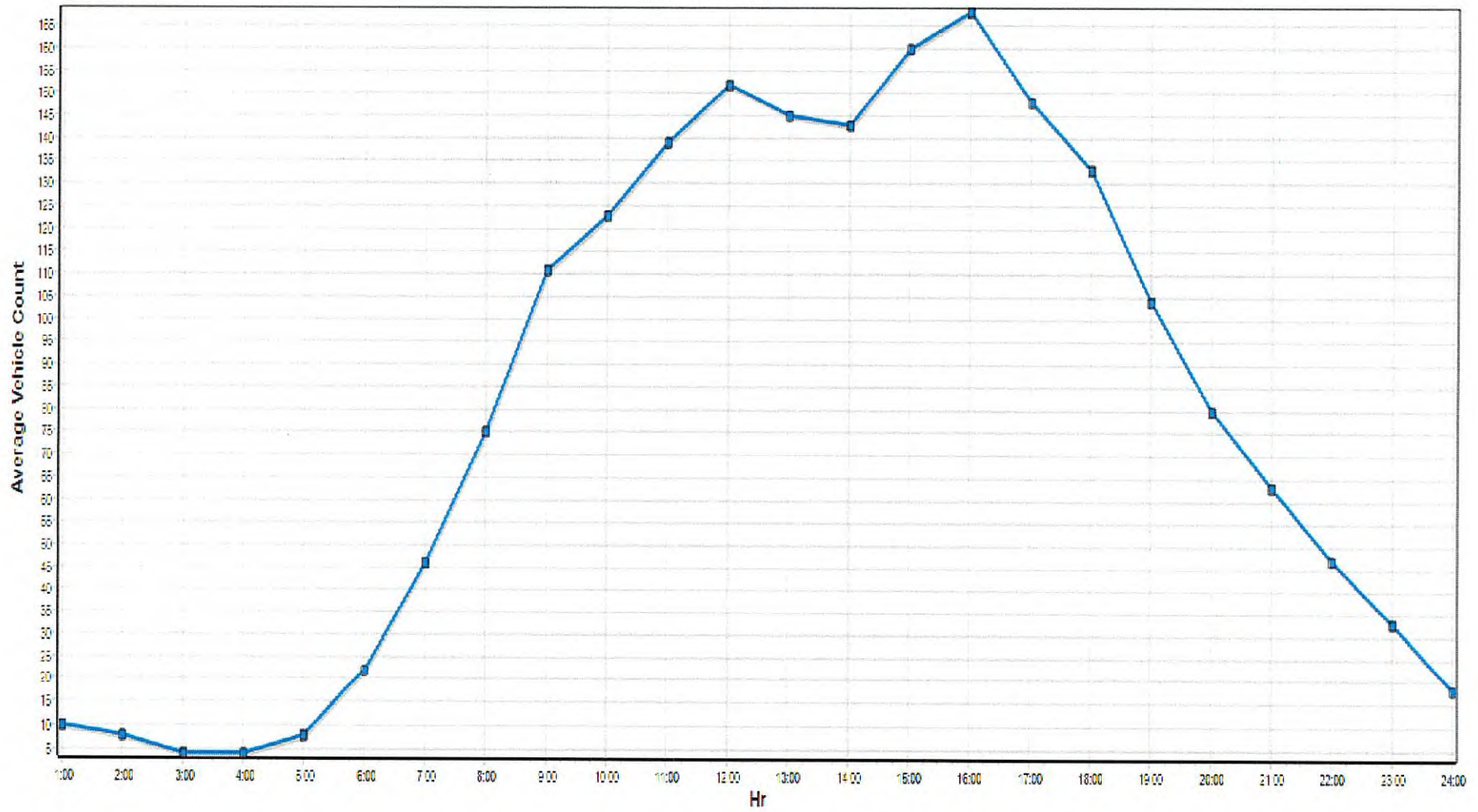
Average Vehicle Count Daily Values

Prospect (330 Prospect Ave, Pewaukee, WI, 53072)
12/11/2023 to 1/8/2024



Average Vehicle Count Hourly Values

Prospect (330 Prospect Ave, Pewaukee, WI, 53072)
12/11/2023 to 1/8/2024



Accidents

Event Search Summary - 22 Events

| Added Date/Time | Event Number | Agency | Group | Status | Priority | Type | Subtype | Alarm Level | Location |
|------------------------|--------------|--------|-------|--------|----------|------|---------|-------------|---------------------------------------|
| 1/24/2020 9:22:40 PM | P20021433 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/PIRATE PASS PWKE_C |
| 7/21/2020 2:56:10 PM | P20173202 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | 237 PROSPECT AVE PWKE_V |
| 11/10/2020 5:42:36 PM | P20271893 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/PIRATE PASS PWKE_C |
| 1/19/2021 2:39:58 PM | P21014942 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/CARDINAL RIDGE DR PWKE_V |
| 9/10/2021 8:13:29 AM | P21221813 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/SCHOOL ST PWKE_V |
| 11/13/2021 8:10:49 PM | P21275653 | PVPD | BOLO | A | 2 | ACC | HRPDO | 0 | MAIN ST/PROSPECT AVE PWKE_V |
| 12/20/2021 10:17:50 PM | P21304917 | PVPD | PVPD | A | 2 | ACC | HRPDO | 0 | PROSPECT AVE/MAIN ST PWKE_V |
| 12/28/2021 12:56:32 PM | P21310314 | PVPD | PVPD | A | 2 | ACC | HRPDO | 0 | PROSPECT AVE/E WISCONSIN AVE PWKE_V |
| 2/15/2022 3:17:00 PM | P22037205 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PIRATE PASS/PROSPECT AVE PWKE_C |
| 3/28/2022 6:48:45 PM | P22071276 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | MAIN ST/PROSPECT AVE PWKE_V |
| 4/16/2022 11:17:02 AM | P22087398 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | 237 PROSPECT AVE PWKE_V |
| 5/29/2022 2:43:59 AM | P22124949 | PVPD | PVPD | A | 1 | ACC | UNK | 0 | 334 PROSPECT AVE PWKE_V |
| 6/19/2022 3:10:21 PM | P22144502 | PVPD | PVPD | A | 1 | ACC | PI | 0 | PROSPECT AVE/SCHOOL ST PWKE_V |
| 9/14/2022 9:43:10 AM | P22221272 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/SCHOOL ST PWKE_V |
| 9/14/2022 3:13:26 PM | P22221541 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | MAIN ST/PROSPECT AVE PWKE_V |
| 10/6/2022 7:28:55 AM | P22240695 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | MAPLE AVE/PROSPECT AVE PWKE_C |
| 11/25/2022 9:55:47 AM | P22282028 | PVPD | PVPD | A | 1 | ACC | PI | 0 | PROSPECT AVE/MAIN ST PWKE_V |
| 1/24/2023 7:28:38 PM | P23019703 | PVPD | PVPD | A | 2 | ACC | HRPDO | 0 | PROSPECT AVE/E WISCONSIN AVE PWKE_V |
| 2/1/2023 8:56:32 AM | P23025840 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/MAIN ST PWKE_V |
| 3/7/2023 12:44:40 PM | P23054712 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | MAIN ST/PROSPECT AVE PWKE_V |
| 3/20/2023 7:30:27 AM | P23065624 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | LAKE ST/PROSPECT AVE PWKE_V |
| 9/3/2023 3:07:57 PM | P23219304 | PVPD | PVPD | A | 2 | ACC | PDO | 0 | PROSPECT AVE/SCHOOL ST PWKE_V |

1/1/2020 - 12/14/2023

15100

13



To: Public Works & Safety Committee

From: Scott A. Gosse
Village Administrator

Date: December 22, 2023

Re: Agenda Item 5c, Discussion Regarding Riverside Preserve Stormwater Pond Maintenance

BACKGROUND

This matter is on the agenda at the request of Commissioner Hill. Attached for your review and information please find a copy of the stormwater pond maintenance agreement for the subdivision.

ACTION REQUESTED

This matter is on the agenda for Committee review and discussion at the request of Commissioner Hill.

ANALYSIS

The stormwater pond maintenance agreement is in line with the Village's standard form of past subdivision pond maintenance agreements.

Attachment

Storm Water Management Practice Maintenance Agreement

Document Number

Riverside 321 Partners, LLC, as “Owner” of the property described below, in accordance with Chapter 14 Village of Pewaukee Code of Ordinances, agrees to install and maintain storm water management practice(s) on the subject property in accordance with approved plans and Storm Water Permit conditions. The owner further agrees to the terms stated in this document to ensure that the storm water management practice(s) continues serving the intended functions in perpetuity. This Agreement includes the following exhibits:

Exhibit A: Legal Description of the real estate for which this Agreement applies (“Property”).

Exhibit B: Location Map(s) – shows an accurate location of each storm water management practice affected by this Agreement.

Exhibit C: Maintenance Plan – prescribes those activities that must be carried out to maintain compliance with this Agreement.

Note: After construction verification has been accepted by Village of Pewaukee, for all planned storm water management practices, an addendum(s) to this agreement shall be recorded by the Owner showing design and construction details. The addendum(s) may contain several additional exhibits, including certification by Waukesha County of Storm Water Permit termination, as described below.

Name and Return Address

Cassie Smith - Clerk
Village of Pewaukee
235 Hickory St.
Pewaukee, WI 53072

Through this Agreement, the Owner hereby subjects the Property to the following covenants, conditions, and restrictions:

1. The Owner shall be responsible for the routine and extraordinary maintenance and repair of the storm water management practice(s) and drainage easements identified in Exhibit B until Storm Water Permit termination by the Village of Pewaukee in accordance with Chapter 14 of the Village Code of Ordinances.
2. After Storm Water Permit termination under 1., the current Owner(s) shall be solely responsible for maintenance and repair of the storm water management practices and drainage easements in accordance with the maintenance plan contained in Exhibit C.
3. Upon written notification by Village of Pewaukee or their designee, the Owner(s) shall, at their own cost and within a reasonable time frame determined by the Village of Pewaukee, have an inspection of the storm water management practice conducted by a qualified professional, file a report with the Village of Pewaukee and complete any maintenance or repair work recommended in the report. The Owner(s) shall be liable for the failure to undertake any maintenance or repairs.
4. In addition, and independent of the requirements under paragraph 3 above, the Village of Pewaukee, or its designee, is authorized to access the property as necessary to conduct inspections of the storm water management practices or drainage easements to ascertain compliance with the intent of this Agreement and the activities prescribed in Exhibit C. The Village of Pewaukee may require work to be done which differs from the report described in paragraph 3 above, if the Village of Pewaukee reasonably concludes that such work is necessary and consistent with the intent of this agreement. Upon notification by the Village of Pewaukee of required maintenance or repairs, the Owner(s) shall complete the specified maintenance or repairs within a reasonable time frame determined by the Village of Pewaukee.
5. If the Owner(s) do not complete an inspection under 3. above or required maintenance or repairs under 4. above within the specified time frame, the Village of Pewaukee is authorized, but not required, to perform the specified inspections, maintenance, or repairs. In the case of an emergency, as determined by the Village of Pewaukee, no notice shall be required prior to the Village of Pewaukee performing emergency maintenance or repairs. The Village of Pewaukee may levy the costs and expenses of such inspections, maintenance, or repair related actions as a special charge against the Property and collected as such in accordance with the procedures under s. 66.0627 Wis. Stats. or subch. VII of ch. 66 Wis. Stats.

6. This Agreement shall run with the Property and be binding upon all heirs, successors, and assigns. After the Owner records the addendum noted above, the Village of Pewaukee shall have the sole authority to modify this agreement upon a 30-day notice to the current Owner(s).

Dated this 31st day of October, 2022^{23 ch.}

Owner: **Riverside 321 Partners, LLC**

Christian Hlavinka
(Signature)

Christian Hlavinka

Acknowledgements

State of Wisconsin:
County of Waukesha

Personally came before me this 23 day of OCTOBER, 2022²⁰²³, the above named Christian Hlavinka to me known to be the person who executed the foregoing instrument and acknowledged the same.

Vicki L. Calmes

Printed Name:
Notary Public, Waukesha County, WI
My commission expires: 4.29.27



This document was drafted by:
Eric J. Maki, P.E.
Pinnacle Engineering Group LLC
20725 Watertown Road, Suite 100
Brookfield, WI 53186

Exhibit A – Legal Description

The following description and reduced copy map identify the land parcel(s) affected by this Agreement. For a larger scale view of the referenced document, contact the Waukesha County Register of Deeds office.

Project Identifier: **321 Riverside Drive**

Acres: **11.50**

Date of Recording:

Map Produced By: **Pinnacle Engineering Group, 20725 Watertown Road, Suite 100, Brookfield, WI 53186**

Legal Description: **Lots 1 through 36, Outlots 1-4 of 321 Riverside Drive, located in the Northwest 1/4 of the Northwest 1/4 of Section 15 and the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 7 North, Range 19 East, Village of Pewaukee, Waukesha County, Wisconsin.**

321 Riverside Drive

Drainage Easement Restrictions: Shaded areas on map indicate drainage easements for storm water collection, conveyance, and treatment. No buildings or other structures are allowed in these areas. No grading or filling is allowed that may interrupt storm water flows in any way. See Exhibit C for specific maintenance requirements for storm water management practices within this area. See subdivision plat for details on location.



Exhibit B - Location Map

Storm Water Management Practices Covered by this Agreement

The storm water management practices covered by this Agreement are depicted in the reduced copy of a portion of the construction plans, as shown below. The practices include one wet detention basin, grass swales (conveying storm water to the basin) and all associated pipes, earthen berms, and other components of these practices. The noted storm water management practices are located within drainage easements of the subdivision plat and within drainage easements of Outlots 1-2 of the subdivision plat, as noted in Exhibit A. Storm water management practices not covered by this Agreement are the storm sewer located in public road right-of-ways.

Subdivision Name: 321 Riverside Drive
Storm water Practices: Wet Detention Basin #1, Basin Outlet Structure and Piping, Grass Swales, Storm Sewer
Location of Practices: Drainage Easements of Outlots 1-2 and Drainage Easements of 321 Riverside Drive
Owners of Outlot 1: Each owner of Lots 1 through 36 shall have equal (1/36) undividable interest in the Drainage Easements of Outlots 1-2 and 321 Riverside Drive

Figure 1

Plan View of Storm Water Practices

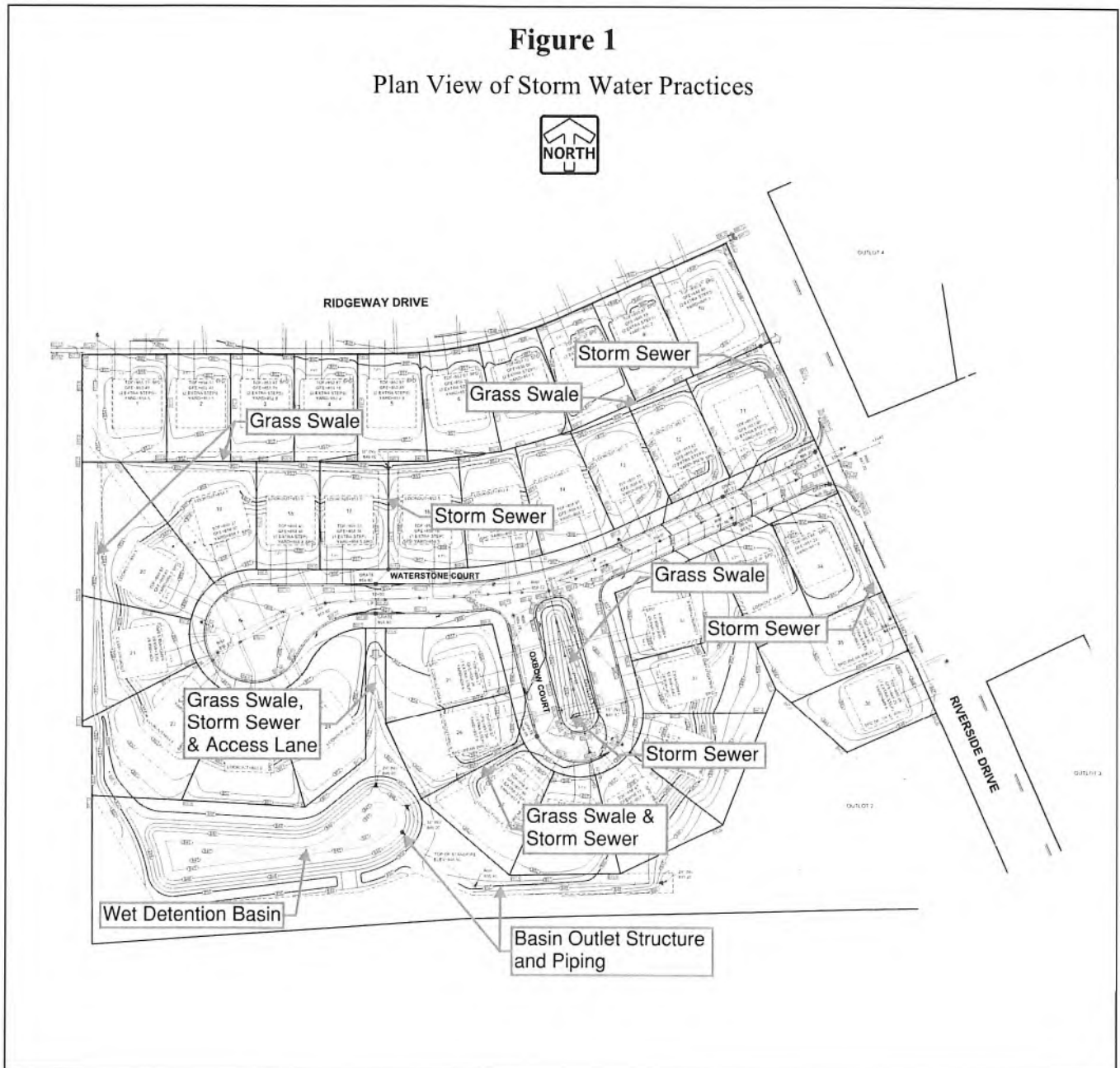


Exhibit C

Storm Water Practice Maintenance Plan

This exhibit explains the basic function of each of the storm water practices listed in Exhibit B and prescribes the minimum maintenance requirements to remain compliant with this Agreement. The maintenance activities listed below are aimed to ensure these practices continue serving their intended functions in perpetuity. The list of activities is not all inclusive, but rather indicates the minimum type of maintenance that can be expected for this site. Access to the stormwater practices for maintenance vehicles is shown in Exhibit B. Any failure of a storm water practice that is caused by a lack of maintenance will subject the Owner(s) to enforcement of the provisions listed on page 1 of this Agreement by the Village of Pewaukee.

System Description:

The wet detention pond is designed to trap 40% of sediment in runoff and maintain pre-development downstream peak flows. In addition to runoff conveyance, the grass swales also allow infiltration and filtering of pollutants, especially from smaller storms. The pond's main pool will trap the finer suspended sediment. To do this, the pond size, water level and outlet structures must be maintained as specified in this Agreement.

The pond receives runoff from a 7.75-acre drainage area (6.31 acres within the subdivision and 1.44 acres off-site drainage coming from the west). During high rainfall or snow melt events, the water level will temporarily rise and slowly drain down to the elevation of the control structure. The water level is controlled by a 12-inch diameter vertical orifice (elevation 846.0) in a 48-inch diameter standpipe. There are two additional 12-inch diameter vertical orifices (elevation 847.0) that discharge water during storm events larger than the 2-year storm. The standpipe is connected to a 24-inch concrete pipe extending eastward through the berm 286-feet where it discharges to existing grade. The orifices control the water level and cause the pond to temporarily rise during runoff events. The orifices will be covered with a pre-manufactured hood to prevent clogging. High flows may enter the grated concrete standpipe (elevation 848.5) which does function through a 100-year storm event. An emergency spillway (elevation 849.0) is provided in the berm of the pond to allow for an emergency discharge from the pond due to the outlet pipe clogging or storm events above the 100-year design storm. "As-built" construction drawings of the basin, showing actual dimensions, elevations, outlet structures, etc. will be recorded as an addendum(s) to this agreement within 60 days after Village of Pewaukee accepts verification of construction from the project engineer.

Minimum Maintenance Requirements:

To ensure the proper long-term function of the storm water management practices described above, the following activities must be completed:

1. All inlet and outlet pipes must be checked monthly to ensure there is no blockage from floating debris or ice, especially in front of the 12-inch orifice and the trash rack on the riser in the main pond. Any blockage must be removed immediately. The washed stone must be replaced when it becomes clogged.
2. Grass swales shall be preserved to allow free flowing of surface runoff in accordance with approved grading plans. No buildings or other structures are allowed in these areas. No grading or filling is allowed that may interrupt flows in any way.
3. Grass swales, inlets and outlets must be checked after heavy rains (minimum of annually) for signs of erosion. Any eroding areas must be repaired immediately to prevent premature sediment build-up in the downstream forebays or basin. Erosion matting is recommended for repairing grassed areas.
4. NO trees are to be planted or allowed to grow on the earthen berms. Tree root systems can reduce soil compaction and cause berm failure. The berms must be inspected annually, and any woody vegetation removed.
5. Invasive plant and animal species shall be managed in compliance with Wisconsin Administrative Code Chapter NR 40. This may require eradication of invasive species in some cases.
6. If the permanent pool falls below the safety shelf, a review shall be performed to determine whether the cause is liner leakage or an insufficient water budget. If the cause is leakage, the liner shall be repaired. Leakage due to muskrat burrows may require removal of the animals, repair of the liner with clay, and embedding wire mesh in the liner to deter further burrowing. If the permanent pool cannot be sustained at the design elevation, benching of the safety shelf may be necessary.
7. If floating algae or weed growth becomes a nuisance (decay odors, etc.), it must be removed from the basin and deposited where it cannot drain back into the basin. Removal of the vegetation from the water reduces regrowth the following season (by harvesting the nutrients). Wetland vegetation must be maintained along the water's edge for safety and pollutant removal purposes.

8. If mosquitoes become a nuisance, the use of mosquito larvicide containing naturally occurring BTI soil bacteria is recommended.
9. When sediment in the forebay of the pond has accumulated to an elevation of three feet below the outlet elevation, it must be removed. All removed sediment must be placed in an appropriate upland disposal site and stabilized (grass cover) to prevent sediment from washing back into the basin. Failure to remove sediment from the basin will cause resuspension of previously trapped sediments and increase downstream deposition.
10. No grading or filling of the basin or berm other than for sediment removal is allowed, unless otherwise approved by the Village of Pewaukee.
11. Periodic mowing of the grass swales will encourage vigorous grass cover and allow better inspections for erosion. Waiting until after August 1 will avoid disturbing nesting wildlife. Mowing around the basin may attract nuisance populations of geese to the property and is not necessary or recommended.
12. Any other repair or maintenance needed to ensure the continued function of the storm water practices or as ordered by the Village of Pewaukee under the provisions listed on page 1 of this Agreement.
13. Aerators/Fountains – If an aerator or fountain is desired for visual and other aesthetic effects (aerators designed to mix the contents of the pond are prohibited) they must meet all the items below:
 - i. Use an aerator/fountain that does not have a depth of influence that extends into the sediment storage depth (i.e. more than three feet below the normal water surface).
 - ii. If the water surface drops due to drought or leakage, the aerator / fountain may not be operated until the water rises enough for the depth of influence to be above the sediment storage layer. Therefore, if the depth of influence of the aerator / fountain is two feet, the water surface must be within one foot or less of the lowest pond outlet.
 - iii. Provide an automatic shut-off of the aerator/fountain as the pond starts to rise during a storm event. The aerator/fountain must remain off while the pond depth returns to the permanent pool elevation and, further, shall remain off for an additional 48 hours, as required for the design micron particle size to settle to below the draw depth of the pump.
 - iv. Configure the pump intake to draw water primarily from a horizontal plane to minimize the creation of a circulatory pattern from bottom to top throughout the pond.