

**BUCHANAN STORMWATER UTILITY**  
**MINUTES OF UTILITY COMMISSION MEETING**  
**THURSDAY, JULY 1, 2021 AT 7:00 P.M.**  
**BUCHANAN TOWN HALL, N178 COUNTY RD N, APPLETON, WI 54915**

**OPENING:**

1. **CALL MEETING TO ORDER:** Meeting called to order by Commissioner President Sprangers at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Pledge recited.
3. **ROLL CALL & VERIFY PUBLIC NOTICE:** Public notice verified. Commission members present – Sprangers, Lawrence, Kavanaugh, Walsh, and Reinke. Utility officials present – Utility Manager Mahoney, Utility Clerk Sieracki, and Utility Engineers Majkowski. Other members of the public were also in attendance.

**PRESENTATIONS & PUBLIC FORUM:**

4. **PUBLIC HEARINGS: NONE**
5. **PRESENTATIONS: NONE**
6. **PUBLIC COMMENT FORUM:**
  - Tim Renter, N255 Woodstock Ln, Appleton mentioned that since all the ditches on Woodstock Ln will be eliminated why not the ditch between the homes. He stated that the storm sewer will end at the front yard but would like to see it run to the back yard as well. He talked with the engineer about the road behind him to find out that it is not even in the 10-year plan. He stated he would like to see this on a plan for the future.
  - Jason Weyenberg, N249 Woodstock Ln, Appleton stated he has the same concerns as Tim. He is concerned that this would look unfinished as it would look nice in the front but then taper to the back. He stated this would help with the water issue and would look nicer. He mentioned any help is better than nothing as his sump pump runs all the time.

**UTILITY COMMISSION BUSINESS AGENDA:**

7. **CONSENT AGENDA:**
  - a) Approval of the Minutes of the June 3, 2021 Buchanan Stormwater Utility Commission Meeting.
  - b) Approval of May 23, 2021 to June 19, 2021 Approved Bills.
  - c) Approval of Treasurer Statement of Income and Expenses.

*Motion by Walsh/Lawrence to approve the Consent Agenda as presented. Motion passed 5 to 0 by voice vote.*

8. **ORDINANCES FOR INTRODUCTION: NONE**
9. **UNFINISHED BUSINESS FOR DISCUSSION & POSSIBLE ACTION: NONE**
10. **NEW BUSINESS FOR DISCUSSION & POSSIBLE ACTION:**
  - a) WDNR Urban Nonpoint Grants updates:
    - i. CTH N Stormwater Pond/Storm Sewer Easement Update – For Discussion Only.
      - Private storm sewer existing conditions:

Utility Engineer Majkowski stated that the Darboy Joint Sanitary District did the televising on the private existing storm sewer. From the Meeks south to the waterway the pipe is different sizes and types. The Town didn't do this; the homeowners did. Majkowski stated that this could be cleaned out by putting in a 12" pipe at a cost of \$43,000. He will have more updates at the next Town Board meeting on July 20, 2021.

- Alternate routes:  
Utility Engineer Majkowski stated that Engineer Keen and Utility Manager Mahoney spoke with the property owner on Barney Ct for an alternate route. The owner is interested and open to talking about easements and drainage. The water would flow into the basin of the pond with the alternate route.

Keen and Mahoney will speak with the property owners of the original route about signing the easements. The alternate route will be considered if the original route is not feasible due to easements.

The Board discussed.

- Construction Schedule:

Utility Engineer Majkowski stated that once a route is established and the property owners are on board then a schedule will be in place for the project.

- b) 2021 Streambank Erosion Control Grant Application Process – For Discussion and Possible Action.

Utility Manager Mahoney stated that the Utility Commission approved a grant application at the last meeting. At this point, a permit has not been taken out by the property owner. The property owner has confirmed he wants to proceed. The process will move forward.

- c) Illicit Discharge Detection and Elimination (IDDE) Update – For Discussion Only.

Utility Engineer Majkowski stated that Cedar inspects about 30 out falls per year. All the field work has been done.

- d) CTH N Project – Meeting Update: Storm Sewer Summary – For Discussion Only.

Utility Engineer Majkowski stated that when meeting with the County they asked about dumping water into the pond from County RD N. The County would help with the cost. Majkowski stated that other options for the water are also being looked at for the rest of the road. There are not a lot of options since there is not a lot of room.

- e) Snow storage and melting at Schmalz Landscaping – For Discussion and Possible Action.

Utility Manager Mahoney mentioned that residents have stated concern over snow being hauled into and stored on the Schmalz Landscaping property. Specifically, there are concerns with contaminants in the snow, such as sand and salt, going into the storm water drainage system.

Utility Manager Mahoney contacted Anthony Fischer, Storm Water Specialist at the Wisconsin Department of Natural Resources about information on regulations, permitting, and/or a prior review of this property.

Mr. Fischer's response on this matter is:

The DNR has not reviewed this issue with this facility and doesn't for sites without an industrial permit. If they are dumping the snow on land there are no permits necessary. The only time this become a regulatory issue is if they dump the snow in a wetland or waterway (the water way has to be jurisdictional). Even if they dump the snow right next to a wetland or waterway such that when it melts it gets no real treatment then it is a case by case issue. Even a little grass the meltwater flows across is enough to reduce the issue.

The Town can develop their own ordinance to address the issue in a more direct fashion with the MS 4 permit in mind.

This property is zoned General Agriculture District and Local Commercial District and are operating within permitted uses for those districts per Town Zoning Code §525-23 and §525-27. They are not required to have an industrial permit for their operations.

Staff recommends directing the Town Engineer to review the operations at this property pertinent to the Town's MS4 permit and providing a recommendation to the Utility Commission on whether an ordinance to address this issue is advisable.

The Board discussed.

Utility Commissioner Walsh asked about the pond that may potentially be built on this site and if Schmalz could still dump near the pond. Utility Engineer Majkowski stated they could still dump and there would not be any additional maintenance cost; his concern would be with erosion. Majkowski would like to see a 15' buffer and no dumping on the 15' buffer.

The Utility Commission did not direct staff to provide a recommendation on this issue.

- f) A21 Road Construction Project: Drainage swale easement between N249 and N255 Woodstock Lane– For Discussion Only.

Utility Commissioner Sprangers stated that he did talk with the two residents about the drainage easement between the two properties. The owners mentioned that if they are getting assessed to get rid of the ditch then let's get rid of the ditch.

Utility Engineer Majkowski explained the area in question and stated that he can understand the property owners don't want their property dug twice. Majkowski stated that there are easements on both properties. Utility Engineer Keen did a cost estimate of approximately \$16,000 for the project. Majkowski stated that there are some trees in the back, there are some sump pumps that run into the ditch, and some fill would be needed. There would still be a small swale for the water coming from the south. Majkowski stated that the Town could move forward with the project.

Commissioner Lawrence asked about the funding. Utility Manager Mahoney stated that there are some funds available from postponing some of the A21 projects. Commissioner Sprangers added that he felt it was a good time to do this and it is the right thing to do.

The Commissioners discussed and this item will be on the July 20, 2021 Town Board meeting.

#### **11. CLOSED SESSION: NONE**

### **CLOSING:**

- 12. FUTURE AGENDA ITEMS** – *Next Utility Commission Meeting will be convened on August 5, 2021. Meeting agenda/discussion items and possible action on future Utility Commission agendas, including specific items for inclusion on or exclusion from a future agenda, nothing new was added.*

- 13. ADJOURNMENT:** *Motion made to adjourn at 7:35 p.m. by Lawrence/Reinke. Motion carried 5 to 0.*

Other Future Meetings:

July 12, 2021 Plan Commission Meeting 7:00 p.m.  
July 20, 2021 Town Board Meeting 7:00 p.m.

Cynthia Sieracki, Utility Clerk  
Drafted: July 10, 2021

Motion to Approve: Walsh/Reinke Vote: 5/0 Dated: August 5, 2021