



## MEMO

---

**TO:** Finance Committee

**FROM:** Paula Vandehey, Director of Public Works *PAV*

**DATE:** March 5, 2020

**SUBJECT:** Request to approve the following 2020 Budget adjustment:

Stormwater Utility Fund Balance	- \$10,000
Stormwater Capital Projects Fund	+\$10,000

---

In 2018, The Common Council approved Maximum Extent Practical and Fee-in-lieu payment for stormwater management requirements for the Eagle Point Senior Housing Project (see attached memo dated March 2, 2018). The \$37,500 was received and receipted into the Stormwater Capital Contributions Revenue Account in 2018.

The intent of the Fee-in-lieu program is to use payments from a site that cannot meet stormwater requirements for any number of reasons (topography, poor soils, contamination, space constraints, etc) and use it to implement a project that would not otherwise be funded somewhere else in the watershed. This feature has been included in the ordinance since the beginning of the program in 2004, but has not been greatly used.

This summer, the Parks, Recreation and Facilities Department is reconstructing the Reid Golf Course Parking Lot. This project provides an excellent opportunity to incorporate stormwater management beyond what is required by WisDNR and City Code. This project will help to meet the City's goals under the Lower Fox River TMDL and the MS4 Stormwater Permit by showing continual progress in water quality improvements. This type of project – adding stormwater management practices to smaller sites - is also identified in the City-wide Stormwater Management Plan. Adding water quality practices on land that is already owned by the City adds to the cost effectiveness. Therefore, including stormwater management at this site, which is within the same drainage basin as the Eagle Point Senior Housing Project, is a perfect scenario for using some of the in-lieu of funds set aside for this specific purpose. Staff will continue to look for other opportunities to use the remaining funds from Eagle Point Senior Housing.

Attachment

**Department of Public Works – Engineering Division**

**MEMO**

**TO:** Utilities Committee

**FROM:** Paula Vandehey, Director of Public Works  
Sue Olson, Staff Engineer

**DATE:** March 2, 2018

**RE:** Approve Maximum Extent Practical (MEP) and Fee-in-lieu payment for Stormwater Management Requirements for Eagle Point Senior Housing

---

Eagle Point Senior Housing, located at 935 E. John Street, received a Stormwater Management Permit prior to starting construction in 2017. Per the ordinance, as a site greater than five (5) acres, one of their requirements was to achieve 80% Total Suspended Solids (TSS) removal from the developed condition. They prepared a plan that included a biofilter and a pond and met 80.1% TSS removal.

In October 2017, staff approved a modification to reduce the size of the stormwater pond. That change did not impact the TSS removal, but did require changes to the maintenance plan. In February 2018, the design consultant for the project notified the City of problems with the soils under the pond, requiring extensive geotechnical work, reinforcement of the soils beneath the pond, and adding a plastic liner.

The developer has requested MEP for the site of 32% TSS removal, which is the amount received by the biofilter. If the developer builds the pond, they need to do so while the site is frozen, to minimize groundwater into the site which must be pumped to the wastewater treatment plant.

After discussions with the City's plan review consultant, the developer, and the developer's consultant, staff recommends the following, taken together:

1. Waive the 80% TSS removal requirement down to the WDNR 40% requirement, and
2. Agree that the pond does not need to be constructed based on soil conditions, and
3. Accept a \$37,500 in-lieu fee to allow the City to do off-sight practices to make up the difference between 32% and 40% TSS removal. (This is approximately 50% of the estimated cost of finishing the pond under current site conditions and consistent with past practice of in-lieu fees.)

The Developer will still need to obtain WDNR approval of MEP.