



Common Council Chambers – City Hall Room 100
7325 W. Forest Home Ave, Greenfield, Wisconsin

BOARD OF PUBLIC WORKS MEETING Agenda

Tuesday, November 28, 2023 - 6:30 PM

1. Call to order
2. Roll Call
3. Approval of the October 24, 2023 meeting minutes.
4. Citizen Commentary
5. Approve an agreement with the Wisconsin Department of Transportation accepting a grant for energy saving LED street lights on Edgerton Avenue and Grange Avenue.
6. Approve an amendment to Resolution No. 3317, updating the Stormwater Utility Rate for 2024.
7. Superintendent of Public Works report
8. Engineering Report
9. Other topics for future agendas
10. Adjournment

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Department of Human Resources at 329-5208, (FAX) 543-6158, TDD 1-800-947-6644 (Wisconsin Telecommunications Relay System), or by writing to the Director of Human Resources/ADA Coordinator at Greenfield City Hall, 7325 West Forest Home Avenue, Room 101, Greenfield, WI 53220. Greenfield City Hall is wheelchair accessible from the west and south entrances.

MINUTES OF THE BOARD OF PUBLIC WORKS MEETING HELD AT THE GREENFIELD CITY HALL
ON TUESDAY, OCTOBER 24, 2023

1. Call to order

The meeting was called to order by Bruce Bailey at 6:30 pm.

2. Roll Call

Present: Alderperson Bruce Bailey, Alderperson Pam Akers, Alderperson Drzewiecki: Citizen Members: Denise Collins, John Graber

Excused: Bryan Haas, Project Engineer

Also present: Jeff Katz, Director, Neighborhood Services; Randy Esch, Superintendent of Public Works

3. Approval of the August 22, 2023 meeting minutes

Motion by Alderperson Andrew Drzewiecki, seconded by Alderperson Pamela Akers to approve the August 22, 2023 meeting minutes. Motion carried unanimously.

4. Citizen Commentary

None

5. Approve the 2024 Special Assessment Rate Schedule.

Mr. Katz stated that each year the city increases the special assessment rate for street reconstruction projects based upon the Consumer Price Index (CPI). The Wisconsin Department of Revenue (DOR). The State and Local Finance Division has informed us that the Consumer Price Index for all urban consumers (CPI-U) was certified at 5.4% for the 12 months ending August 31, 2023. The CPI of 5.4% has decreased from 7.7% last year.

Motion by Alderperson Andrew Drzewiecki, seconded by Alderperson Pamela Akers to approve the 2024 Special Assessment Rate Schedule. Motion carried unanimously.

6. Approve an amendment to Resolution No. 3317, updating the Stormwater Utility Rate for 2024.

Mr. Katz said Greenfield created a Stormwater Utility in 2009 to provide funding for stormwater management. Fees are collected to pay for the cost of managing both the quantity (volume) and quality (pollution) of stormwater. The current quarterly equivalency charge per Equivalent Runoff Unit (ERU) is \$19.92. The new rate of \$21.00 will be reflected on the first quarter 2023 stormwater / sewer billing. Alderperson Akers stated that she has an issue with raising the fee every year for the Stormwater Utility account, since she is paying more for her sewer bill than her water bill. Alderperson Akers requested that we do a buy this year because property taxes are also going up. Mr. Katz stated that if we do not increase the Stormwater Sewer rate, we will have to get the money from another account or borrow funds to repair the sewers.

Motion by Alderperson Pamela Akers, seconded by Denise Collins to Table Item 6 regarding the approval to amend Resolution No. 3317, updating the Stormwater Utility Rate for 2024, and add this item to the next Board of Public Works Agenda. Motion carried unanimously.

7. Adopt an ordinance establishing the 2024 Service Charges for the Collection of Garbage, Refuse, Yard Wastes and Recycling Services.

Mr. Katz stated that the current agreement with Johns Disposal is that on January 1st of each year all rates shall be adjusted by the average annual rate of inflation experienced over the 12 month period ending in August of the prior year, or 2.5%, whichever is greater, but not to exceed 4%. The increase is based upon the Consumer Price Index (CPI). The Wisconsin Department of Revenue (DOR), State and Local Finance Division has informed us that the Consumer Price Index for all urban consumers (CPI-U) was certified at 5.4% for the 12 months ending August 31, 2023. Since the CPI for next year is greater than 4%, the increase will not exceed the limit of 4%. The new rate for 20204 will be \$235.95 total.

Motion by Denise Collins, seconded by Alderperson Pamela Akers to approve an ordinance establishing the 2024 Service Charges for the Collection of Garbage, Refuse, Yard Waste and Recycling Services.

Motion carried unanimously.

8. Adopt an ordinance amending Section 8.04 of the Greenfield Municipal Code regarding parking restrictions on West Waterford Avenue.

Mr. Katz reconstructed this year narrow right-of-way spoke with the neighborhood, increased traffic from Waterford Ave narrow street and substandard in width. Traffic flows on Waterford Ave. We need no parking. They said no parking shall be permitted at any time on both sides of West Waterford Avenue from South 88th Street to South 92nd Street.

Motion by Alderperson Pamela Akers, seconded by Denise Collins to approve an ordinance amending Section 8.04 of the Greenfield Municipal Code regarding parking restrictions on West Waterford Ave. Motion carried unanimously.

9. Superintendent of Public Works report

Mr. Esch stated that training continues for his staff. Public Works continues to plant trees in the Honey Creek headwaters area. There are 200 trees total and approximately half of the trees have been planted. Public Works has been wiring street lights and installing street poles and it will continue through November. Mr. Esch said that the second pass through of leaf collection is occurring in the City. Leaves can also be dropped off at DPW in the contained area on the west side of the gas pumps at DPW, behind the library, or they can be mulched. He reported 774 digger hotline tickets and 332 service requests.

10. Engineering Report

Mr. Katz stated that Engineering is finishing up the road projects such as the Waterford Ave road project between 88th and 92nd Streets. Additionally, two paving projects have been completed. The Engineering Department is working on future plans for areas that include 92nd - 88th St, closer to Cold Spring Rd, repaving 55th in the area of Edgerton and Carpenter, Phase 2 of the bike trail, 43rd St. Cold Spring and Howard, and the traffic signal for 43rd and Cold Spring Rd. Alderperson Bailey inquired if the new traffic light on 43rd Street would be expensive. Mr. Katz stated the cost should not be high as we will use grant funding for the pavement and local funds for the traffic signals.

11. Other topics for future agendas

Alderperson Akers discussed permanent no parking signage in areas where cars park up to the end of the curb and drivers cannot see to exit the alley onto S. 51st Street during events. Mr. Katz said he could formulate an ordinance to address this issue and present this at the next meeting.

12. Adjournment

Motion by Alderperson Pamela Akers, seconded by John Graber to adjourn at 7:04PM. Motion carried unanimously.



Board of Public Works Meeting

Introduced By: Department of Neighborhood Services (Katz)

Date Introduced: November 28, 2023

RELATING TO:

Approve an agreement with the Wisconsin Department of Transportation accepting a grant for energy saving LED street lights on Edgerton Avenue and Grange Avenue.

SUMMARY:

Greenfield has been awarded a grant for \$477,028 in federal funds for replacing existing inefficient street lights with new energy saving LED street lights.

The lights will be installed on W. Grange Ave (27th to 48th St), S. 31st St (at Grange), and W. Edgerton Ave (Loomis Rd to 76th St)

The new lights will reduce the city's energy cost. The lights are also brighter, and have a more uniform light distribution.

The lights will be on black colored poles.

FINANCIAL:

The city match is \$129,257.

RECOMMENDATION:

ATTACHMENTS: KEY ISSUES ____ BACKGROUND ____ RESOLUTION ____ FISCAL NOTE ____
MOTION ____ OTHER ____

Notice to Clerk:

Do not circulate for signatures at this time.

The Wisconsin Department of Transportation will send a DocuSign request by email.



**STATE/MUNICIPAL AGREEMENT
FOR CARBON REDUCTION
PROGRAM PROJECTS**

**Program Name: Carbon
Reduction Program (CRP)**

Sub-Program #: 206

Cycle: FFY23

Date: October 25, 2023

I.D.: 2980-05-00/70

WisDOT UEI: CBE4JHP1S8H7

Project Sponsor UEI#:

Project Title: C GREENFIELD, LIGHTING
CONVERSION

Location/Limits: 3 CITY STREETS

Project Length: N/A

Project Sponsor: City of Greenfield

County: Milwaukee

The signatory, the **City of Greenfield**, hereinafter called the Project Sponsor, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the transportation project hereinafter described.

Authority for the State to enter into this agreement is 23 U.S.C. 175(c), 23 USC, Section 503(c)(4)(E), and implementing federal requirements in the Code of Federal Regulations to the extent authorized by the Resolution approved on February 15, 2023 by the Wisconsin Legislature's Joint Finance Committee related to the carbon reduction program portion of the Department of Transportation's plan to appropriate federal aid.

Authority for the Project Sponsor to enter into this State/Municipal Agreement with the State is provided by s. 66.0301(2), Wis. Stats

NEEDS AND ESTIMATE SUMMARY:

All components of the project must be defined in the environmental document if any portion of the project will be submitted for approval in a federally funded program. The Municipality agrees to complete all participating and any non-participating work included in this improvement consistent with the environmental document. No work on final engineering and design may occur prior to approval of the environmental document.

Existing Roadway/Equipment - Describe and give reason for request: The City is converting their lighting system to LED and the two main corridors identified need to be upgraded from Metal Halide Lamps.

Proposed Improvement - Nature of work: Convert street lighting to LED on W. Grange Ave (27th to 48th St), S. 31st St (at Grange), and W. Edgerton Ave (Loomis Rd to 74th St)

The Project Sponsor agrees to the following project funding conditions:

All Project Sponsors and processes, including environmental documentation, must comply with *A Sponsor's Guide to Non-Traditional Transportation Project Implementation* (Sponsor's Guide) and the current WisDOT Facilities Development Manual (FDM).

This project is currently scheduled in State Fiscal Year 2024. Sunset date: 6/30/2029

Sunset Date is determined based on the date a project is scheduled to be authorized. All projects must be completed by **6/30/2029**

In the summary funding table below, the federal share of the total estimated cost distribution indicates the maximum amount of federal funding available to the project. The final project sponsor share is dependent on the final federal participation, and the actual costs will be used in the final division of costs for billing and reimbursement.

SUMMARY OF COSTS					
PHASE	Total Est. Cost	Federal Funds	%	Project Sponsor Funds	%
ID 2980-05-00					
Design Review #	\$10,000	\$0	0%	\$10,000	100%
ID 2980-05-70					
Participating Construction	\$581,285	\$465,028	80%*	\$116,257	20%*
Participating Construction Review #	\$15,000	\$12,000	80%*	\$3,000	20%*
Non-Participating Construction			0%	\$0	100%
Total Est. Cost Distribution	\$606,285	\$477,028	MAX	\$129,257	N/A

*This project has a CRP federal funding maximum of \$477,028. This maximum is cumulative for all federally funded project phases. Review costs are administered and paid for by WisDOT. The Project Sponsor will be billed for any required local match and for costs beyond the cumulative federal or state funding.

The subject project is funded with 80% federal funding up to a maximum of **\$477,028** for all federally-funded project phases when the Project Sponsor agrees to provide funds in excess of the federal funding maximum, in accordance with CRP guidelines. Non-participating costs are 100% the responsibility of the Project Sponsor. Any work performed by the Project Sponsor prior to federal authorization is not eligible for federal funding. The Project Sponsor will be notified by the State when each project phase or ID is authorized and available for charging.

This request is subject to the terms and conditions that follow (pages 3–8) and is made by the undersigned under proper authority to make such request for the designated Project Sponsor and upon signature by the State shall constitute agreement between the Project Sponsor and the State. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing duly executed by both parties to this State/Municipal Agreement.

Signed for and in behalf of City of Greenfield:	
Name (print):	Title:
Signature:	Date:
Signed for and in behalf of the State	
Name (print): Tony Barth	Title: SE Region Planning Chief
Signature:	Date:

GENERAL TERMS AND CONDITIONS:

1. All projects must be in an approved Transportation Improvement Program (TIP) or State Transportation Improvement Program (STIP) prior to requesting authorization.
2. Work prior to federal authorization is ineligible for federal funding. The Project Sponsor will be notified by the State when each project phase or ID is authorized and available for charging.
3. The initiation and accomplishment of the project will be subject to the applicable federal and state regulations, as referenced in the document *A Sponsor's Guide to Non-Traditional Project Implementation*. The Project

Sponsor, throughout the entire project, commits to comply with and promote all applicable federal and state laws and regulations that include, but are not limited to, the following:

- a. Environmental requirements, including but not limited to those set forth in 23 U.S.C. 139 and the National Environmental Policy Act (42 U.S.C. 4321 et seq.).
- b. Equal protection guaranteed under the U.S. Constitution, WI Constitution, Title VI of the Civil Rights Act and Wis. Stat. Sec. 16.765. The Project Sponsor agrees to comply with and promote applicable Federal and State laws, Executive Orders, regulations, and implementing requirements intended to provide for the fair and equitable treatment of individuals and the fair and equitable delivery of services to the public. In addition, the Project Sponsor agrees not to engage in any illegal discrimination in violation of applicable Federal or State laws and regulations. This includes but is not limited to Title VI of the Civil Rights Act of 1964 which provides that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The Project Sponsor agrees that public funds, which are collected in a nondiscriminatory manner, should not be used in ways that subsidize, promote, or perpetuate illegal discrimination based on prohibited factors such as race, color, national origin, sex, age, physical or mental disability, sexual orientation, or retaliation.
- c. Federal and state legal requirements that govern the CRP Program, including but not limited to [23 USC, Section 175](#) to the extent authorized by the Resolution approved on February 15, 2023 by the Wisconsin Legislature’s Joint Finance Committee related to the carbon reduction program portion of the Department of Transportation’s plan to appropriate federal aid.

4. Additional applicable state and federal requirements may include, but are not limited to, the following:

- a. Buy America Provision and its equivalent state statutes, set forth in 23 U.S.C. 313 and Wis. Stat. Sec. 16.754.
- b. Competitive bidding requirements set forth in 23 U.S.C. 112 and Wis. Stat. Sec. 84.06.

STATE RESPONSIBILITIES AND REQUIREMENTS:

5. Funding for the project is subject to inclusion in Wisconsin’s approved Carbon Reduction Program. Federal funding will be limited to participation in the costs of the following items, as applicable to the project:

- a. The grading, base, pavement, curb and gutter, sidewalk, and replacement of disturbed driveways in kind. (ROW projects to improve traffic flow may not allow for the construction of new capacity.
- b. Construction engineering incident to inspection and supervision of actual construction work (except for inspection, and staking.
- c. Signing and pavement marking, including marking of detour routes. Detour routes and haul roads are not eligible on local projects.
- d. New installations or alteration of street lighting, traffic signals or traffic control devices, and advanced transportation technologies.
- e. State Review Services for construction or procurement.

6. Project items purchased with federal funding are for the primary use of the CRP project.

7. State Disbursements:

- a. Payment by the State to the Project Sponsor shall be made on a regular basis upon presentation of Reimbursement Requests for expenditures incurred during prior periods of the project duration subject to the allowable maximum payment. Exceptions to this schedule will be made as appropriate.

In general, State reimbursements will be made after sufficient proof of payment is sent to the state.

- b. A final adjustment of state payments will be made upon completion of the State's audit of the project. If the State's audit establishes that the State paid more than its share of the eligible project costs, the Project Sponsor shall refund to the State upon demand a sum equal to the overpayment.

PROJECT SPONSOR RESPONSIBILITIES AND REQUIREMENTS:

- 8. Work necessary to complete the CRP project to be financed entirely by the Project Sponsor or other utility or facility owner includes the items listed below, when applicable to the project.
 - a. New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities. (ROW projects to improve traffic flow may not allow for the construction of new capacity)
 - b. Damages to abutting property after project completion due to change in street or sidewalk widths, grades or drainage.
 - c. Detour routes and haul roads. The Project Sponsor is responsible for determining the detour route.
 - d. Conditioning, if required and maintenance of detour routes.
 - e. Repair of damages to roads or streets caused by reason of their use in hauling materials incident to the improvement.
 - f. All work related to underground storage tanks and contaminated soils.
 - f. Street and bridge width in excess of standards, in accordance with the current WisDOT Facilities Development Manual (FDM).
 - g. Real Estate
 - h. Preliminary Engineering
 - i. State review for design
- 9. The work eligible for Federal participation will be administered by the Project Sponsor. The Project Sponsor is an eligible recipient of these grant funds pursuant to 23 U.S.C. [Section 175](#) to the extent authorized by the Resolution approved on February 15, 2023 by the Wisconsin Legislature's Joint Finance Committee related to the carbon reduction program portion of the Department of Transportation's plan to appropriate federal aid.
- 10. Where applicable, all contracts will be let by competitive bid and awarded to the lowest responsible bidder in accordance with the requirements set forth in 23 U.S.C. 112 and Wis. Stat. Sec. 84.06. Where applicable, all contracts for design related services shall be awarded and administered in accordance with the requirements of 23 CFR Part 172 and procedures published in the Wisconsin Department of Transportation Facilities Development Manual (FDM), Chapter 8, Consulting Services.
- 11. The improvement will be completed in conformance with the e standards in this agreement unless an exception to standards is granted by the State in writing prior to construction. The entire cost of the construction project, not constructed to standards, will be the responsibility of the Project Sponsor unless such exception is granted.
- 12. Work to be performed by the Project Sponsor without Federal funding participation, necessary to ensure a complete improvement acceptable to the Federal Highway Administration and/or the State may be done in a manner at the election of the Project Sponsor but must be coordinated with all other work undertaken during construction.
- 13. The Project Sponsor is responsible for financing administrative expenses related to Project Sponsor responsibilities.

14. The Project Sponsor will not proceed with any State/Municipal Agreement revisions without first receiving prior approval from the State. A change order must be executed for revisions to the State/Municipal Agreement prior to the Project Sponsor's request for reimbursement for the revisions.
15. If reviews or audits show any of the work to be ineligible for Federal funding, the Project Sponsor will be responsible for any withdrawn costs associated with the ineligible work.
16. If the Project Sponsor should withdraw the project, it will reimburse the State for any costs incurred by the State on behalf of the project upon demand.
17. The Project Sponsor will assume all responsibility for retaining a complete project file that includes not only construction documentation but also copies of letting documents, all Local and State submittals and approvals contained in these instructions, and other pertinent documents to support project procurement, development, implementation and cost and any other item required by 49 CFR part 18 and submitting such information, upon request, in order to receive reimbursement. The Project Sponsor will keep all project records and have them available for inspection by representatives of the Federal Government and the State and will furnish copies thereof when requested.
18. Federal Single Audits of the Project Sponsor: The Project Sponsor shall allow the State and its auditors to have access to the Project Sponsor's records and financial statements as necessary for the State, per 2 CFR 200.331(a).
19. In connection with the performance of work under this State/Municipal Agreement, the Project Sponsor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in S. 51.01(5), Wis. Stats., sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the Project Sponsor further agrees to take affirmative action to ensure equal employment opportunities. The Project Sponsor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the employment officer setting forth the provisions of the nondiscrimination clause.
20. The Project Sponsor will include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), Wis. Stats., sexual orientation as defined in s. 111.32 (13m), Wis. Stats. or national origin.
21. When applicable to the project, the Project Sponsor will at its own cost and expense:
 - a. Maintain all portions of the project that lie within its jurisdiction (to include, but not limited to, cleaning storm sewers, removing debris from sumps or inlets, and regular maintenance of the catch basins, curb and gutter, parking lanes, bicycle lanes, trails, and other facilities, sidewalks and other pedestrian facilities, and other project infrastructure) for such maintenance through statutory requirements in a manner satisfactory to the State, and will make ample provision for such maintenance each year.
 - b. Regulate [or prohibit] parking at all times in the vicinity of the proposed improvements during their construction.
 - c. Regulate [or prohibit] all parking at locations where and when the pavement area usually occupied by parked vehicles will be needed to carry active traffic in the street.
 - d. Assume general responsibility for all public information and public relations for the project and to make fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.

- e. Provide relocation orders and real estate plats and easements, as required by the project.
- f. Use the *WisDOT Utility Accommodation Policy* unless it adopts a policy, which has equal or more restrictive controls.
- g. Provide maintenance and energy for lighting.
- h. Provide proper care and maintenance of all landscaping elements of the project including replacement of any plant materials damaged by disease, drought, vandalism or other cause.

22. It is further agreed by the Project Sponsor that:

- a. The Project Sponsor assumes full responsibility for the design, installation, testing and operation of any sanitary sewer and water main infrastructure within the improvement project and relieves the State and all of its employees from liability for all suits, actions, or claims resulting from the sanitary sewer and water main construction under this State/Municipal Agreement. (ROW Projects must not include construction of new capacity)
- b. The Project Sponsor assumes full responsibility for the plans and special provisions provided by their designer or anyone hired, contracted or otherwise engaged by the Project Sponsor. The Project Sponsor is responsible for any expense or cost resulting from any error or omission in such plans or special provisions. The Project Sponsor will reimburse the State if the State incurs any cost or expense in order to correct or otherwise remedy such error or omission or consequences of such error or omission.
- c. The Project Sponsor will be 100% responsible for all costs associated with utility issues involving the Contractor, including costs related to utility delays.
- d. All signs and traffic control devices and other protective structures erected on or in connection with the project including such of these as are installed at the sole cost and expense of the Project Sponsor or by others, will be in conformity with such "Manual on Uniform Traffic Control Devices" as may be adopted by the American Association of State Highway and Transportation Officials, approved by the State, and concurred in by the Federal Highway Administration.

23. The subject **project must be completed by the project sunset date, listed on page 2** of this State/Municipal Agreement, and the Project Sponsor must submit a project completion certificate to WisDOT central office on or before this date. WisDOT may consider a written request to extend the sunset deadline from the Project Sponsor and may approve such a request in the presence of extenuating circumstances. The written request shall explain the reasons for project implementation delay and revised timeline for project completion.

LEGAL RELATIONSHIPS:

24. Responsibility for Damage and Tort Claims: The Project Sponsor and the Project Sponsor's surety shall indemnify and save harmless the State, its officers and employees, from all suits, actions or claims of any character brought because of any injuries or damages received or sustained by any person, persons or property on account of the operations of the Project Sponsor; or on account of or in consequence of any neglect in safeguarding the work; or because of any act or omission, neglect or misconduct of the Project Sponsor; or because of any claims or amounts recovered for any infringement by the Project Sponsor of patent, trademark or copyright; or from any claims or amounts arising or recovered under the Worker's Compensation Act, relating to the Project Sponsor's employees; or any other law, ordinance, order or decree relating to the Project Sponsor's operations. So much of the money due the Project Sponsor under and by virtue of the contract as shall be considered necessary by the State for such purposes, may be retained for the use of the State; or, in case no money or insufficient money is retained, the Project Sponsor's surety may be held until such suit or suits, action or actions, claim or claims for injuries or damages as aforesaid shall have been settled and suitable evidence to that effect furnished to the State; except that money due the Project Sponsor will not be withheld when the Project Sponsor produces satisfactory evidence that the Project Sponsor is adequately protected by public liability and property damage insurance. The Project Sponsor also shall comply with all of the above requirements indemnifying and saving harmless the county, town, or

municipality in which the improvement is made and each of them separately or jointly and officers and employees.

The State shall not be liable to the Project Sponsor for damages or delays resulting from work by third parties. The State also shall be exempt from liability to the Project Sponsor for damages or delays resulting from injunctions or other restraining orders obtained by third parties except where the damage or delay is a direct result of an injunction or restraining order obtained by a citizen's action alleging violations of 42 U.S.C. 4331 - 4332, 23 U.S.C. 138 or Public Law 91-646.

It shall be the Project Sponsor's responsibility to see that all of the contract operations incident to the completion of the contract are covered by public liability and property damage liability insurance so the general public or any representative of the contracting authority may have recourse against a responsible party for injuries or damages sustained as a result of the contract operations. This requirement shall apply with equal force, whether the work is performed by the Project Sponsor, by a subcontractor or by anyone directly or indirectly employed by either of them.

It is the express intent of this provision that a Project Sponsor that is a county, town or municipality may and should contractually pass on this entire Responsibility for Damage and Tort Claims provision to any public and private entities with which it may subcontract any of the work covered by this State/Municipal Agreement.

- a. The word, "surety" in the above paragraphs refers to the issuer of a payment and performance bond under Wis. Stat. Sec. 779.14.
- b. Nothing in this section should be construed as a waiver of any statutory defenses that may be available to any governmental party.

25. The Project Sponsor, also known as the primary participant, as that term is defined in 49 CFR Part 29, certifies to the best of its knowledge and belief, that it and its principals, as that term is defined in 49 CFR Part 29:

- a. Are not currently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any State of Wisconsin or Federal department or agency;
- b. Have not, within a three-year period preceding this State/Municipal Agreement, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not currently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated above;
- d. Have not within a three-year period preceding this State/Municipal Agreement had one or more public transactions (Federal, State or Local) terminated for cause or default; and
- e. That all grantees, contractors, and suppliers, including what is also known as lower tier participants as that term is used in 49 CFR Part 29 and the Appendix to Part 29 -- Covered Transactions, have certified in writing that neither they or their principals are currently debarred, suspended, proposed for debarment or suspension, have been declared ineligible, or have voluntarily been excluded from participating in this or any other Federal, State or Local transaction by any Federal, State or Local department, agency or official.

26. *Contract Modification:* This State/Municipal Agreement can only be modified by written instruments duly executed by both parties. No term or provision of neither this State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally.

27. *Binding Effects:* All terms of this State/Municipal Agreement shall be binding upon and inure to the benefits of the legal representatives, successors and executors. No rights under this State/Municipal Agreement may

be transferred to a third party. This State/Municipal Agreement creates no third-party beneficiary rights to be held by any person or entity who is not a party to this State/Municipal Agreement. Nor does it accord on any non-party the right of enforcement.

28. Choice of Law and Forum: This State/Municipal Agreement shall be interpreted and enforced in accordance with the laws of the State of Wisconsin. The Parties hereby expressly agree that the terms contained herein and in any deed executed pursuant to this State/Municipal Agreement are enforceable by an action in the Circuit Court of Dane County, Wisconsin.
29. Nothing in this State/Municipal Agreement shall be construed as a waiver of the State's sovereign immunity.

PROJECT FUNDING CONDITIONS

30. Non-Appropriation of Fund: With respect to any payment required to be made by the Department under this State/Municipal Agreement, the parties acknowledge the Department's authority to make such payment is contingent upon appropriation of funds and required legislative approval sufficient for such purpose by the Legislature. If such funds are not so appropriated, either the Project Sponsor or the Department may terminate this State/Municipal Agreement after providing written notice not less than thirty (30) days before termination.
31. Maintenance of Records: During the term of performance of this State/Municipal Agreement, and for a period not less than three years from the date of final payment to the Project Sponsor, records and accounts pertaining to the performance of this State/Municipal Agreement are to be kept available for inspection and audit by representatives of the Department. The Department reserves the right to audit and inspect such records and accounts at any time. The Project Sponsor shall provide appropriate accommodations for such audit and inspection.

In the event that any litigation, claim or audit is initiated prior to the expiration of said records maintenance period, the records shall be retained until such litigation, claim or audit involving the records is complete.

Records pertaining to the performance of the State/Municipal Agreement are subject to disclosure pursuant to Wis. Stats. Sec. 19.31 et seq. and shall be preserved by the Project Sponsor.

32. The Project Sponsor agrees to the following State Fiscal Year 2023 CRP project funding conditions:
- a. ID 2980-05-70: Construction:
 - i. Costs for installation of LED light fixtures is funded with 80% federal funding up to **\$477,028** federal funding limit, when the Project Sponsor agrees to provide the remaining 20% and any funds in excess of the **\$477,028** federal funding limit. These costs are subject to the cumulative project federal funding cap.
 - ii. Non-participating costs for installation are funded 100% by the Project Sponsor.
 - b. The maximum participation of federal funding will be limited to 80% of the actual eligible project cost or the total cost distribution of CRP program funds shown on page 2 of this State/Municipal Agreement, whichever is less. The project federal funding maximum of **\$477,028** is cumulative for all federal funded project phases.

[End of Document]



Board of Public Works Meeting

Item Number:

Introduced By: Department of Neighborhood Services (Katz)

Date Introduced: October 24, 2023

RELATING TO:

Approve an amendment to Resolution No. 3317, updating the Stormwater Utility Rate for 2024.

SUMMARY:

Greenfield created a Stormwater Utility in 2009 to provide funding for stormwater management. Fees are collected to pay for the cost of managing both the quantity (volume) and quality (pollution) of stormwater. These costs to the city increase annually.

Charges for stormwater are based on an "Equivalent Runoff Unit" (ERU) which represents the average cost for managing the impact of an average single family home. Businesses pay based on their actual impervious area.

The increase is based upon the Consumer Price Index (CPI). The Wisconsin Department of Revenue (DOR), State and Local Finance Division has informed us that the Consumer Price Index for all urban consumers (CPI-U) was certified at 5.4% for the 12 months ending August 31, 2023.

Basing the increase on the CPI is consistent with other city rate increases.

The CPI of 5.4% has decreased from 7.7% last year.

FINANCIAL:

The current quarterly equivalency charge per Equivalent Runoff Unit (ERU) is \$19.92. The new rate of \$21.00, will be reflected on the first quarter 2023 stormwater / sewer billing.

RECOMMENDATION:

Approve an amendment to Resolution No. 3317, updating the Stormwater Utility Rate for 2024.

ATTACHMENTS: KEY ISSUES ____ BACKGROUND ____ RESOLUTION ____ FISCAL NOTE ____
MOTION ____ OTHER ____

RESOLUTION NO.

RESOLUTION AMENDING RESOLUTION 3317 OF THE STORMWATER UTILITY RATES

WHEREAS, on December 16, 2009, the City of Greenfield Common Council adopted Resolution No. 3317 establishing Stormwater Utility rates in the form of three charges, including the Base Charge (BC), the Equivalency Charge (EC), and the Special Charge (SC);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Greenfield that Resolution No. 3317 is hereby amended by revising the Equivalency Charge (EC) to equal \$21.00 per ERU, wherever applicable.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 5th day of December, 2023.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
For the Year Ended December 31, 2013**

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Storm sewer charges	\$ 1,001,000	\$ 998,824	\$ (2,176)
Intergovernmental charges for service	78,325	78,325	-
Miscellaneous revenue	1,000	1,569	569
Total Revenues	<u>1,080,325</u>	<u>1,078,718</u>	<u>(1,607)</u>
EXPENSES			
Operation and maintenance	<u>1,080,325</u>	<u>1,142,770</u>	<u>(62,445)</u>
Excess (Deficiency) of revenues over expenditures	-	(64,052)	(64,052)
OTHER FINANCING SOURCES			
Transfers in	<u>-</u>	<u>750,000</u>	<u>750,000</u>
Net Change in Fund Balance	<u>\$ -</u>	<u>685,948</u>	<u>\$ 685,948</u>
FUND BALANCE - Beginning of Year		<u>232,031</u>	
FUND BALANCE - END OF YEAR		<u>\$ 917,979</u>	

CITY OF GREENFIELDSpecial Revenue Fund
Storm Sewer Fund**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
For the Year Ended December 31, 2014**

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Storm sewer charges	\$ 993,444	\$ 1,004,070	\$ 10,626
Intergovernmental charges for service	78,325	281,902	203,577
Commercial revenue	1,000	701	(299)
Total Revenues	<u>1,072,769</u>	<u>1,286,673</u>	<u>213,904</u>
EXPENSES			
Operation and maintenance	<u>1,026,269</u>	<u>1,671,310</u>	<u>(645,041)</u>
Excess (Deficiency) of revenues over expenditures	46,500	(384,637)	(431,137)
OTHER FINANCING USES			
Transfers out	<u>(471,500)</u>	<u>(471,500)</u>	<u>-</u>
Net Change in Fund Balance	<u>\$ (425,000)</u>	<u>(856,137)</u>	<u>\$ (431,137)</u>
FUND BALANCE - Beginning of Year		<u>917,979</u>	
FUND BALANCE - END OF YEAR		<u>\$ 61,842</u>	

CITY OF GREENFIELDSpecial Revenue Fund
Storm Sewer Fund**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
For the Year Ended December 31, 2015**

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Storm sewer charges	\$ 1,002,244	\$ 1,055,994	\$ 53,750
Intergovernmental charges for service		-	-
Commercial revenue	1,000	5,924	4,924
Total Revenues	<u>1,003,244</u>	<u>1,061,918</u>	<u>58,674</u>
EXPENSES			
Operation and maintenance	<u>1,147,570</u>	<u>1,117,085</u>	<u>30,485</u>
Excess (Deficiency) of revenues over expenditures	(144,326)	(55,167)	89,159
OTHER FINANCING USES			
Transfers out	<u>-</u>	<u>-</u>	<u>-</u>
Net Change in Fund Balance	<u>\$ (144,326)</u>	<u>(55,167)</u>	<u>\$ 89,159</u>
FUND BALANCE - Beginning of Year		<u>61,842</u>	
FUND BALANCE - END OF YEAR		<u>\$ 6,675</u>	

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
For the Year Ended December 31, 2016**

	<u>Original and Final Budgets</u>	<u>Actual</u>	<u>Variance with Final Budget</u>
REVENUES			
Public charges for service	\$ 1,205,940	\$ 1,205,171	\$ (769)
Commercial revenue	<u>1,000</u>	<u>160</u>	<u>(840)</u>
Total Revenues	<u>1,206,940</u>	<u>1,205,331</u>	<u>(1,609)</u>
 EXPENSES - Public Works			
Operation and maintenance	<u>1,167,858</u>	<u>1,170,552</u>	<u>(2,694)</u>
 Net Change in Fund Balance	<u>\$ 39,082</u>	<u>34,779</u>	<u>\$ (4,303)</u>
 FUND BALANCE - Beginning of Year		<u>6,675</u>	
 FUND BALANCE - END OF YEAR		<u>\$ 41,454</u>	

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
For the Year Ended December 31, 2017**

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Public charges for service	\$ 1,202,620	\$ 1,268,691	\$ 66,071
Commercial revenue	1,000	9,446	8,446
Total Revenues	<u>1,203,620</u>	<u>1,278,137</u>	<u>74,517</u>
EXPENSES - Public Works			
Operation and maintenance	<u>1,201,660</u>	<u>1,459,129</u>	<u>(257,469)</u>
Net Change in Fund Balance	<u>\$ 1,960</u>	<u>(180,992)</u>	<u>\$ (182,952)</u>
FUND BALANCE - Beginning of Year		<u>41,454</u>	
FUND BALANCE (DEFICIT) - END OF YEAR		<u>\$ (139,538)</u>	

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL
For the Year Ended December 31, 2018**

	<u>Original and Final Budgets</u>	<u>Actual</u>	<u>Variance with Final Budget</u>
REVENUES			
Public charges for service	\$ 1,221,866	\$ 1,401,946	\$ 180,080
Intergovernmental Grants	-	41,179	41,179
Commercial revenue	<u>1,000</u>	<u>4,111</u>	<u>3,111</u>
Total Revenues	<u>1,222,866</u>	<u>1,447,236</u>	<u>224,370</u>
EXPENSES - Public Works			
Operation and maintenance	<u>1,231,295</u>	<u>1,308,460</u>	<u>(77,165)</u>
Net Change in Fund Balance	<u>\$ (8,429)</u>	<u>138,776</u>	<u>\$ 147,205</u>
FUND BALANCE (DEFICIT) - Beginning of Year		<u>(139,538)</u>	
FUND BALANCE (DEFICIT)- END OF YEAR		<u>\$ (762)</u>	

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL**
For the Year Ended December 31, 2019

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Public charges for service	\$ 1,381,556	\$ 1,420,690	\$ 39,134
Intergovernmental grants	-	115,000	115,000
Commercial revenue	18,000	35,421	17,421
Total Revenues	<u>1,399,556</u>	<u>1,571,111</u>	<u>171,555</u>
EXPENSES - Public Works			
Operation and maintenance	<u>1,249,714</u>	<u>933,842</u>	<u>315,872</u>
Net Change in Fund Balance	<u>\$ 149,842</u>	637,269	<u>\$ 487,427</u>
FUND BALANCE (DEFICIT) - Beginning of Year		<u>(762)</u>	
FUND BALANCE - END OF YEAR		<u>\$ 636,507</u>	

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL**
For the Year Ended December 31, 2020

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Public charges for service	\$ 1,446,727	\$ 1,449,258	\$ 2,531
Commercial revenue	21,000	25,992	4,992
Total Revenues	<u>1,467,727</u>	<u>1,475,250</u>	<u>7,523</u>
EXPENSES - Public Works			
Operation and maintenance	<u>1,032,806</u>	<u>795,087</u>	<u>237,719</u>
Excess of revenues over expenditures	434,921	680,163	245,242
OTHER FINANCING USES			
Transfers out	<u>(260,000)</u>	<u>-</u>	<u>260,000</u>
Net Change in Fund Balance	<u>\$ 174,921</u>	680,163	<u>\$ 505,242</u>
FUND BALANCE - Beginning of Year		<u>636,507</u>	
FUND BALANCE - END OF YEAR		<u>\$ 1,316,670</u>	

CITY OF GREENFIELD

Special Revenue Fund

Storm Sewer Fund

**SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE - BUDGET AND ACTUAL**
For the Year Ended December 31, 2021

	Original and Final Budgets	Actual	Variance with Final Budget
REVENUES			
Public charges for service	\$ 1,470,493	\$ 1,474,621	\$ 4,128
Commercial revenue	19,000	17,396	(1,604)
Total Revenues	<u>1,489,493</u>	<u>1,492,017</u>	<u>2,524</u>
EXPENSES - Public Works			
Operation and maintenance	<u>939,493</u>	<u>1,149,454</u>	<u>(209,961)</u>
Excess of revenues over expenditures	<u>550,000</u>	<u>342,563</u>	<u>(207,437)</u>
OTHER FINANCING USES			
Transfers out	<u>(550,000)</u>	<u>-</u>	<u>550,000</u>
Net Change in Fund Balance	<u>\$ -</u>	<u>342,563</u>	<u>\$ 342,563</u>
FUND BALANCE - Beginning of Year		<u>1,316,670</u>	
FUND BALANCE - END OF YEAR		<u>\$ 1,659,233</u>	

City of Greenfield

Schedule of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual
Special Revenue Fund
Storm Sewer Fund
Year Ended December 31, 2022

	<u>Original and Final Budgets</u>	<u>Actual</u>	<u>Variance with Final Budget</u>
Revenues			
Intergovernmental revenues	\$ -	\$ 54,250	\$ 54,250
Public charges for service	1,517,888	1,524,026	6,138
Commercial revenue	12,000	817,562	805,562
	<u>1,529,888</u>	<u>2,395,838</u>	<u>865,950</u>
Expenses - Public Works			
Operation and maintenance	<u>1,307,638</u>	<u>3,173,212</u>	<u>(1,865,574)</u>
Excess (deficiency) of revenues over expenditures	222,250	(777,374)	(999,624)
Other Financing Uses			
Transfers out	<u>(222,250)</u>	<u>-</u>	<u>222,250</u>
Net change in fund balance	<u>\$ -</u>	<u>(777,374)</u>	<u>\$ (777,374)</u>
Fund Balance, Beginning		<u>1,659,233</u>	
Fund Balance, Ending		<u>\$ 881,859</u>	

Rates

2024	\$21.00
2023	\$19.92
2022	\$18.50
2021	\$17.96
2020	\$17.70

Sharing Storm Water Management Costs

The increased storm water services mandated by the federal and state governments require additional funding. Since this is an unfunded mandate, the City of Greenfield created a Storm Water Feasibility Group, comprised of citizens, business owners, and school district representatives. This group recommended that storm water services be funded through a storm water utility fee. Much like water or sewer fees, a storm water utility charges customers based on services provided.

The establishment of a utility allows the City to legally and fairly assess fees for storm water management services. A storm water utility only collects fees necessary to fund local storm water management needs. These dedicated funds will only be used for storm water related projects and nothing else.

Other funding options have been considered but were not found to be an equitable distribution of storm water costs. One option, raising the property tax rate, charges all taxed properties in the City a similar rate, regardless of on-site storm water controls or how the property is developed. Also, some contributors to storm water runoff, including schools, churches, and government buildings are tax-exempt and would not pay their fair share of storm water costs because they don't pay taxes. These tax-exempt properties will pay a storm water utility fee just as they also pay water and sewer utility fees.

As proven in communities all over the country, a utility is an equitable and reliable way to fund storm water programs and provide these necessary services.

Storm Water Fee Determination

The storm water utility fee is based upon an equivalency charge. The equivalency charge (EC) is keyed to an Equivalent Runoff Unit or "ERU". It is used to estimate the relative cost of managing the impact of development on storm water quantity (flooding) and quality (pollution) and is based on the average impervious area of single-family homes within the City. Impervious areas include roofs, driveways, and other hard surfaces. In the City of Greenfield, one ERU is equal to 3,630 square feet. This component is applied to all parcels that have impervious surfaces. The quarterly EC is \$12.45 per ERU. The EC for all residential single-family properties is based on 1.0 ERU. The EC for residential duplex properties is based on 1.1 ERUs to account for the slightly higher average impervious area. "Other developed" properties include residential parcels that are not single-family or duplex parcels, commercial, industrial, governmental, institutional, and other properties with impervious area. The EC for "other developed" properties and multi-building properties is based on the impervious area measured and the resulting number of ERUs calculated for each parcel. The table to the right shows examples of typical storm water utility fees.

When Will the Utility be Started?

The Common Council adopted an ordinance to create the Storm Water Utility starting August 1, 2009. Storm Water Utility fees will begin to appear on your sewer utility bill mailed in January 2010. **This first Storm Water Utility fee is for five months, August through December 2009.** Future fees will be for three months (quarterly).

Getting the Most for Your Storm Water Dollars

The question most will ask is, "What am I getting for my money?" The storm water utility fee will pay for the operations and maintenance costs of the storm water program. Some of the services that will be tied to the storm water program include:

- Improved water quality through watershed protection
- Maintenance of drainageways
- Street sweeping
- Education and outreach to improve public understanding
- Construction inspections to assure proper site management
- Project design and management
- Federal and state regulatory compliance
- Improved long-term storm water planning
- Increased oversight of new development
- Cleaning storm water retention/detention ponds
- Cleaning and maintaining storm water structures
- Construction of new water quality treatment facilities
- Flood management

Rates

Type of Property	Total Impervious Square Footage	Total ERUs	Total Quarterly Charge
Residential Single-family (average)	3,630	1.0	\$12.45
Residential Duplex (average)	3,990	1.1	\$13.70
Other Developed:			
Sample Church	52,953	14.6	\$181.77
Sample Business	10,909	3.0	\$37.35
Sample Apartment building	39,495	10.9	\$135.71
Sample Restaurant	44,720	12.3	\$153.14
Multi-Building Developments			
Sample 6-building	120,000	33.1	\$412.10



Your Storm Water Management Utility

(Updated January 2010)

The Greenfield Common Council established a Storm Water Utility in 2009. Revenues from the Utility will allow the City to dedicate funds to maintain and improve the City's storm water management program.

The Benefits of Your Storm Water Program

The issue of storm water management affects everyone in Greenfield, as we all contribute to the generation of storm water runoff in our community. Even if your property has never had a drainage problem, the storm water runoff that comes from your rooftop, driveway, or parking lot must be managed to prevent flooding and improve water quality in areas further downstream. Just as we all contribute to the storm water system, we all benefit from effective storm water management. Those benefits are many, including:

- Improved water quality
- Improved infrastructure, safety, and security
- Improved quality of life
- Smart, quality growth
- Federal and state permit compliance

Polluted, untreated storm water runoff that flows from parking lots, streets, driveways, yards, and rooftops ends up in our streams and Lake Michigan. This is why the motto of the Greenfield Storm Water Utility will be "All drains lead to our drinking water". The Greenfield Storm Water Management Program will help reduce the pollutants that enter our streams and Lake Michigan through storm water discharges.

Where Do I Go for More Information?

Much of the information about the new utility is based on a report prepared for the City by a consultant named AECOM. This report is available for public review in the Engineering Division office, City Hall, Room 203. Information can also be found on the City web site at www.greenfieldwi.us.

Jan 2010

Federal Permit Compliance

Residents have laws they must abide by to have a safer, healthier community. Similarly, local governments have laws, or mandates, they must abide by as well. One of those is the Clean Water Act. The act was ratified "... to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." This act ensures that residents can be confident that their local communities are working diligently to protect the waters in their area.

The Clean Water Act has been working to protect our nation's waters for more than thirty years and continues to evolve over time. In 2001, the City of Greenfield was designated as a Phase II Permitted community under the National Pollutant Discharge Elimination System (NPDES) rule of the Clean Water Act. This rule is administered by the U.S. Environmental Protection Agency (EPA) and the Wisconsin Department of Natural Resources (DNR). The DNR has in turn created NR 216 and NR 151 to address these storm water issues.

The designation as a Permitted community required the City of Greenfield to develop a storm water management program addressing six key areas:

1. Public education
2. Public involvement in the storm water program
3. Elimination of unlawful discharges
4. Controls on new construction
5. Post-construction management of storm water runoff
6. Implementation of good housekeeping activities for municipal operations

By working progressively, the City of Greenfield is taking the extra steps needed to guarantee that we are in compliance with these regulations and that the storm water problems of the City of Greenfield are not being left for future generations to fix.

Storm Water Management Program Review

- Water Quality vs Water Quantity
- Storm Water Regulations
- TMDL's
- Current Regulatory Status
- WI DNR WPDES Permit

WI DNR – Water Quality

Point Source >> Non-Point Source >> NR151 >> NR216

Pollutants of Concern

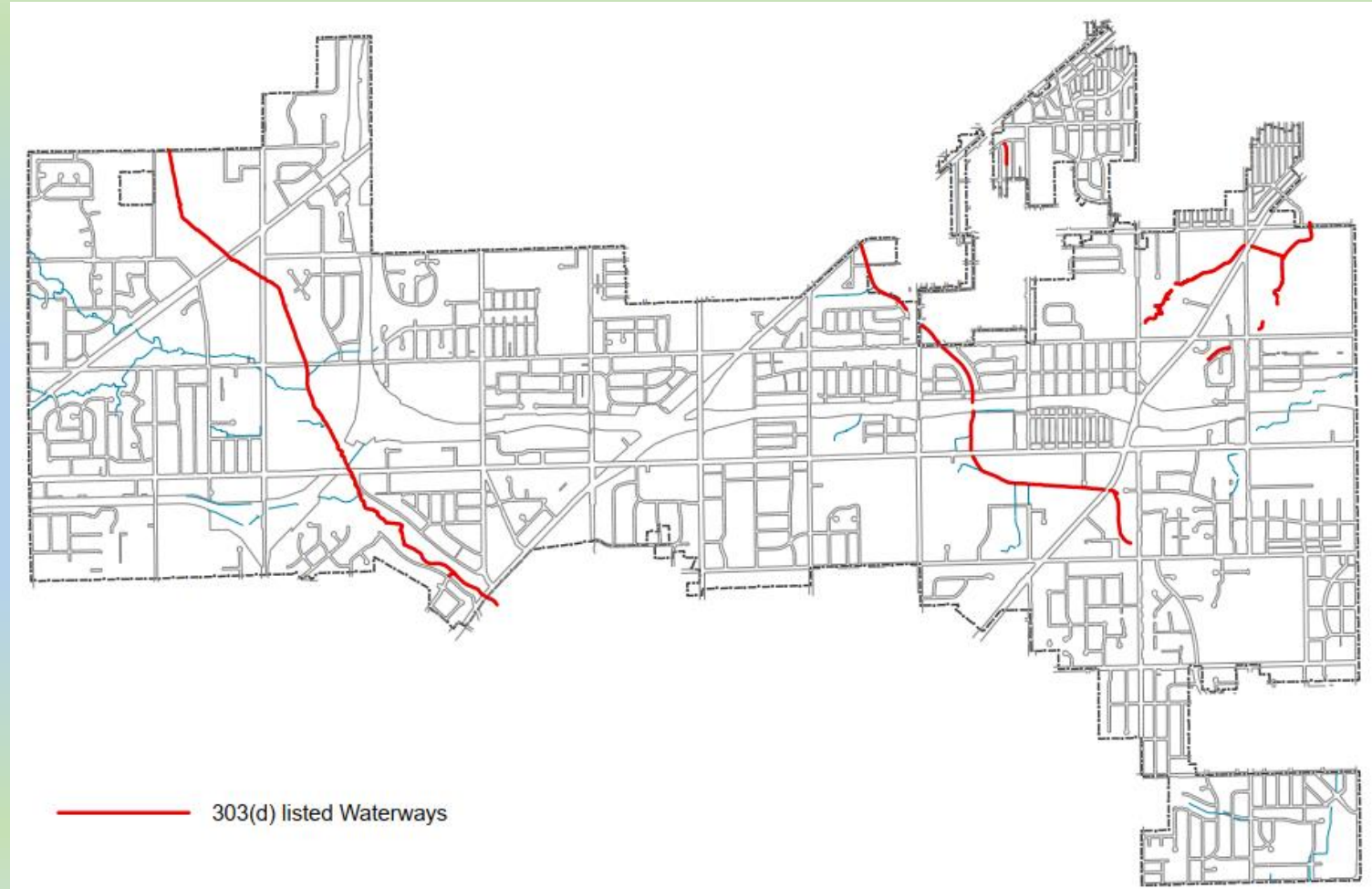
- Chloride
- Fecal Coliform / E. Coli
- Heavy/Unspecified Metals
- Mercury
- PCBS
- Total Phosphorus
- Total Suspended Solids

Resulting Impairments

- Chronic Aquatic Toxicity
- Contaminated Fish Tissue
- Degraded Biological Community
- Degraded Habitat
- Elevated Water Temperature
- Low Dissolved Oxygen
- Recreational Restrictions – Pathogens

Red items in Greenfield

Impaired Waters = 303(d) listed



45% of waterways are 303(d) listed

MMSD - Flood Management – Flood Control (Quantity)

MMSD Chapter 13



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[Home](#) / [What We Do](#) / [Flood Management Projects](#)

Greater Milwaukee Watersheds

Flooding and erosion of the watersheds in the Greater Milwaukee Area threaten public health and private property. Because watershed boundaries do not necessarily follow municipal boundaries, reducing the risk of flooding requires looking at the watershed as a whole, including the complete river system and its tributaries.

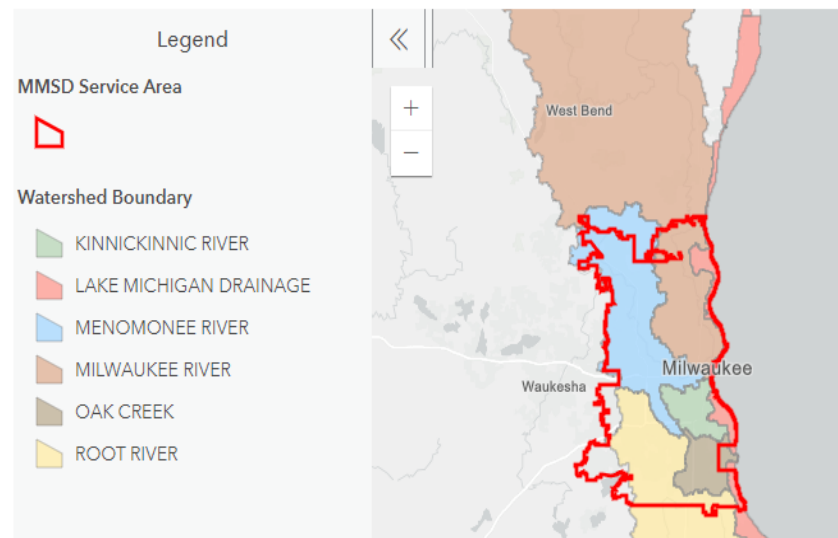
A watershed is land that channels rain and melting snow to a stream or river leading to a body of water. Milwaukee Metropolitan Sewerage District's (MMSD) authority to reduce the risk of flooding is in Wis. Stats., sec. 200.31(1).

Milwaukee Metropolitan Sewerage District is responsible for reducing the risk of flooding for two reasons:

1. Managing flooding promotes efficient use of the sewerage system by reducing infiltration and inflow to sewerage pipes.
2. A regional government is the most appropriate entity to address watershed issues that involve multiple municipalities.

[View MMSD Flood Management Project Highlights.](#)

What Watersheds Are Within MMSD's Service Area?



There are six watersheds within MMSD's service area:

- Kinnickinnic River
- Menomonee River
- Milwaukee River
- Lake Michigan Drainage
- Oak Creek
- Root River

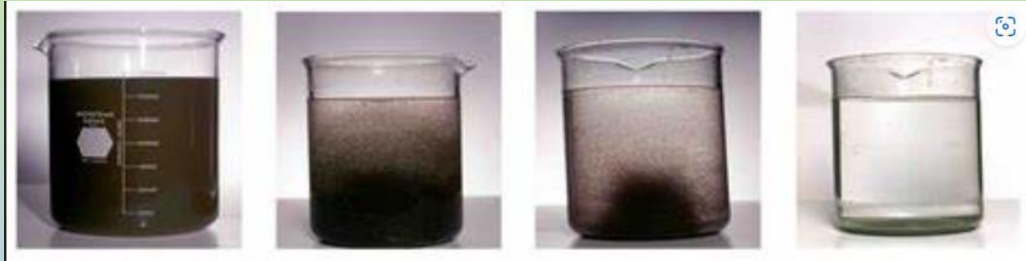
The planning process for the development of the updated Watercourse System Management Plan began in 1998 with MMSD and local municipalities. Resulting in flood risk reduction alternatives for each of the six watersheds. The first stage, Phase I, of the planning process incorporated the results of past planning efforts such as the 1990 Watercourse System Plan developed by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) as well as new technical information on land use, peak stormwater flows, estimated



Quality vs Quantity

Peak Flow Runoff Control

Total Suspended Solid (TSS) Removal



Total Phosphorus (TP) Removal



Fecal Coliform



Regulatory Rules

MMSD Chapter 13

- Implemented in September 2001
- Focuses on storm water quantity or runoff
- Triggered by:
 - Adding $\frac{1}{2}$ acre of new impervious area
 - More than 2 acres of disturbed area
- Peak flow reduction to reduce runoff from 2 & 100 year storm events
- 2019 change - added Green Infrastructure rule
 - Triggered by adding more than 5,000 sq.ft. of new impervious
 - Detention volume = $\frac{1}{2}$ " x area of new impervious
- If triggered, MMSD approval required

WI DNR NR 151

- Implemented in October 2002
- Focuses on storm water quality
- Triggered by more than 1 acre of disturbed area
- No increase in peak flow runoff from 1 & 2 year storm events
- Total Suspended Solid (TSS) Reduction
 - New Development = 80% TSS reduction
 - Redevelopment = 40% TSS reduction
- If triggered, requires NOI permit (WI DNR EC permit)
- WI DNR relies on local municipalities monitor and enforce standards are being met

Think of these rules as storm water management design standards

Regulatory Rules

MMSD Chapter 13 (quantity)

WI DNR NR151 (quality)



WI DNR NR216

- Implemented in August 2004
- Focuses on storm water quality
- Permitting based rule that regulates storm water discharges from:
 - Construction and industrial sites
 - Municipal separate storm sewer systems (MS4s)
- More day to day activity and construction based
- 2020 change – added TMDLs = Total Maximum Daily Loads



WPDES permit
TMDL's

Think of NR216 as a rule overlay with special permitting aspects

WI DNR WPDES Permit History



**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**GENERAL PERMIT TO DISCHARGE UNDER THE WISCONSIN
POLLUTANT DISCHARGE ELIMINATION SYSTEM
WPDES PERMIT NO. WI-S065404-2**

In compliance with the provisions of Ch. 283 Wis. Stats., and Chs. NR 151 and 216, Wis. Adm. Code, the **Menomonee River Watershed Permittees:**

City of Brookfield
Village of Butler
Village of Elm Grove
Village of Germantown
City of Greenfield
Village of Menomonee Falls

City of Milwaukee
Milwaukee County
City of West Allis
Village of West Milwaukee
City of Wauwatosa

are permitted to discharge storm water from all portions of the

MUNICIPAL SEPARATE STORM SEWER SYSTEM

owned or operated by the Menomonee River Watershed Permittees to waters of the state in watersheds of the Menomonee River, Fox River, Kinnickinnic River, Root River, and Cedar Creek in accordance with the conditions set forth in this permit.

This permit takes effect on the date of signature. This permit to discharge expires at midnight, March 31, 2025. The Department is required to charge an annual permit fee to owners and operators authorized to discharge under this permit in accordance with s. 283.33(9), Wis. Stats., and s. NR 216.08, Wis. Adm. Code.

State of Wisconsin Department of Natural Resources
For the Secretary

By 
Jacob Zimmerman, PE
Water Resources Engineer


Date Permit Signed

PERMIT EFFECTIVE DATE: April 1, 2020

EXPIRATION DATE: March 31, 2025

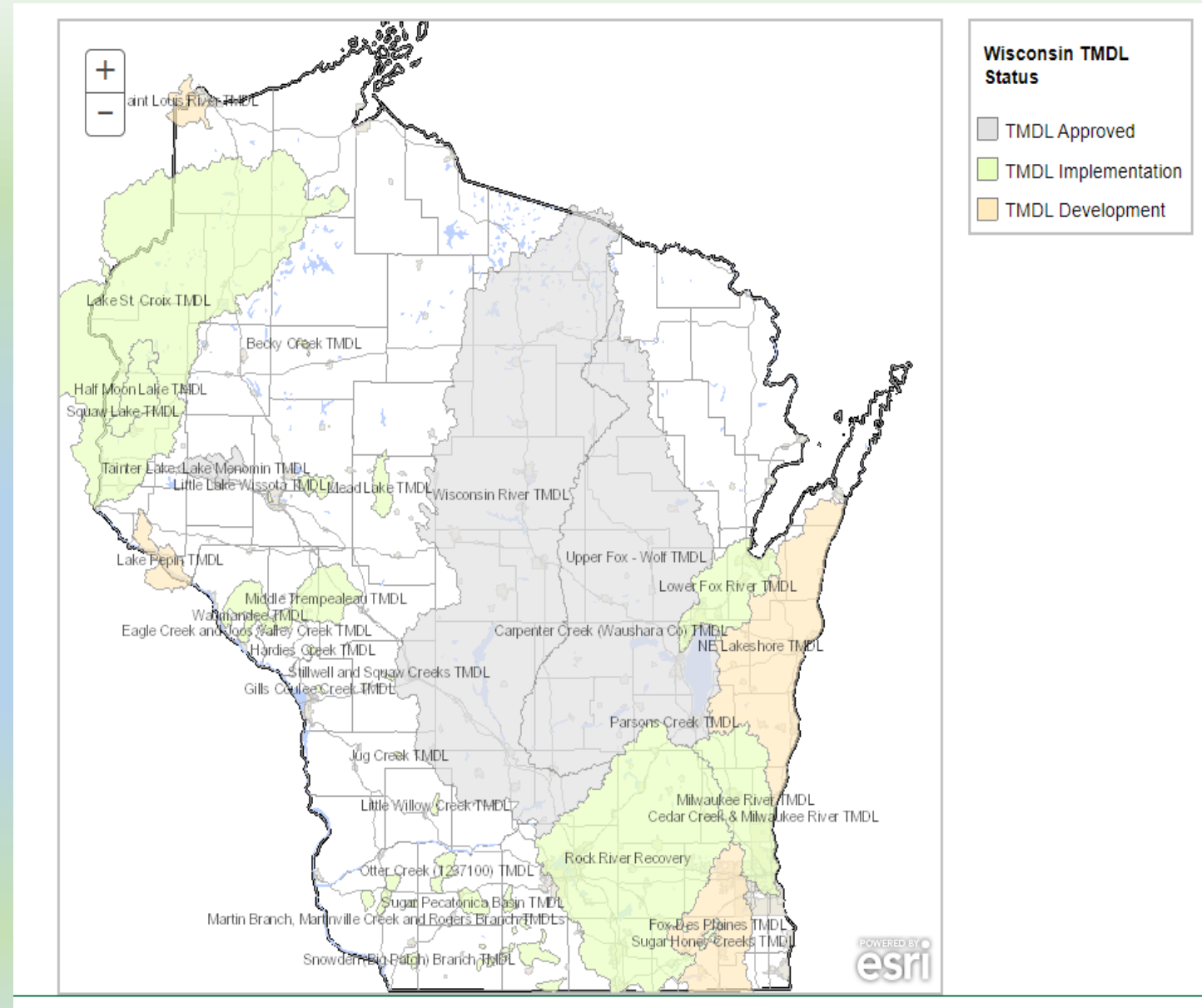
- NR216 - storm system mapping in 2004
- First permit issued in March 2007
- Menomonee River Watershed Permit. Permit issued as "Group" permit, although it also serves as an individual permit
- Permit term or cycle = 5 years +/-
2007 – 2012 – 2020
- Working under 3rd WI DNR Permit
 - March 2020 > March 2025
 - TMDL's added
- Oversight and enforcement of many WI DNR rules and requirements falls on the local municipalities
- Each new permit adds more requirements

Total Maximum Daily Loads (TMDL)

A TMDL is the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet the water quality standards for that particular pollutant

The last WI DNR WPDES Permit added TMDL's For the Milwaukee River Basin

- TSS – added more strict TSS removal targets
- Total Phosphorus (TP) – added TP removal targets
- Fecal Coliform – added testing / reduction / removal (E.coli)
- Subject to future amendments



Regulatory SWM Targets

MS4 areas

- TSS = 20% reduction
- No TP
- No FC

TMDL areas

- TSS/TP per table below
- Fecal Coliform / E.coli above 10,000 MPN/100mL**

Greenfield Historic Analysis Numbers (pre-TMDL)

- 2008 = TSS = 16% TP = 13%
- 2011 = TSS = 31% TP = 28% (added ditches)
- 2018 = TSS = 36% TP = 33%
 - Root 2018 = TSS = 38% TP = 36%
 - Oak Creek = TSS = 32% TP = 35%
 - TMDL = table below

Greenfield has 4 watershed

MS4 (56%)

Oak Creek
Root River

TMDL (44%)

Kinnickinnic River
Menomonee River

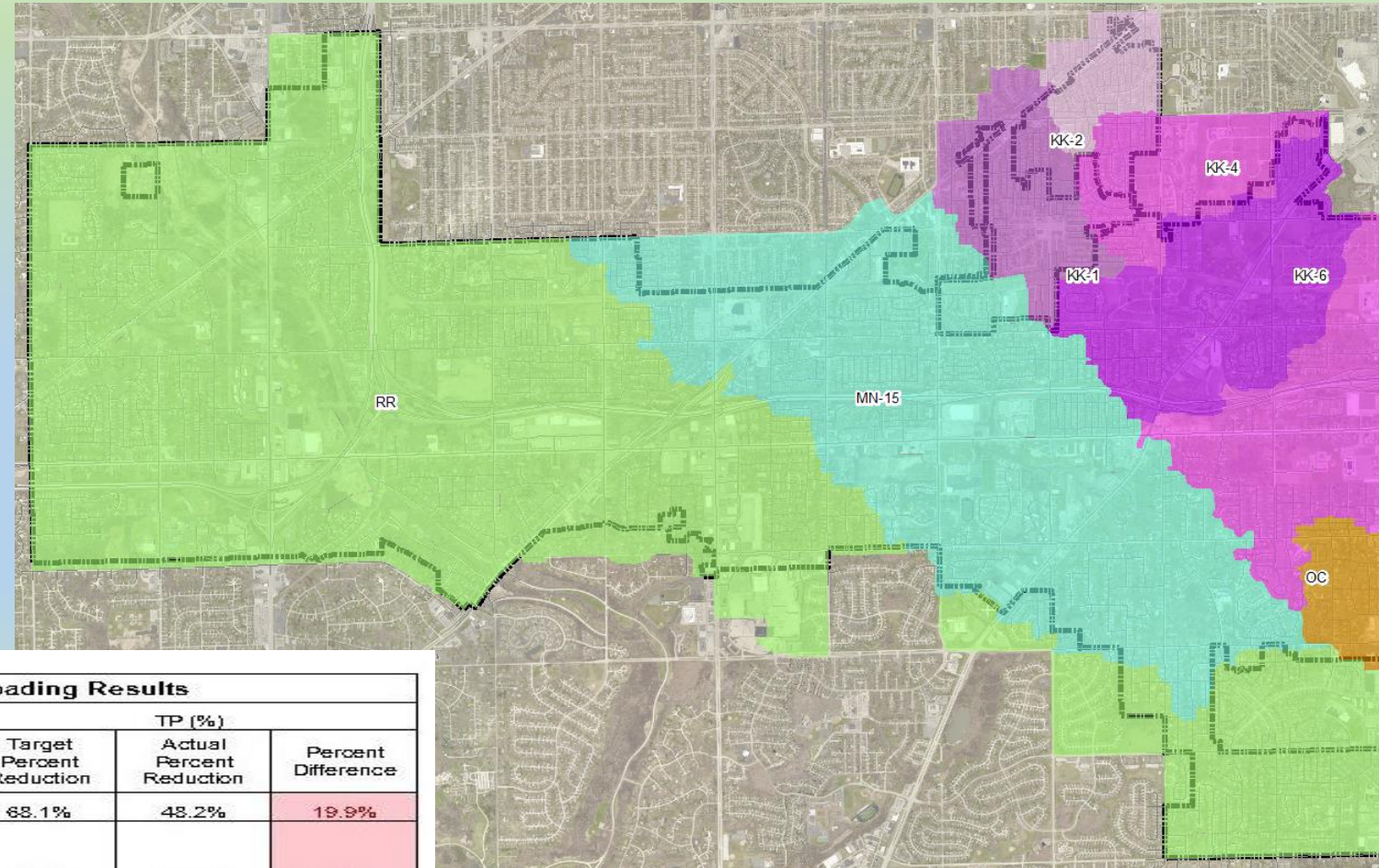


Table 1B. TMDL Target Reductions With Annual Loading Results

Sub-Basin	Common Name	TSS (%)			TP (%)		
		Target Percent Reduction	Actual Percent Reduction	Percent Difference	Target Percent Reduction	Actual Percent Reduction	Percent Difference
KK-1	Lyons Park Creek	78.4%	49.5%	28.9%	68.1%	48.2%	19.9%
KK-2	Kinnickinnic River main stem from Wilson Park Creek to Lyons Park Creek						
	Edgerton Channel, Wilson Park Creek, Villa Mann Creek	77.6%	21.4%	56.2%	68.1%	17.4%	50.7%
KK-4	Cherokee Park Creek	84.0%	39.5%	44.5%	89.4%	39.1%	50.3%
MN-15	Honey Creek	77.6%	36.5%	41.1%	69.0%	25.5%	43.5%
		73.6%	31.5%	42.1%	67.2%	27.6%	39.6%

TSS = 28.9% > 56.2% below target

TP = 19.9% > 50.7% below target

** FC = we will discuss later

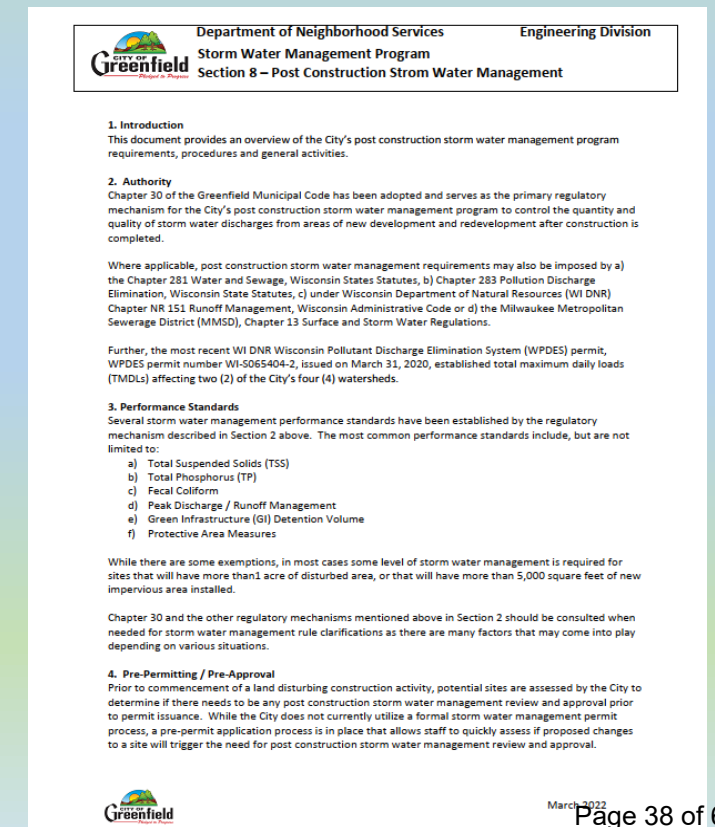
WPDES Permit – Overview

- Impaired Water Bodies Strategies
- Public Education and Outreach
 - Group / Individual
- Public Involvement & Participation
- Illicit Discharge Detection and Elimination (IDDE)
- Construction Site Pollution Control (Erosion Control)
- Post Construction SWM Management
 - SWM plan review / approval
 - Post SWM operation & maintenance
- Pollution Prevention
 - Winter road management
 - Nutrient management
 - Street Sweeping & CB Cleaning
 - Management of leaves and grass
 - Pollution Prevention Planning (SWPPP plans)
- Storm System Mapping
- Annual Reporting
- WPDES Permit Reapplication
- Special Conditions
 - Waste Load Allocation Attainment & Analysis
 - Total Maximum Daily Loads (TMDL's)
 - Fecal Coliform Reduction
- Individual Benchmarks

Name
1_Storm Water Management Program
2_Regulatory Data
3_Impaired Waterbodies
4_Public Education and Outreach
5_Public Involvement and Participation
6_IDDE_Illicit Discharge Detection and Elimination
7_Construction Site Erosion and Sediment Control
8_Post Construction Storm Water Management
9_Pollution Prevention
10_SWM Management Analysis
11_Storm Sewer System MS4 Map
12_Annual Reporting
13_WPDES Permit Reapplicaiton
14_Total Maximum Daily Loads_TMDLs
15_WPDES Individual Benchmarks
16_Development Pre-Permit SWM Application
17_Storm Water Utility
18_Drainage Issues_Complaints
19_Fecal Coliform Source Reduction and Elimination
20_Staff Training
21_Waterway_Floodplain_Stream Bank Management
22_Watershed Groups
23_MS4_TMDL Modeling Data
24_Green Infrastructure

2020 permit added requirement to:

- Have written documents to describe and detail each section of the program
- Establishment of specific measurable goals for most program sections
- Maintain documentation to verify our compliance with program sections



WPDES Permit -- Impaired Waters Strategy

- Monitor impaired water bodies
 - Identify water bodies on impaired list and their pollutants, develop a strategy to reduce, with the goal of eliminating, the pollutant(s) of concern
- Monitor pollutants of concern and establish minimum control practices for pollutants outside of, or not addressed by the TMDL
 - TSS / TP
 - Chloride**

Table 1. Impaired Waterways

Watershed	Waterway	WBIC	303(d) ID	Mileage Segment	TMDL	Date Added	Pollutant of Concern	Impairment
Kinnickinnic	Cherokee Creek	15250	2010-34	0.00-1.60	Yes	4/1/2010	Fecal Coliform	Recreational Restrictions - Pathogens
Kinnickinnic	Kinnickinnic River	15100	2010-29	5.49-9.93	Yes	4/1/2010	Fecal Coliform	Recreational Restrictions - Pathogens
Kinnickinnic	Kinnickinnic River	15100	2012-62	5.49-9.93	Yes	4/1/2012	Total Phosphorus	Degraded Biological Community
Kinnickinnic	Kinnickinnic River	15100	2018-008	5.49-9.93	No	4/1/2018	Chloride	Chronic Aquatic Toxicity, Acute Aquatic Toxicity
Kinnickinnic	Villa Mann Creek*	15300	2010-33	0.00-1.20	Yes	4/1/2010	Fecal Coliform	Recreational Restrictions - Pathogens
Kinnickinnic	Wilson Park Creek*	15200	2018-009	0.00-3.50	No	4/1/2018	Chloride	Chronic Aquatic Toxicity, Acute Aquatic Toxicity
Kinnickinnic	Wilson Park Creek*	15200	2018-009	0.00-3.50	Yes	4/1/2018	Total Phosphorus	Impairment Unknown
Kinnickinnic	Wilson Park Creek*	15200	2018-009	0.00-3.50	Yes	4/1/2010	Fecal Coliform	Recreational Restrictions - Pathogens
Menomonee	Honey Creek	16300	2010-28	0.00-8.96	Yes	4/1/2010	Fecal Coliform	Recreational Restrictions - Pathogens
Menomonee	Honey Creek	16300	2012-75	0.00-8.96	Yes	4/1/2012	Total Phosphorus	Degraded Biological Community
Menomonee	Honey Creek	16300	2018-012	0.00-8.96	No	4/1/2018	Chloride	Chronic Aquatic Toxicity, Acute Aquatic Toxicity
Oak Creek	North Branch Oak Creek*	14900	2018-007	0.00-5.70	No	4/1/2018	Chloride	Chronic Aquatic Toxicity, Acute Aquatic Toxicity
Root River	Root River	2900	405	25.80-43.69	No	4/1/1998	Total Phosphorus	Low DO, Degraded Biological Community
Root River	Root River	2900	405	25.80-43.69	No	4/1/1998	Sediment / TSS	Low DO
Root River	Root River	2900	2014-157	25.80-43.69	No	4/1/2014	Chloride	Chronic Aquatic Toxicity, Acute Aquatic Toxicity

Not Covered by TMDL

*Waterway is outside City of Greenfield boundary.

** Chloride has been added, but is not addressed by TMDL

WPDES Permit -- Public Education and Outreach

- Group public education and outreach
- Address the following topics at least once during permit term, with a minimum of 3 addressed per year
 - Illicit Discharge Detection and Elimination
 - Household Hazardous Waste, Pet Waste, Vehicle Waste & Washing
 - Yard Waste & Pesticide and Fertilizer Application
 - Stream and Shoreline Management
 - Residential Infiltration
 - Construction Sites and Post Construction SWM
 - Pollution Prevention
 - Winter road management
 - Nutrient management
 - Street sweeping and catch basin cleaning
 - Management of leaves and grass clippings
 - Benefits of Green Infrastructure & Low Impact Development
 - Snow and Ice Control
- Individual public education and outreach
 - Evaluate individual storm water education needs and develop list of prioritized education needs
 - Provide targeted education and outreach for at least 1 prioritized topic and develop metrics for measuring progress
 - For next permit application, provide summary of results of targeted education effort and a list of planned targeted education topics for next permit cycle
- Individual benchmarks
 - Update City's storm water website:
 - Provide additional education materials
 - Promote usage of rain barrels
 - Develop partnership between local schools and parks to provide education on SWM
 - Provide education materials as part of IDDE screening

WPDES Permit - Public Involvement and Participation

Focus on public involvement and participation programs that provide opportunities for the public to effectively participate in the development, implementation and modification of our SWM program

Regulatory

- Ability to review and/or comment on regulatory side of our SWM program activities
 - Annual reports
 - SWM program revisions
 - Adoption of storm water related ordinances
 - TMDL and MS4 load reduction benchmarks

Non-Regulatory

- Participate in Greenfield and other “group” projects through SweetWater and Respect our Waters campaigns

WPDES Permit - Illicit Discharge Detection and Elimination (IDDE)

What is an Illicit Discharge ?

A discharge to the municipal separate storm sewer system that is not composed entirely of storm water and may contain pollutants and/or pathogens

Storm system = lakes, rivers, swales, ditches, curbs, storm sewer, etc.

Requirements

- Continue Dry Weather Routine Screening Program (2008)
 - 2020 permit requirement for Fecal Coliform testing & reduction requirements (TMDL areas)
- Continue to monitor and enforce IDDE Ordinance (Chapter 32)
- 2020 permit added requirements for spill response and written spill response plan



WPDES Permit - Illicit Discharge Detection and Elimination (IDDE)

Emergency

- *HAZMAT / Fire or Explosion / Life Safety >> 911*
- *Emergency crews will be dispatch as needed which may include DPW / Engineering staff*
- *Follow emergency spill and illicit discharge procedures >> GFFD procedures take precedent*

Non-Emergency

- *Active >> visible, active non-emergency spill or illicit discharge occurring >> DPW*
- *Investigative >> non-visible, suspected non-emergency spill or illicit discharge >> Engineering*
- *Follow non-emergency spill and illicit discharge complaint procedures*

Non-Emergency Routine Dry Weather Screening

- A dry weather screening program, typically during end of summer into early fall
- All investigative in nature
- Follow non-emergency routine screening procedures

Most Illicit Discharges require some level of reporting or coordination with WI DNR

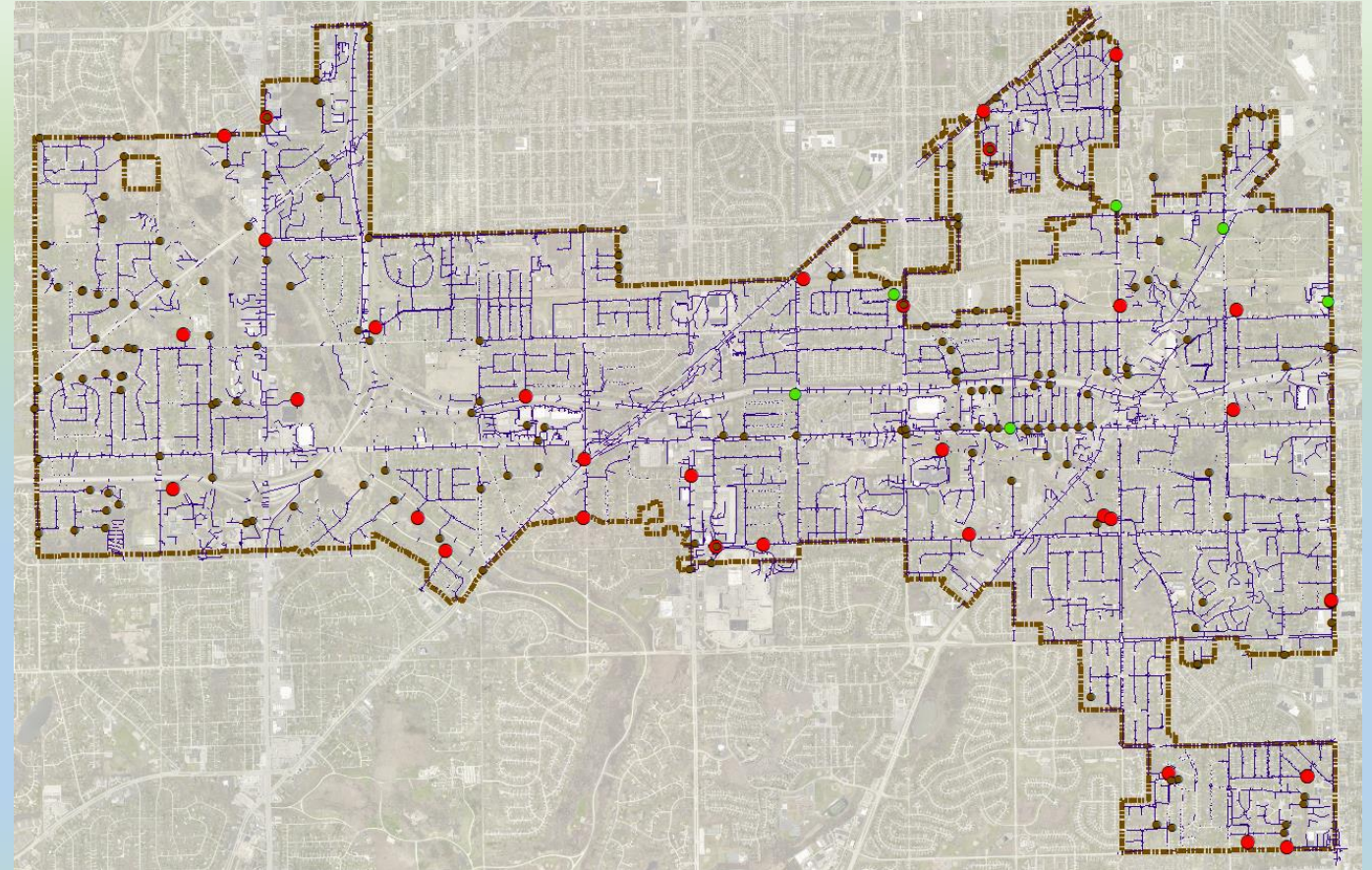
Dry Weather Screening - What We Test For

Table 1. Action Levels

Parameter	2017 & 2018 IDDE Program Action Levels	2019 IDDE Program Action Levels	Current IDDE Program Action Level	Included in Initial Outfall Testing?
pH	Less than 6 or greater than 9	Less than 6 or greater than 9	Less than 6 or greater than 9	Yes
Total Chlorine	Not addressed	Detection or positive test	Detection or positive test	Yes
Total Copper	Not Addressed	0.1 mg/L	0.1 mg/L	Yes
Total Phenol	Not Addressed	Detection or positive test	Detection or positive test	Yes
Detergents	0.5 mg/L	0.5 mg/L	0.5 mg/L	Yes
Ammonia	0.1 mg/L	0.1 mg/L	0.1 mg/L	Yes
Total Coliform ¹	N/A	Presence/Absence	Presence/Absence	Yes
Potassium ²	3.1 mg/L	10 mg/L	10 mg/L	No
Fluoride ²	0.25 mg/L	0.25 mg/L	0.25 mg/L	No
E. coli	Not Addressed	Not Addressed	10,000 MPN/100 mL	No
Human Bacteroides	Not Addressed	Not Addressed	Positive test / 4% Human Markers	No

IDDE – Routine Screening

B6															HIDP														
	A	B	C	D	E	Q	R	AE	AF	AG	AH	AI	AJ	AK															
1	INSPECTION	INSPECTION	OUTFALL ID	CLASS	Tributary	Human IDP	TMDL		Permit Term (WI-S065404-2)																				
2	YEAR	CATEGORY			Area (Ac)	Score			2020	2021	2022	2023	2024																
3	2020	Major	K007	Major	248.62		KK-4		2020																				
4	2020	Major	K014	Major	200.31		KK-6		2020																				
5	2020	Special-Retest	K031	Minor-Medium	6.79	1.83	KK-4		2020																				
6	2020	HIDP	M058	Minor-High	16.05	2.33	MN-15		2020																				
7	2020	Major-Retest	R013	Major	86.00		RR		2020																				
8	2020	Major	R059	Major	53.95		RR		2020																				
9	2020	Major	R138	Major	72.66		RR		2020																				
10	2020	Major	R145	Major	51.46		RR		2020																				
11	2021	HIDP	K032	Minor-High	43.49	2.67	KK-4			2021																			
12	2021	Major	K038	Major	251.45		KK-1			2021																			
13	2021	Major	M021	Major	81.41		MN-15			2021																			
14	2021	Major	O001	Major	127.78		OC			2021																			
15	2021	Major	R007a	Major	371.87		RR			2021																			
16	2021	Major	R007b	Major	371.87		RR			2021																			
17	2021	Major	R131	Major	123.18		RR			2021																			
18	2021	Major	R149	Major	73.76		RR			2021																			
19	2022	Major	K020	Major	109.98		KK-6				2022																		
20	2022	Major	K037	Major	198.56		KK-1				2022																		
21	2022	Major	M009	Major	88.15		MN-15				2022																		
22	2022	Major	M025	Major	283.52		MN-15				2022																		
23	2022	HIDP	M065	Minor-High	29.84	2.33	MN-15				2022																		
24	2022	Major	R016	Major	187.18		RR				2022																		
25	2022	Major	R017	Major	349.64		RR				2022																		
26	2022	Major	R021	Major	102.50		RR				2022																		
27	2023	HIDP	K024	Minor-High	24.58	2.50	KK-6					2023																	
28	2023	Major	M007	Major	62.88		MN-15					2023																	
29	2023	HIDP	M023	Minor-High	13.71	2.33	MN-15					2023																	
30	2023	Major	R028	Major	254.30		RR					2023																	
31	2023	Major	R036	Major	104.24		RR					2023																	
32	2023	Major	R042	Major	124.48		RR					2023																	
33	2023	Major	R049	Major	80.29		RR					2023																	
34	2023	Major	R144	Major	72.98		RR					2023																	
35	2024	HIDP	K015	Minor-High	30.70	2.33	KK-4						2024																
36	2024	Major	K044	Major	84.39		KK-2						2024																
37	2024	Major	M001	Major	315.98		MN-15						2024																
38	2024	Major	M002	Major	186.11		MN-15						2024																
39	2024	Major	R057	Major	50.54		RR						2024																
40	2024	Major	R087	Major	58.28		RR						2024																
41	2024	Major	R091	Major	200.00		RR						2024																
42	2024	Major	R146	Major	76.57		RR						2024																
43			K001	Minor-Medium	34.68	2.17	KK-4																						
44			K006	Minor-Medium	45.11	1.67	KK-4																						
45			K008-Hist	Major-WDOT																									
46			K009	Minor-Medium	11.95	1.83	KK-4																						
47			K012	Minor-Medium	25.94	2.17	KK-6																						
48			K013-Hist	Major-WDOT																									
49			K017	Minor-Low	17.55	1.17	KK-4																						



WPDES Outfall Inventory

33 = Major

6 = Minor High HIDP

96 = Minor Med HIDP

87 = Minor Low HIDP

1 = Special

223 Total

Outfall numbers and locations may change with each new permit cycle

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IDDE - Spill and Complaint Response

2020 – 5 responses

2021 – 2 responses

2022 – 2 responses

2023 – 4 responses

Accidents, spills, complaints, transformer, etc.

Each incident requires some level of staff response, tracking, documenting and coordination with WI DNR

A	B	C	D
Incident: Vehicle accident / fuel spill on W Loomis Rd & Grainger's parking lot, just south of Howard			
Date	Time	Staff	Notes
10/9/2023	11:45am	Tamblyn	Received phone call from Riley Neumann w/ WI DNR notifying City of accident/spill. I told him we would investigate and deploy downstream boom if needed.
10/9/2023	11:50am	Tamblyn /Esch	Contacted Randy Esch w/ DPW and asked him to meet me on site to find outfall and assess condition. Car pulled out in front of a semi who was heading southbound. Semi ended up jumping west curb line on Loomis and drive into Granger parking lot where it stopped. Spill was from diesel fuel tank on semi. Oil dry was deployed, however fluid reached a storm sewer in parking lot. Traced fuel to east end of box culvert at Loomis.
10/9/2023	11:52am	Tamblyn	Received e-mail spill notification from Riley with WI DNR
10/9/2023	1:00pm	DPW	DPW arrived on scene to deploy booms and pick up material. Sweeper was also on the way to clean up Loomis and parking lot.
10/9/2023	1:30pm	DPW	Notified by DPW that booms were installed.
10/9/2023	1:45pm	Tamblyn	Provided update to WI DNR and forwarded photos.
10/9/2023	3:30pm	Tamblyn	Revisited site to check on conditions. Parking lot cleaned, some oil dry still down. Stream booms still in place and collecting fluid.
10/9/2023	4:00pm	Tamblyn	Received notice from WI DNR that North Shore Environmental was hired by trucking company to take things from here. Incident closed by City except for billing.
10/10/2023	7:30am	Hartley / DPW	Mark Hartley w/ DPW checked on site and forwarded photos. City booms were removed and new ones put in place by private party.
10/11/2023	8:00am	Tamblyn	Provided WI DNR with Mark Hartley update and forwarded photos.
Riley Neumann, WI DNR 414-750-7030			
Jeff Tamblyn, Greenfield Engineering, 414-329-5323			
Randy Esch, Greenfield DPW, 414-208-6986			



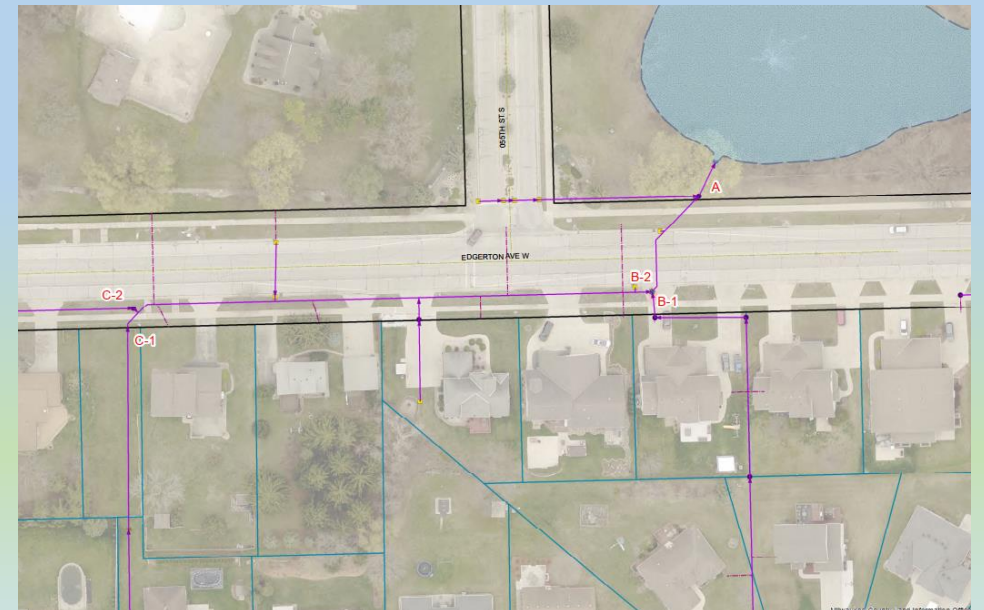
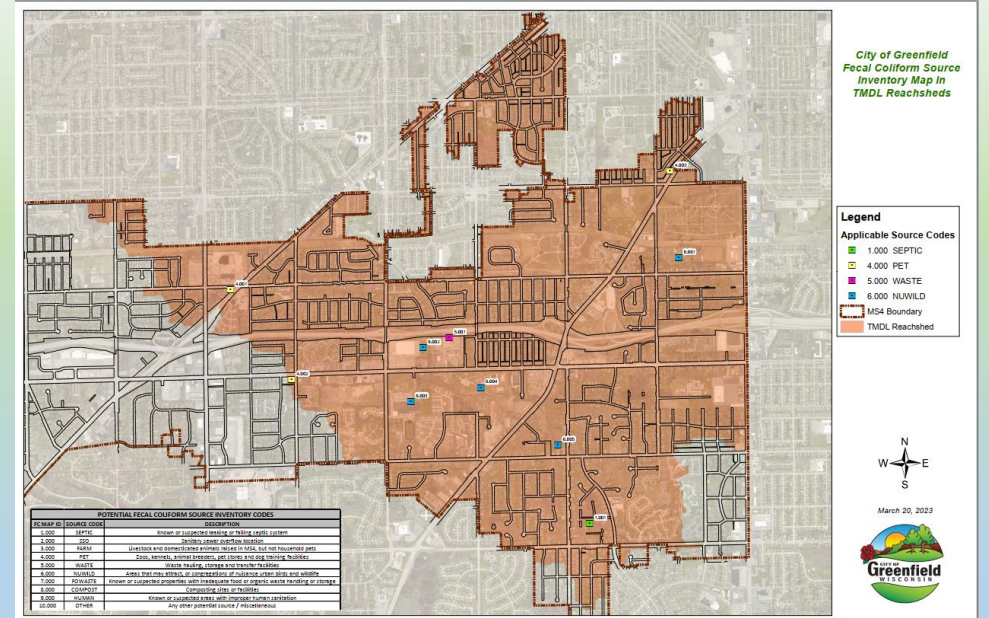
IDDE – Fecal Coliform

Requirements

- 2020 permit added requirement to:
 - Create FC Benchmark by June 2021
 - Create FC Source Inventory by March 2023
 - Create FC Source Elimination Plan by September 2023
- Currently just for TMDL areas
- 10,000 MPN/100mL

Fecal Coliform Testing

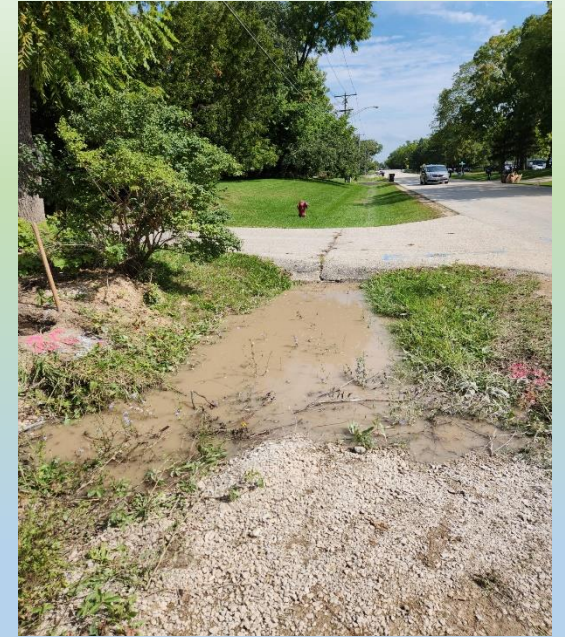
- 2020 permit added requirement to perform FC testing with IDDE program after June 2021 benchmark was established
- Early testing has resulted in a lot questions and a range of varying data
- Testing storm sewer systems can get vary complex to trace down and find sources
- We typically perform total coliform first. If positive, then sample to lab for E.coli count
- 2021 8 outfalls 3 TC hits 0 FC
- 2022 8 outfalls 7 TC hits 1 FC
- 2023 9 outfalls 3 hits 2 FC



WPDES Permit - Construction Site Pollution Control (Erosion and Sediment Control)

Requirements

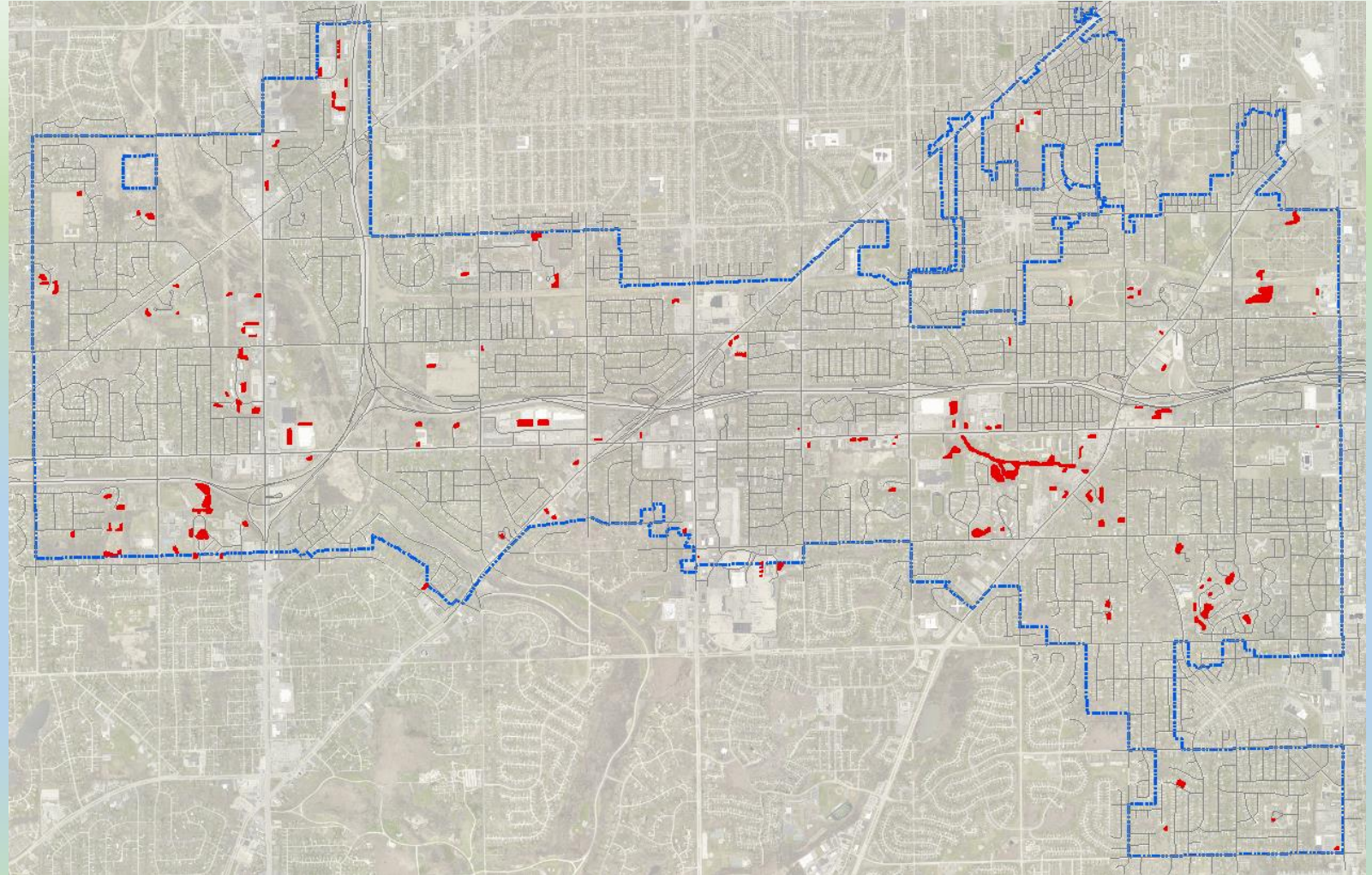
- Maintain and enforce Erosion and Sediment Control Ordinance (Chapter 31)
- Plan review requirements to look for and protect water quality impacts
- Permitting, inspection and enforcement oversight
- Sites over 1 acre of disturbed area
 - WI DNR Notice of Intent (NOI) permit
 - City site inspections - - 45 day / 7 day / Final
- Sites under 1 acre of disturbed area
 - City EC permit and WI Department of Safety & Professional Services (DSPS) Uniform Dwelling Code (UDC)



WPDES Permit - Post Construction Storm Water Management

PCSWM Requirements

- Site plan review for SWM regulations
- Ensure preparation of SWMP report
- Written SWM agreement (SWMMA)
 - Require SWM compliance
 - Grants City access to private BMPs
 - Enforcement rights
 - Legal protections
- Inventory of SWM BMPs
 - Location
 - Record drawings
 - SWMP report / system design
- Long term maintenance inspection plan
- Inspection & maintenance documentation
- 2020 permit added requirement to develop system to track and document this activity



Storm Water BMPs

- 151 Total BMPs
- 29 = City (19%)
- 122 = Private (81%)

Types of BMPs

Wet Retention Basin



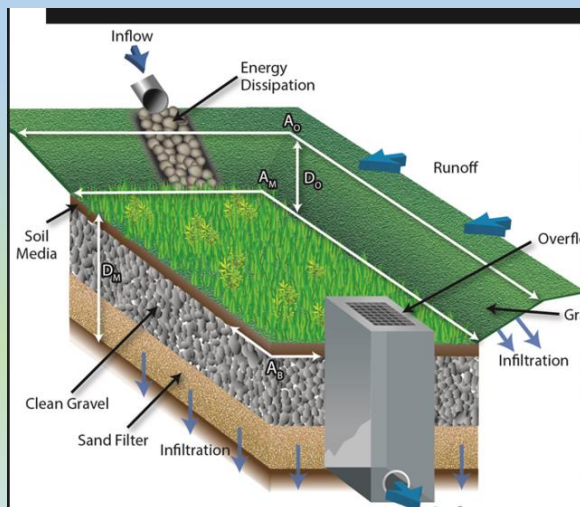
Dry Detention Basin



Bio-Retention Basin



Infiltration Basin



Underground Retention Basin

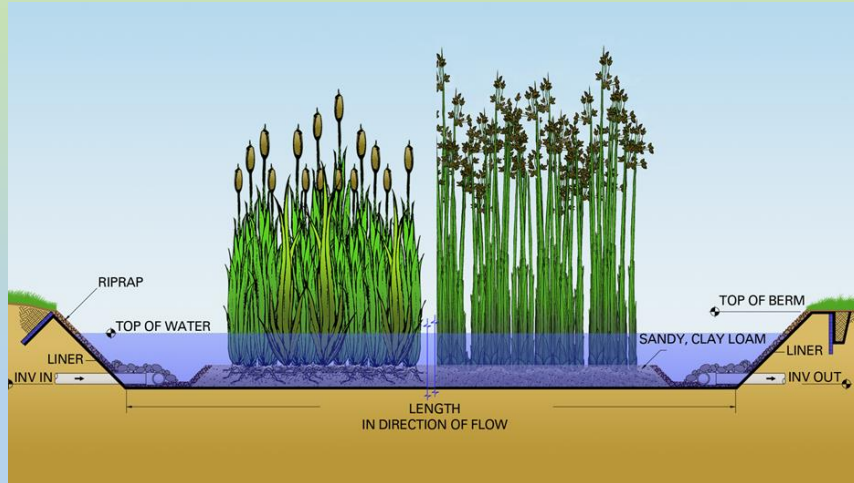


Underground Detention Basin

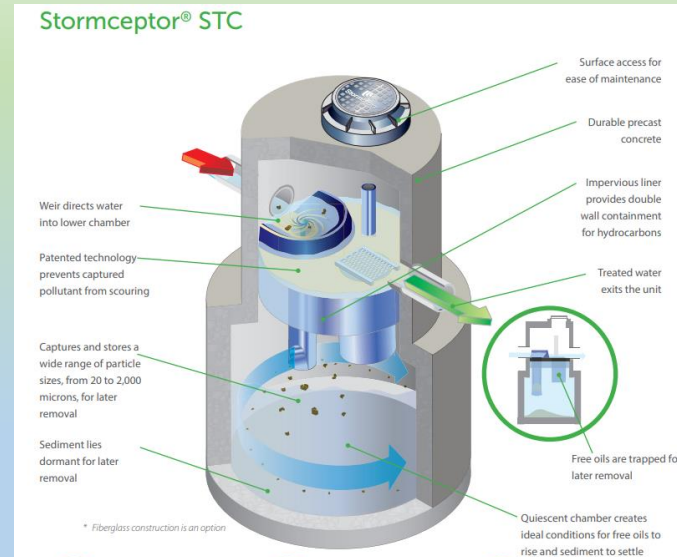


Types of BMPs

Constructed Wetland



Mechanical Treatment Device



Pervious Pavement / Pavers



Rain Garden



Grass swales / ditches



Green Roof



WPDES Permit - Pollution Prevention

Sub-Categories

1. Winter Road Management
2. Nutrient Management
3. Street Sweeping / Catch Basin Cleaning
4. Management of Leaves and Grass Clippings
5. Storm Water Pollution Prevention Planning
6. Internal Training and Education

Pollutants

- Chloride
- Fecal Coliform / E. Coli
- Heavy/Unspecified Metals
- Mercury
- PCBS
- Total Phosphorus
- Total Suspended Solids

Pollution Prevention – Winter Road Management

Requirements

- 2020 permit added requirement for written salt application and/or salt reduction strategy
- 2020 permit added requirement for required staff training on City salt strategy no less then every other year
- All salt and deicer equipment shall be calibrated annually – keep records for 5 years
- Minimize salt and other deicer products to the maximum extent practical to maintain public safety
- Track quantity and usage of salt and deicer products on monthly basis

3. Additional WPDES Winter Road Management Strategies

As the primary goal of our DPW Winter Maintenance Policy focuses on making roadways safe for the public, and to ensure that emergency services will be maintained without exception, the following items are included to provide further clarification to confirm compliance with the Wisconsin Department of Natural Resources (WI DNR) Winter Road Management requirements detailed in our WPDES permit:

- a) The City believes that our DPW Winter Maintenance Policy includes suitable salt application and reduction strategies to help minimize over application of deicers while maintaining the appropriate level of winter road management to ensure public safety. Further, our policy provides a detailed summary of the processes and procedures that are followed in various winter conditions and includes a summary of equipment and personnel criteria.
- b) All salt application equipment shall be calibrated annually by DPW, with records kept to document the date and calibration methods.
- c) Applicable DPW staff shall receive training at a frequency no less than every other year on the City's Winter Maintenance Policy and winter road management strategies.
- d) The quantity of salt and other deicing products shall be tracked on a monthly basis and included in our WI DNR WPDES annual reporting process.

2021/2022 SALTER CALIBRATION

Truck #	Sim speed	RPM	Mode	Drop test LBS/30sec	Total lbs @ 300lbs/mile	Pre wet auto cal.	Calibrated by
30	30	1200	auto	72	288	yes	MH/MD
33	30	1200	auto	74	296	yes	MH/MD
34	NA	1200	NA	74	296	NA	MH
36	NA	1200	auto	NA	NA	yes	MH/RE
37	30	1200	auto	70	280	yes	RE/MH
44	NA	1200	NA	74	296	NA	MH
45	NA	1200	NA	75.5	302	NA	MH
49	30	1200	auto	75	300	yes	RE/MH
51	NA	1200	NA	75	300	NA	MH
52	30	1200	auto	78	312	yes	MH/MD
57	30	1200	auto	82.5	330	yes	RE/MH
60	30	1200	auto	76	300	yes	RE/MH
61	30	1200	auto	75	300	yes	RE/MH
62	30	1200	auto	74	296	yes	MH/MD
64	30	1200	auto	74	296	yes	RE/MH

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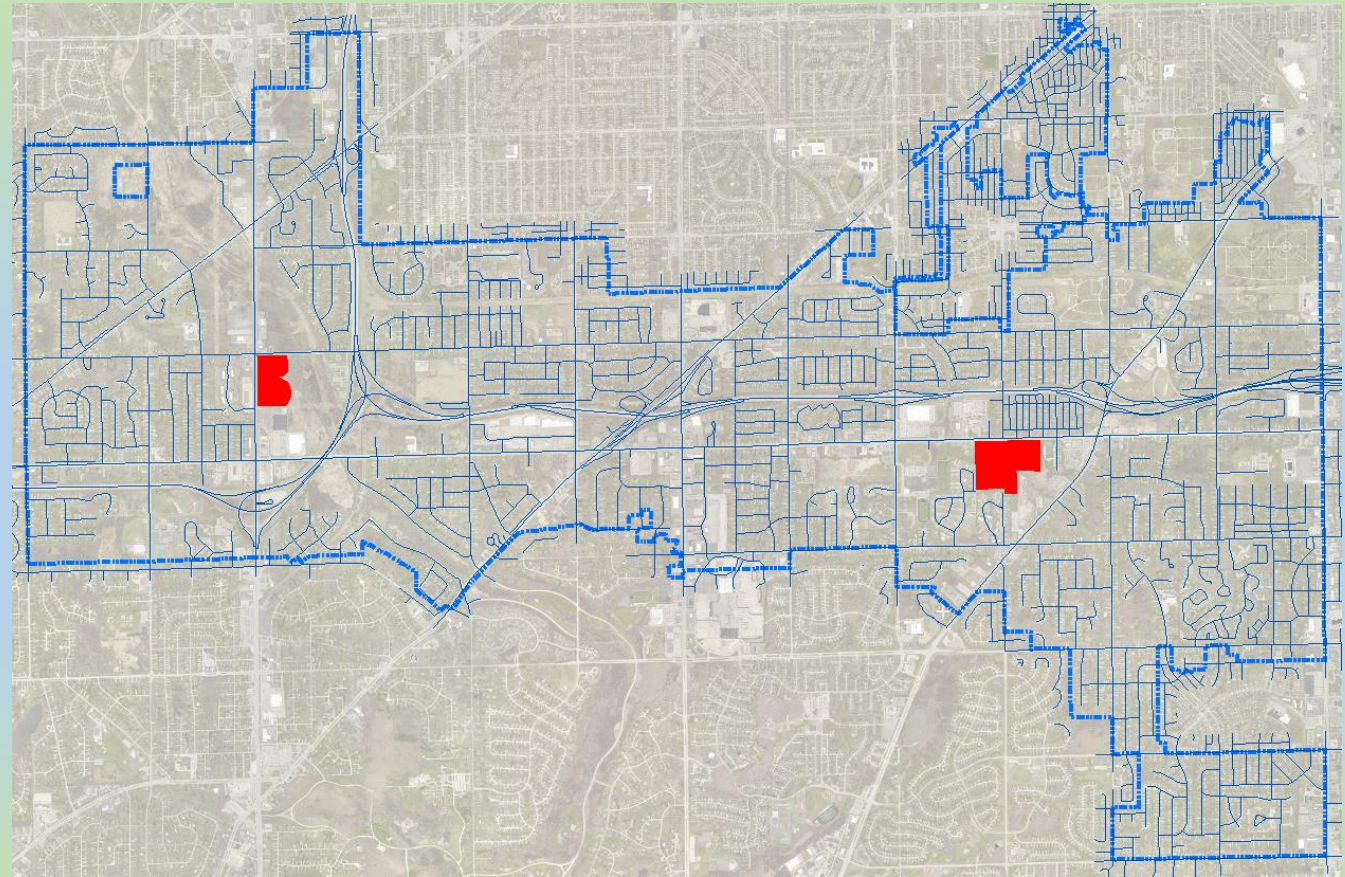
Pollution Prevention – Nutrient Management

Requirements

- 2020 permit added requirements to:
 - Have a site-specific nutrient application schedule based on soil tests for the application of turf & garden fertilizers on 5 acres or more of municipality controlled property.
 - Create written nutrient management program

Practices

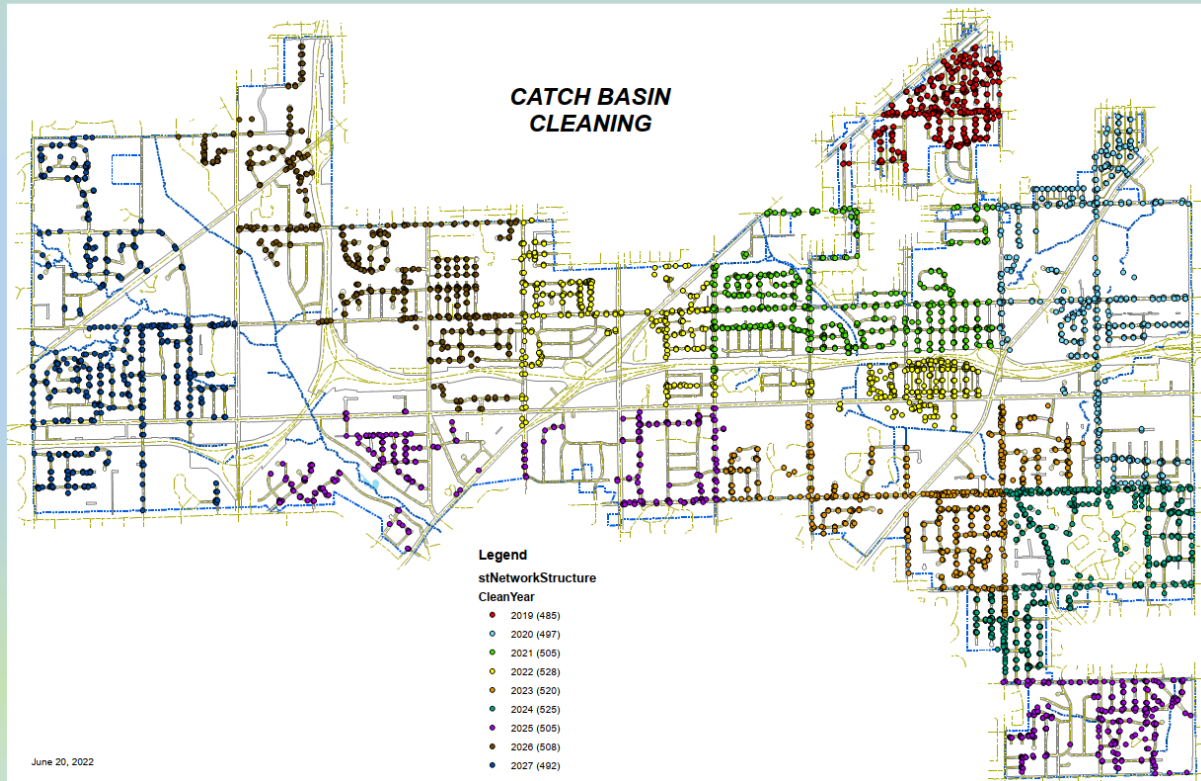
- Analysis resulted in 2 sites:
 - Kulwicki Park
 - Konkel Park
- Our plan references WI DNR Technical Standard # 1100 for turf management guidelines
- Our plan includes best management practices for the handling, application and storage of herbicides and chemical weed controls
- Our plan references surface and groundwater runoff protection



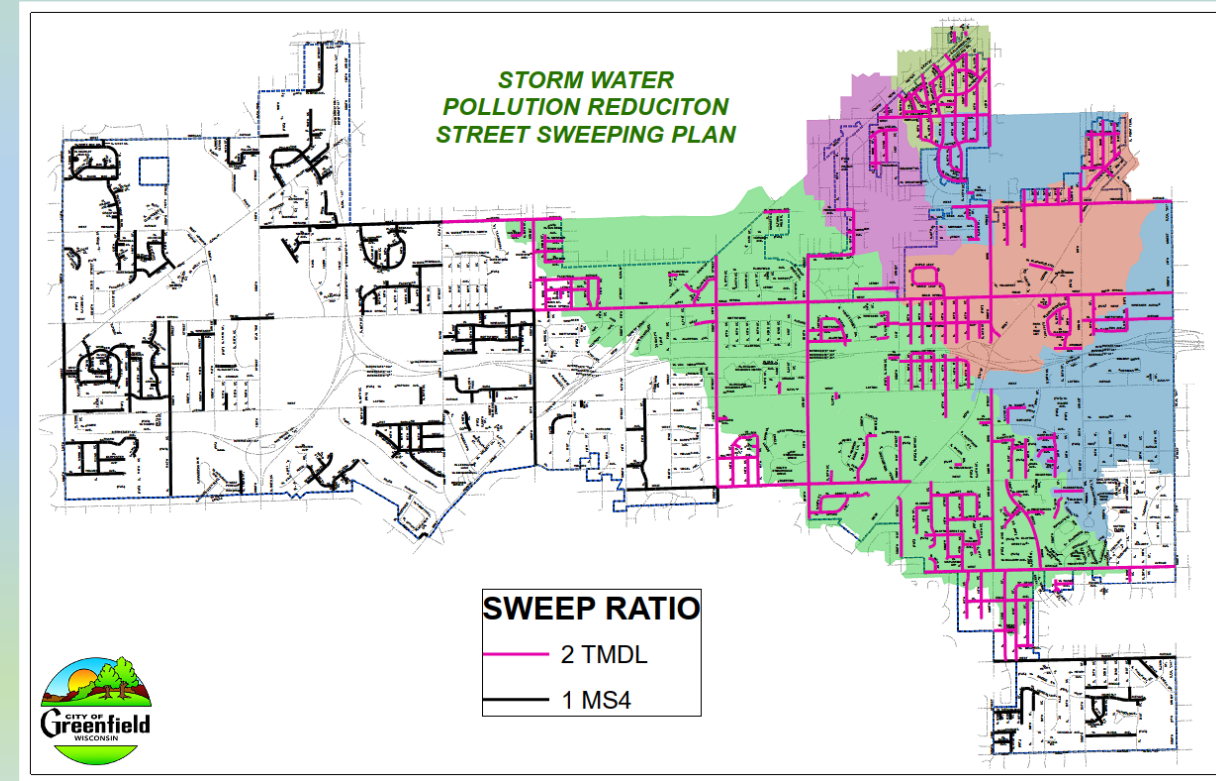
Pollution Prevention – Street Sweeping & Catch Basin Cleaning

Requirements

- If either is used to meet water quality standard, sweeping & CB cleaning shall be completed at frequency in SWM Analysis
- Track frequency, lane miles swept, number of CBs cleaned and tonnage of sediment collected
- Properly handle and dispose of materials in a manner that prevents contamination, and remain in accordance with applicable solid and hazardous waste removal statutes



CB Cleaning



Street Sweeping

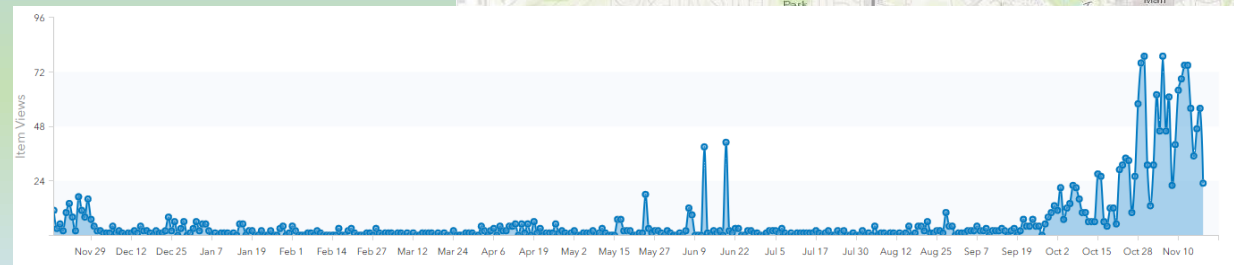
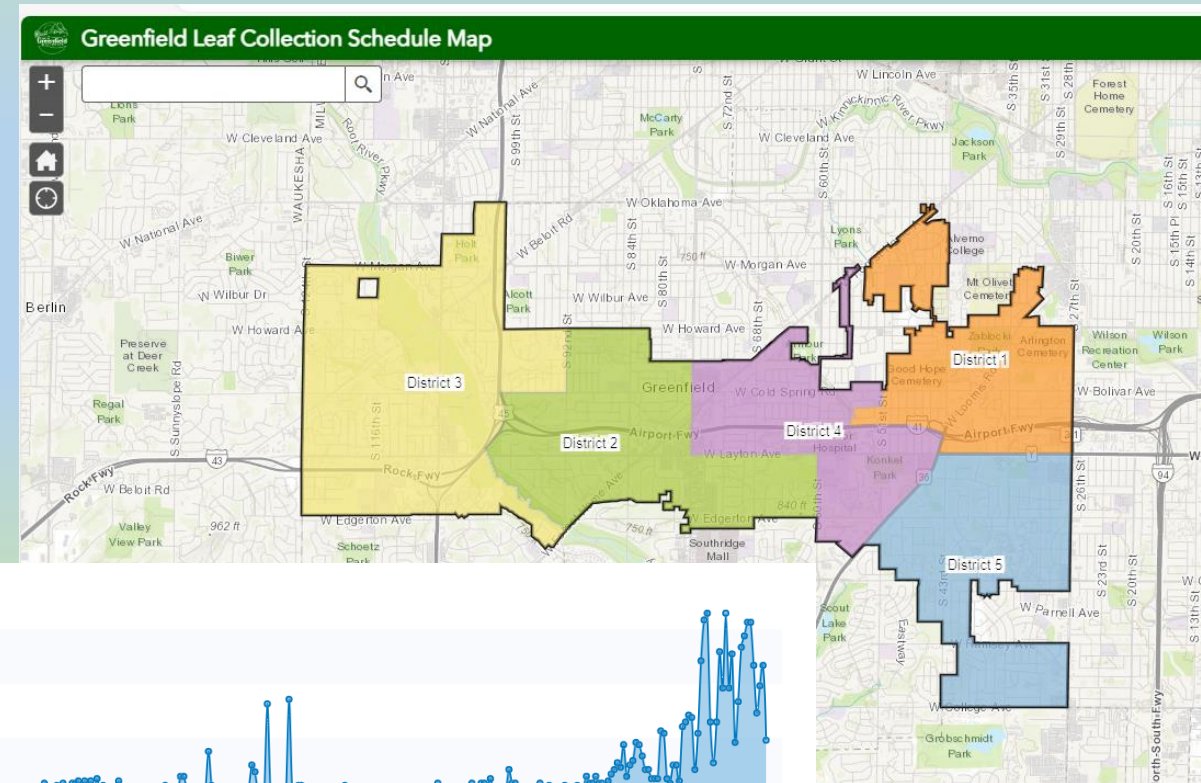
Pollution Prevention – Management of Leaves and Grass Clippings

Requirements

- 2020 permit added requirement to develop a written leaf and grass clipping management program
- Identify leaf disposal locations
- Track tonnage of material collected annually
- Description of best management practices that we use to reduce nutrient loading from leaves and grass clippings on receiving waters

Practices

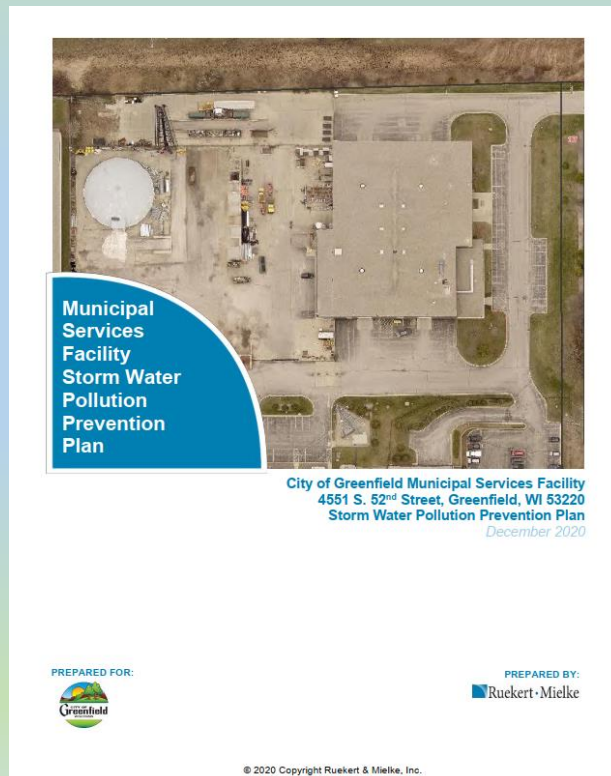
- Use Johns Disposal Services and City DPW fall leaf collection
- Provide maps and literature for promoting collection services
- Leaf compost program
- Enhanced GIS interface to access fall leaf collection schedule



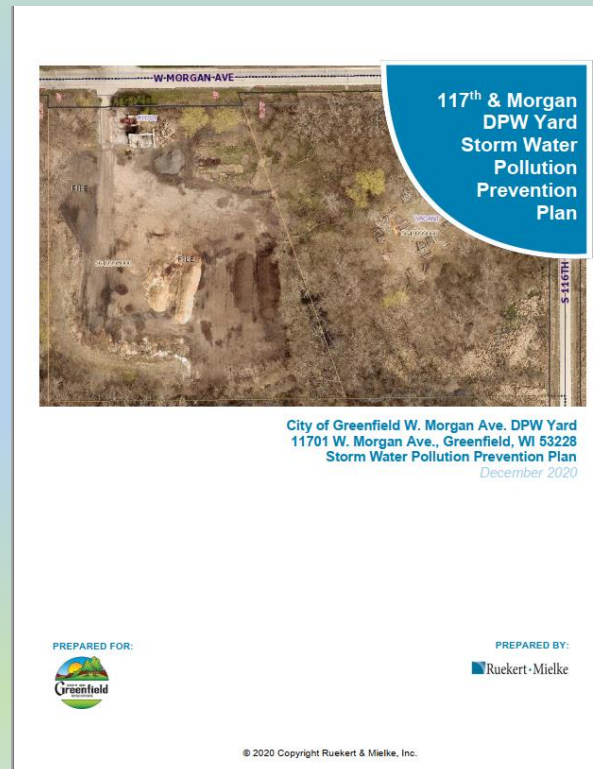
Pollution Prevention – Storm Water Pollution Prevention Planning

Requirements

- 2020 permit added requirements to update the Storm Water Pollution Prevention Plan (SWPPP) for DPW east yard, and to create new SWPPP plan for DPW west yard
- Conduct quarterly visual inspections
- Implement spill prevention and response for each facility
- Perform annual training of municipal staff on SWPPP practices



DPW Yard 4551 S 52nd St



DPW West Yard 11701 W Morgan Ave

DPW W. MORGAN AVE. SWPPP INSPECTION FORM

Location:	11701 W. Morgan Ave.
Inspector/Title:	
Date:	

	Activity	Activity Adequate?	Corrective Action Needed & Notes
1	Un-mowed vegetated areas are maintained with at least 70% uniform vegetated growth and 6 inches of vegetation.	Yes ☐ No ☐	
2	Yard surface is uniformly covered in recycled asphalt millings.	Yes ☐ No ☐	
3	Salvaged concrete is stored in three-walled concrete bay.	Yes ☐ No ☐	
4	Bulk storage pile for topsoil is stabilized and vegetated.	Yes ☐ No ☐	
5	Area near bulk storage is clear of excess/spilled materials.	Yes ☐ No ☐	
6	W. Morgan Ave. outside of yard entrance is routinely swept and kept clear of debris.	Yes ☐ No ☐	

	Recommendations/Correction	Completed On (Date)	Initials
1			
2			
3			
4			
5			

1

Ruekert-Mielke

Sample Inspection Form

Pollution Prevention – Staff Training and Education for Pollution Prevention Programs

Requirements

- 2020 permit added requirement to:
 - Provide education for appropriate municipal personnel involved in pollution prevention programs
 - Document date, name(s) of staff trained, and content of training

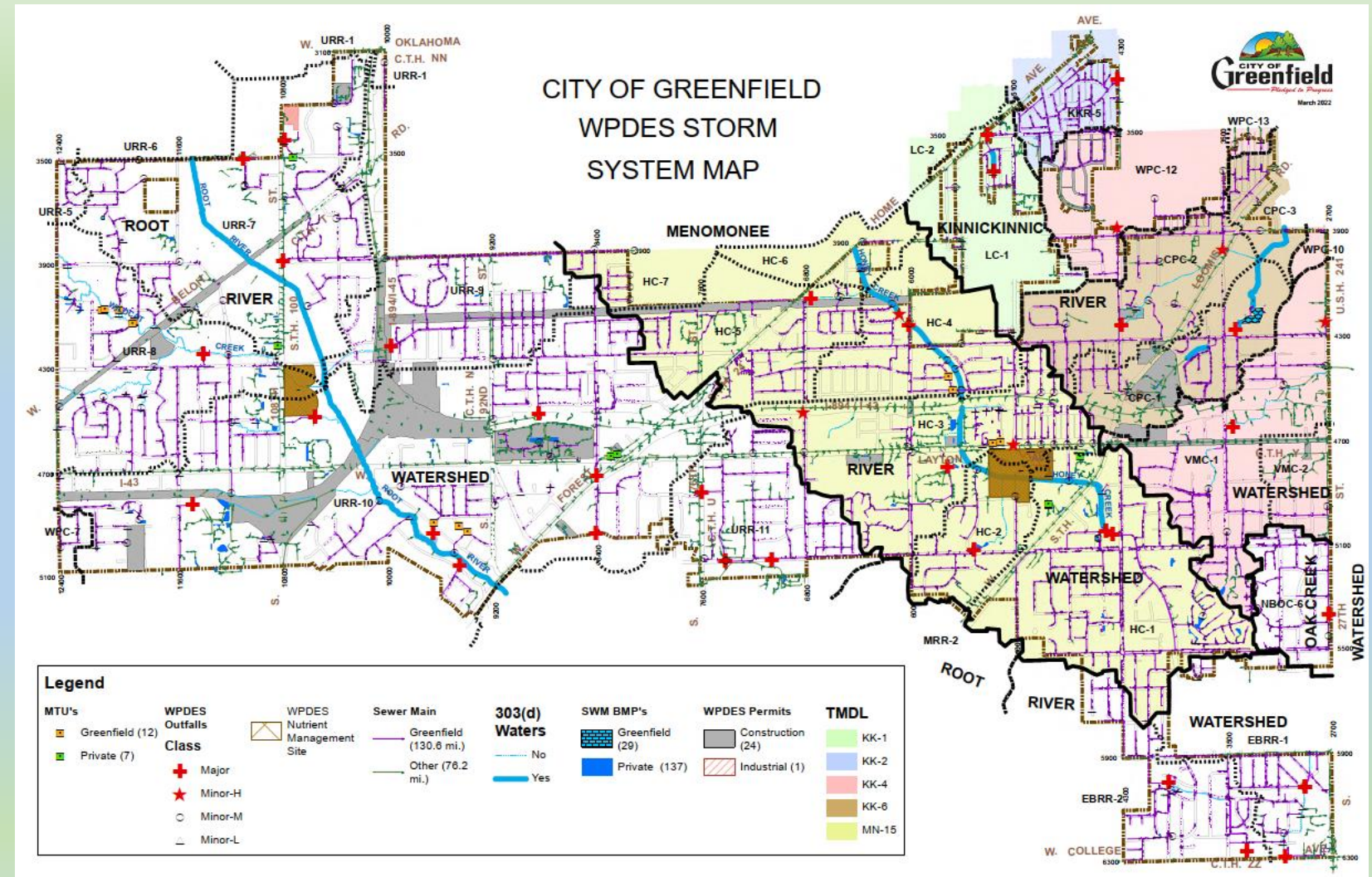
A	B	C	D	E	F
Date	Who	Type of storm water training	Duration (hrs.)	Notes	Permit Category
2/2/2023	DPW staff	SWM Training	3	Review of SWM regulations and MS4 permit. Done in 2 sessions.	All
8/9/2023	Tamblyn	Keeping Freshwater Fresh	1	WI Saltwise	2 (A)((3)(9) & 2(G)(1)
8/10/2023	Haas, Katz, Tamblyn	Fecal Coliform Webinar	1	Webinar by UW Milwaukee School of Freshwater Sciences	2 (D) & 3 (A)(4)
8/10/2023	Tamblyn	Leaf Free Streets for Clean Waters	1	Sweetwater SW Week	2 (A)((3)(3) & 2(G)(4)
9/6/2023	Tamblyn	Behind the scenes of a chloride TMDL webinar	1	WI Saltwise	2 (A)((3)(9) & 2(G)(1)
9/26/2023	Haas, Katz, Tamblyn	TMDL & MS4 Compliance	1	R&M Webindar	All
10/10/2023	Tamblyn, Dermondy, Esch	General SWM maintenance meeting, reivew and update with Dermondy and Esch	1	SWPPP & BMP maintenace	2 (F) & 2 (G)(5)

		Construction Site Erosion Control and Stormwater Permit Compliance Training Holiday Inn Pewaukee-Milwaukee West, Pewaukee, WI Agenda- November 30, 2022
7:45-8:15	Registration and Breakfast	
8:15-8:30	Introduction Gil Layton, Layton Environmental, Wisconsin Rapids, WI	- Review training goals - Overview of certification
8:30-9:00	Importance of Wisconsin Water Resources Paul McGinley, UW-Extension/UW-Stevens Point	
9:00-9:30	Managing Construction Sites for Compliance with the Construction Storm Water Permit Leo Holm, PE, Resource Professionals Alliance, Balsam Lake, WI	Best Management Practices
9:30-9:45	Break	
9:45-10:45	Using the Tools in Your Toolbox (Gil Layton)	- Wis. PAL - Technical Standards - Polymers - Other Tools
10:45-11:15	Storm Water Pollution Prevention/Erosion Control Plan (Leo Holm)	- What goes into the plan? - Assimilating the information in the plan
11:15-12:00	Common Permit Compliance Issues on Projects and Sequencing (Leo Holm)	- Top ten issues - EPA Compliance Grid
12:00-12:45	Lunch	
12:45-1:30	Erosion Control BMPs--Part I (Leo Holm)	- Site prep - Seeding - TRMs - Mulching - Blankets - Soil amendments - Tackifiers
1:30-2:00	Sediment Control BMPs--Part II Pete Wood, Wisconsin Department of Natural Resources	- Ditch checks - Traps/Basins - Wattles - Tracking pads - Dust control - Silt fence - Turbidity barriers
2:00-2:15	Break	
2:15-3:00	Erosion Control Processes for WisDOT Projects Jeremy Ashauer, Wisconsin Department of Transportation	- DOT requirements - WisDOT Projects on Tribal Lands Under EPA Permit - Trans 401 - Utility work on DOT R/W
3:00-3:50	Storm Water BMPs/Dewatering (Pete Wood and Leo Holm)	- Inlet protection - Dewatering tech standards - Dewatering dumpsters, bags, treatment method
3:50-4:20	Additional/New BMPs (Leo Holm)	- Hydro mulch - Bonded fiber matrix - Silt shield - Flexible growth medium - FODS tracking systems - Mats

WPDES Permit – Storm System Mapping

Requirements

- Waters of the state with 303(d) status
- Known storm outfalls
 - Major
 - Minor
- Storm sewer systems
- Watershed / sub-watershed basins
- Municipal limit = SW planning area
- Current WPDES discharge permits
 - Industrial
 - Construction
- Structural SWM controls = SW BMPs
 - Public
 - Private (if we take credit)
- Parks, open space, recreational areas
- Municipal garages and DPW facilities
- Nutrient management sites
- Streets
- Potential sources of pollution



While a mapping requirement has been in the permit since the beginning, it keeps expanding with each permit in order to track and map new items

WPDES Permit - Annual Reporting

Requirements

- WPDES and IDDE annual reports due to WI DNR by March 31st
- Evaluation and reporting on program compliance across all permit topics
- Provide documents and data to support the data listed in the annual reports
- Provide updated storm sewer system mapping
- MMSD annual report due to MMSD by June 30th

Collection Services - Street Sweeping / Cleaning Program ☐ Not Applicable

- l. Did the municipality conduct street sweeping/cleaning during the reporting year?
☒ Yes ☐ No ☐ Unsure
- m. If known, how many tons of material was removed? 262 ☐ Unsure
- n. Does the municipality have a low hazard exemption for this material? ☐ Yes ☒ No
- o. If street cleaning is identified as a storm water best management practice in the pollutant loading analysis, was street cleaning completed at the assumed frequency?
☒ Yes - Explain frequency Plan=4.5 pass. Actual=10.1/9.1 TMDL/11.5 Non-TMDL
☐ No - Explain _____
☐ Not Applicable

Collection Services - Catch Basin Sump Cleaning Program ☐ Not Applicable

- p. Did the municipality conduct catch basin sump cleaning during the reporting year? ☒ Yes ☐ No ☐ Unsure
- q. How many catch basin sumps were cleaned in the reporting year? 555 ☐ Unsure
- r. If known, how many tons of material was collected? 26 ☐ Unsure
- s. Does the municipality have a low hazard exemption for this material? ☐ Yes ☒ No
- t. If catch basin sump cleaning is identified as a storm water best management practice in the pollutant loading analysis, was cleaning completed at the assumed frequency?
☐ Yes- Explain frequency _____
☒ No - Explain Not in current load analysis, but we clean anyway
☐ Not Applicable

Collection Services - Leaf Collection Program ☐ Not Applicable

- u. Does the municipality conduct curbside leaf collection? ☒ Yes ☐ No ☐ Unsure
- v. Does the municipality notify homeowners about pickup? ☒ Yes ☐ No ☐ Unsure
- w. Where are the residents directed to store the leaves for collection?
☒ Pile on terrace ☒ Pile in street ☒ Bags on terrace ☐ Unsure
☒ Other - Describe Drop-off site and curbside yard waste program
- x. What is the frequency of collection?
See below
- y. Is collection followed by street sweeping/cleaning? ☒ Yes ☐ No ☐ Unsure
- z. Brief explanation on Collection Services reporting. *If you*

WPDES Permit - Individual Benchmarks

Requirements

- 2020 permit added the following requirements:
 - Update storm water website to provide additional education material and promote usage of rain barrels
 - Develop partnership between local schools and parks to provide education on SWM to students
 - Coordinate education and outreach materials to properties that are tributary to a screening location
 - Sent to 5,244 properties so far
 - Develop or update SWPPP for public works yard by (December 2020)
 - Complete two (2) storm water quality projects
 - Honey Creek pond
 - Honey Creek stream
 - Tree planting project



City of Greenfield Ordinance Enforcement
The City of Greenfield has a Storm Water Ordinance (Chapter 32) that makes it illegal to cause or allow illicit discharges to the City's storm water management system.

The City implemented an Illicit Discharge Detection and Elimination (IDDE) program to identify, monitor, trace, and inspect illicit discharges to storm water drains, ditches, creeks, and other waterways.

Inspection
Every year, the City's storm water management system is inspected for the presence of illicit discharges.

The City is planning to begin inspections in your area in the near future.

Reporting Illegal Dumping and Discharges
How to Report:
You can report a suspected illegal discharge to the City in any of the following ways:
1. Call the Engineering Department at (414) 329-5323
2. Complete a Report Form at: <https://www.ci.greenfield.wi.us/584/Storm-Water-Management>

If you see a suspected illegal discharge, it is helpful to gather the following information:
✓ Date and time of the incident
✓ Location of dumping or discharge
✓ Digital photos and/or description of the incident
✓ Description of the vehicle and license plate information, if applicable

PROTECT OUR WATERS 

Regulatory Reporting
The City of Greenfield prepares and submits annual regulatory reports. A copy of the most recent reports can be found at:
<http://www.ci.greenfield.wi.us/590/Regulatory-Reporting>

Contact US
City of Greenfield Engineering Department
7325 W. Forest Home Ave. Greenfield, WI 53220
(414) 329-5323
www.ci.greenfield.wi.us/253/Engineering

**RESIDENT AND BUSINESS GUIDE
ILLICIT DISCHARGE PROGRAM**



Never Dispose into the Storm Drains
The City of Greenfield storm drains connect directly to local waterways. Although the water from our kitchens, bathrooms, and laundry is treated, the water in the storm drains is not. This means that anything entering the storm drains, such as trash, pet waste, motor oil, and other pollutants from yards and driveways will pollute lakes and rivers. Those pollutants degrade the water quality, resulting in restricted recreational activities and pose threats to wildlife and human health.

What is an Illicit Discharge?
The Wisconsin Department of Natural Resources (WDNR) recognizes illicit discharges as any fluids or waste materials that are not rain water discharged through the storm water system. Illicit discharge can be the result of:
• Emptying or dumping of any non-storm water substances directly into the storm drain
• An illicit connection (such as from a bathroom or washing machine) into the storm drainage system
• An accidental leak or spill of a harmful substance
• Rain water collecting pollutants on the way to storm drains

Common Illicit Discharges
• Sanitary wastewater
• Vehicle fluids (gasoline, motor oil, and antifreeze)
• Household cleaners and chemicals
• Soapy wash water
• Paints
• Dirt, mulch, and grass clippings
• Pesticides, fertilizers, and weed killers
• Restaurant grease and cooking oil
• Pet wastes
• Lawn and yard waste

What is NOT an Illicit Discharge?
• Water line flushing (fire hydrant flushing)
• Landscape irrigation
• A/C condensation
• Lawn watering
• Individual car washing on residential properties
• Foundation drains

How to Help
At Home
✓ Do not pour household cleaners, vehicle fluids, paint, or other potential pollutants onto the driveways, streets, or directly into the storm drains and ditches.
✓ Do not apply pesticides, herbicides, or fertilizers near storm drains or ditches. Use sparingly and follow all package directions.
✓ Keep leaves, grass clippings, mulch, and compost away from storm drains.
✓ Check sewer laterals from bathrooms, kitchens, and laundry rooms.
✓ Clean up your pets' waste.

IF IT'S NOT RAIN, IT DOESN'T BELONG DOWN THE STORM DRAIN.

 **Ruekert-Mielke**
Your Infrastructure Ally

WPDES Permit - Special Conditions

Requirements

2020 permit added requirements to:

- Perform a TMDL pollutant load reduction evaluation for TSS and TP
 - City evaluation and report completed in 2018
- Perform a Waste Load Allocation (WLA) attainment analysis
 - City evaluation and report completed in 2018
- Target fecal coliform reduction efforts:
 - Establish action benchmark (June 2021)
 - Create fecal coliform inventory (March 2023)
 - Create fecal coliform source elimination plan (Sept. 2023)
 - As part of IDDE, start testing for FC in TMDL areas

Table 1B. TMDL Target Reductions With Annual Loading Results

Sub-Basin	Common Name	TSS (%)			TP (%)		
		Target Percent Reduction	Actual Percent Reduction	Percent Difference	Target Percent Reduction	Actual Percent Reduction	Percent Difference
KK-1	Lyons Park Creek	78.4%	49.5%	28.9%	68.1%	48.2%	19.9%
KK-2	Kinnickinnic River main stem from Wilson Park Creek to Lyons Park Creek	77.6%	21.4%	56.2%	68.1%	17.4%	50.7%
KK-4	Edgerton Channel, Wilson Park Creek, Villa Mann Creek	84.0%	39.5%	44.5%	89.4%	39.1%	50.3%
KK-6	Cherokee Park Creek	77.6%	36.5%	41.1%	69.0%	25.5%	43.5%
MN-15	Honey Creek	73.6%	31.5%	42.1%	67.2%	27.6%	39.6%

Table 14. Potential Aggregate BMP Pollutant Reduction Results

TMDL Reachshed	TSS No Controls Load	TSS With Controls Load	Percent Reduction	TMDL TSS Target Load Reduction	TP No Controls Load	TP With Controls Load	Percent Reduction	TMDL TP Target Load Reduction
KK-1	10.6	4.5	58.0%	78.4%	76.8	35.9	53.3%	68.1%
KK-2	11.3	1.5	87.1%	77.6%	84.1	15.0	82.2%	68.1%
KK-4	46.3	16.0	65.4%	84.0%	351.7	139.7	60.3%	89.4%
KK-6	43.1	11.7	72.8%	77.6%	307.2	101.2	67.0%	69.0%
MN-15	162.2	45.7	71.8%	73.6%	1147.0	378.7	67.0%	67.2%

WPDES Permit - Reapplication

Requirements

- In prior permits, WI DNR just issued the permit. The 2020 permit added a requirement for a pre-permit reapplication process for the next permit (2025 >2030) where we have to provide specific details and data on what we are going to do in the next permit cycle:
 - Apply for reapplication by September 2024 - - - new permit anticipated by end of March 2025
 - For each program section, identify program modifications and measurable goals for next permit
 - Assessment for proposed SWM program's adequacy to reduce pollutants to the maximum extent practical (MEP)
 - Fiscal evaluation summarizing program expenditures for current and proposed permit cycles
 - Updated TSS and TP reduction analysis
 - Establish TMDL pollutant load reduction benchmarks for next permit term (TSS /TP/FC)
 - Updated maps, including projected changes in land use and future growth
 - Summary of planned individual education efforts and planned education efforts for next permit term

City is currently working on a SWM analysis update