

Fort Wayne Sewer Advisory Group February 3, 2010

Attending

David Kohli, NEAP – Chair
Beulah Matczak, SWAP
Allen Lauer, Sr., NWAP
Rod Vargo, Ludwig Park
Dan Wire, Northside Neighborhood Association
Troy Taykowski
City of Fort Wayne staff:
Justin Brugger, Long Term Control Plan Program Administrator
Mike Kiestler, Engineering Support Services Manager
Anne Marie Smrchek, Stormwater Engineering Manager
Mary Jane Slaton, Stakeholder Relations Program Manager

Stormwater Sub-Committee

Anne Marie Smrchek, the Stormwater Engineering Manager for Fort Wayne City Utilities, gave a presentation on what easements are and why they are important. A tri-fold brochure and a single page informational flyer were distributed for comments and feedback. Committee members had the following suggestions and comments:

- Dan Wire pointed out that in older neighborhoods people may not know where easements exist and there may be many encroachments. He asked if the City and its contractors could – as part of Long Term Control Plan projects – provide property owners with a letter and a map showing where easements are and pointing out any encroachments.
- Anne Marie explained that for some projects, the City will not be surveying easements. For example, for the Woodrow-Vance sewer separation project, all work is being done in the street right-of-way, so City won't be looking at easements. She suggested that Mike Hicks could consider doing this as he is doing sewer rehab projects where more work might be done in easements.
- Dan asked if the maps for Woodrow-Vance show easements.
- Rod Vargo suggested that the County's IMAP system could be used to provide citizens with an aerial photo of their property showing where easements are located. Rod also stated that he is concerned about many areas where utility facilities are located outside easements or where easements were never obtained. Sometimes the only way the location of those utility facilities is recognized after a property is purchased, with upgrades in mind. This is a significant economic development and jobs issue. Justin Brugger from the City explained the process of acquiring prescriptive easements for facilities.
- Rod asked if individuals can seek prescriptive easements for example if their sewer or water tap is located on or crossed another private property. Justin responded that a de facto easement is usually convertible to a prescriptive easement through legal proceedings if the trespassed property's owner at the time should have known about the trespass (and therefore effectively gave permission) when the utility was installed. The current owner of the trespassed property might seek compensation but is not entitled to it under those conditions, although compensation could help with neighbor relations.
- Rod went on to explain that in many cases realtors don't know the location of City utilities facilities when located outside of easements because property surveys do not

show them. He suggested that when property surveys are being prepared surveyors should not just look in the County Recorder's office for recorded easements but should also be required to depict pipes shown on City Utilities maps, but located outside of official easements. Justin explained that the County's IMAP system does not show easements, but that the City is working with the County to add this information to the system.

- Dan Wire explained that he has a piece of property where the sewer tap goes under a neighbor's parking lot. Dan would like to approach the neighboring property owner about getting an easement for the tap. Justin can provide template easement documents that Dan and others can use.
- One issue with newer, younger property owners may be that they are not aware of easements and in trying to use all of their property they may encroach into easements and cause problems for their neighbors or neighborhoods.

Suggestions for items to be added to the Power Point presentation or to brochure or flyer:

- Rod Vargo suggested that the presentation should state that blocked drainage easements can cause standing water and that can create a mosquito breeding area
- Explain how a citizen would know if they have an easement
- Add information about stormwater quality and quantity management
- Describe what the City will do to restore easements if construction work is required there
- Mention that pipes and other utility structures may exist outside easements

Sewer Advisory Group

Chairman David Kohli called the meeting to order at 6:11 PM.

On a motion by Allen Lauer and a second by Rod Vargo, the minutes of the meeting held on December 2, 2009 were approved with the correction of one typographical error.

Justin Brugger, the Long Term Control Plan Program Administrator, gave a Power Point presentation on the work done on the combined sewer overflow Long Term Control Plan during 2009 including projects that have been designed, bid and constructed and total spending. Forty projects were bid with project costs totaling \$20.5 million dollars. This retained or created 700 jobs. He explained that the City is on track with the program to which we have committed. By the time the Long Term Control Plan is implemented in 2025, the City will have spent approximately \$927.7 million dollars for the projects in the plan as well as all of the other commitments in the consent decree.

- Justin answered questions about the location of the numbered outfalls that he mentioned in his presentation. The City is piloting floatables control measures at three outfalls, one on the St. Joseph River and two on the St. Mary's.
- Dan Wire asked if, given the kind of soil we have in northeastern Indiana, are pervious pavers a benefit? Anne Marie explained that the City is piloting a project on a short residential street to see how porous pavement works. Most porous pavement acts as storage for stormwater and has an under drain that lets accumulated water discharge to a storm sewer. The City will implement porous or pervious pavement slowly and will not use it on major streets with lots of traffic. City may also use it for parking lots.
- Dan asked if the use of pervious pavement complies with the City's development code and design standards. Anne Marie explained that the City will be doing a complete ordinance review as part of the development of a green supplement to the stormwater design standards to ensure that there are no conflicts between ordinances, rules and regulations and design standards.

- Anne Marie described the process that the city is using to develop a downtown master plan. It involves Public Works, Community Development, Land Use Planning, Redevelopment commission and City Utilities in developing a coordinated plan.
- Rod asked about using green roofs and making sure that they don't leak. He asked about the possibility of installing a green roof on a building with a roof that slopes rather than one with a flat roof. Anne Marie explained that green roofs can be installed on sloped roofs using modular systems. Rod also asked about incorporating sustainable energy improvements into the downtown master plan and green standards. He suggested investigating the use of wind turbines with ornamental vertical blades reminiscent of push lawn mowers rather than conventional wind turbines. An example is on The Mall in Washington, DC near the Capitol Building.
- David Kohli asked if the City is looking into the use of the City's dams to generate hydroelectric power and suggested that water turbines might be investigated. He suggested finding information about a flour mill near Marietta, Ohio where water turbines are being used.
- The group asked about how aggressively the City will enforce requirements to disconnect downspouts in neighborhoods where sewer separation projects are being done. Dan asked if requirements might be different and if consideration would be given to people living in areas where houses are very close together and disconnecting downspouts might cause people to flood their neighbors. Rod pointed out that this was a point of contention during the deliberations of the Curdes Avenue task force. He pointed out that disconnecting downspouts without providing an outlet for the water may threaten house foundations.
- Dan asked about the City's bond rating. It is AA2.
- Is the local option sales tax as a method of financing clean water regularity requirements getting any traction? Justin stated that there is not much support yet. Fort Wayne City Utilities is meeting with other communities around the state to form a coalition to support local option sales tax enabling legislation in a future Indiana legislative session.

Department and Project Updates

WPCM – Jeff Morris was not at this meeting.

Engineering Support Services – Mike Kiester

Mike reported that the status of many projects has not changed since the last meeting. His report is attached.

- Phase II of the Ely Run interceptor that will serve the Parkview North area will be bid on February 17.
- Bids received in December and January were still excellent and below the engineer's estimates.
- City Utilities is using Stimulus Package funds on several sewer separation projects including: Smith/Roosevelt Phase 2, Woodrow/Vance Phases 1 & 2, and Penn Avenue.
- Dan asked if the Penn Avenue sewer ties into the St. Joe Interceptor. Yes, it does.
- Rod asked what project had caused a lane restriction on North Clinton. Mike explained that it was the Ely Run project. As the contractor was tunneling under the road, they ran into a pocket of wet sand causing the shoulder of the road to collapse and the lane to settle. The restriction was needed until the road could be repaired.
- Rod asked about Clinton Street in Headwaters park and whether it is too low – there was standing water in the street the last time there was flooding on the St. Mary's River. Mike explained that studies have been done and that the street is not too low. The

problem is caused by river water backing up into the storm sewer and water comes out of the inlets into the street when the river is high. A project may be done to install sluice gates that could shut off water coming into the street. The road is low, but it was designed that way. Since Clinton is a key emergency route and citing flood projections from the Maumee River Basin Commission, Rod suggested that when the projects are done to realign Clinton Street north of Headwaters and replace the Clinton Street bridge, it might make sense to raise the road. Mike disagreed based on engineering information. It was suggested that Rod could discuss the issue with City Engineer David Ross.

Stakeholder Relations – MJ Slaton

- City Utilities continues to focus on communicating about keeping grease out of sewers. A priority in 2010 will be educating apartment residents.
- The rain garden program is seeking sponsors who will provide refreshments for upcoming residential how-to workshops.
- The easement presentation that Anne Marie gave this evening is ready for use at neighborhood association and Area Partnership meetings. Contact Mary Jane to schedule a speaker.
- City Utilities is collecting e-mail addresses for neighborhood association contacts and newsletter editors so that we can regularly send out items to be included in neighborhood newsletters or on their web sites.

Other Business/Items from Members

1. A citizen from Marietta Drive in Fort Wayne who has a well for drinking water and a septic system asked the group if his street will be affected by the City's septic elimination project in the Westlawn subdivision and when he might expect to receive City water and sewer services. He explained he lives in the City and pays taxes but does not receive water or sewer service. City staff and SAG members explained that paying taxes does not determine whether or not residents receive City water and sewer services. The petition process was explained and the property owner stated that homes on his street have petitioned for water and sewer service. Rod explained that the City is attempting to provide sewers in the southwest Fort Wayne area but that the situation is in flux. One problem with the petition process is getting enough properties to agree that they would like to have a project done. The property owner was referred to Nancy Townsend in Development Services for more information about the timetable for a possible project on Marietta Drive.
2. Rod explained to the group that the Area Partnership Chairs and Co-Chairs will be meeting with the Mayor on a quarterly basis. The Mayor would like to have suggestions from the Partnerships on where cuts in the City budget could be made. Rod can take suggestions to the Mayor on behalf of SAG. David stated that the Mayor is also planning to go to each Area Partnership with a budget presentation.
3. Rod asked for the feelings of the group on take-home police cars. At a cost of \$100,000 per year, is the program valuable. David would like to know how much duty time the City receives from off-duty officers driving take home cars. Lower vehicle maintenance costs from having only one person driving each car may make the program have more value. What is the effectiveness and efficiency of the program? Beulah Matczak asked if there is any evidence that take home police cars deter crime. Perhaps not, but citizens like to see the cars in their neighborhoods and it may encourage drivers to drive more slowly.
4. Rod told the group that the Partnership Chairs and Co-Chairs are also serving on a committee to help the City write specifications for a new solid waste contract. Rod and

David would like to receive comments and thoughts on solid waste collection service. Rod suggested that citizens should watch Councilwoman Karen Goldner's "Constructive Thinking" program on Comcast Channel 58/Verizon Channel 28 for a good explanation of how to separate recyclables.

5. The Northwest Area Partnership's Area Specialist is now Ken Nicolet. The NWAP is participating in a DAR (Directed Action Response) Team meeting every month. The DAR Team brings together representatives of City Departments to meet with Partnership members to address problems.
6. NWAP will be focusing on keeping grease out of drains and sewers and on easements for the year 2010.
7. David asked staff to pass along to Anne Marie that her easement presentation was very, very good and that getting out more information about easements will be beneficial for the City.

The next meeting: Wednesday, May 5, 2010 at 5:30

The agenda will include an update on the planned sewer rate increase that is expected to go into effect on July 1.

The meeting was adjourned at 7:35 PM

Respectfully Submitted: Mary Jane Slaton