



Legislation Details (With Text)

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**File created:** 3/21/2013      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 4/30/2013  
**Effective date:**

**Title:** Substitute resolution approving a Memorandum of Understanding between the City of Milwaukee, Milwaukee County, and the Milwaukee Metropolitan Sewerage District relating to the study of stormwater in the neighborhood of Dineen Park in the City of Milwaukee.

**Sponsors:** ALD. MURPHY, ALD. DAVIS

**Indexes:** AGREEMENTS, MILWAUKEE COUNTY, MILWAUKEE METROPOLITAN SEWERAGE DISTRICT, STORMWATER MANAGEMENT

**Attachments:** 1. Memorandum of Understanding, 2. Hearing Notice List, 3. Hearing Notice List 4/18/13 Mtg.

Date	Ver.	Action By	Action	Result	Tally
3/21/2013	0	COMMON COUNCIL	ASSIGNED TO		
3/22/2013	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/22/2013	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/27/2013	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
4/9/2013	0	COMMON COUNCIL	REFERRED TO	Pass	15:0
4/12/2013	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/17/2013	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
4/17/2013	0	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	4:0
4/30/2013	1	COMMON COUNCIL	ADOPTED	Pass	14:0
5/9/2013	1	MAYOR	SIGNED		

121683  
Substitute 1

Ald. Murphy and Davis

Substitute resolution approving a Memorandum of Understanding between the City of Milwaukee, Milwaukee County, and the Milwaukee Metropolitan Sewerage District relating to the study of stormwater in the neighborhood of Dineen Park in the City of Milwaukee.

This resolution approves a Memorandum of Understanding between the City of Milwaukee, Milwaukee County, and the Milwaukee Metropolitan Sewerage District (MMSD) relating to relating to the study of stormwater in the neighborhood of Dineen Park in the City of Milwaukee.

Whereas, The properties in the vicinity of the intersection of North 63<sup>rd</sup> Street and West Melvina Street in the City of Milwaukee have experienced repeated surface flooding and basement back-ups during recent storm events; and

Whereas, Dineen Park, a Milwaukee County Park, contains an open channel and lagoon immediately upstream of these properties; and

Whereas, Water overtops the banks of the open channel during heavy rain events and causes surface flooding in the park and on City streets; and

Whereas, Said overtopping also causes flooding on nearby properties and water enters basements by way of basement window wells and foundation drains causing property damage; and

Whereas, Said water in basements empties via basement floor drains, contributing excessive amounts of clearwater in local City sanitary sewers and MMSD sewers, causing additional basement back-ups in surrounding properties; and

Whereas, The City, the County, and the District are desirous of ascertaining the cause of the flooding and basement back-ups, and have negotiated an agreement to hire a consultant to perform this work; and

Whereas, the County, the City, and the MMSD agree to split the cost of such study on a 1/3-1/3-1/3 basis, respectively, with the cost of the stormwater study estimated to be \$99,000, and the County and the MMSD have appropriated or are in the process of appropriating sums budgeted for this purpose; and

Whereas, The City portion of \$33,000 shall be set up in project account SM493130102 from the City Share Non-Assessable BMPs for the Reduction of TSS in Stormwater; and

Now, Therefore, in light of the above and foregoing declarations, the County, the City, and the MMSD enter into the attached Memorandum of Understanding, setting forth their respective roles in the study of a stormwater drainage in the Dineen Park vicinity:

Resolved, By the Common Council of the City of Milwaukee, that the attached Memorandum of Understanding between the City of Milwaukee, the County of Milwaukee, and the Milwaukee Metropolitan Sewerage District Concerning Study of Stormwater in Vicinity of Dineen Park is approved; and, be it

Further Resolved, That the City Comptroller is authorized and directed to transfer such funds which are available for this purpose to the appropriate capital Project/Grant accounts; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to execute a Memorandum of Understanding that is in substantially the same form as the Memorandum of Understanding that is attached to this file.

Department of Public Works  
Infrastructure Services Division  
Environmental Engineering Section  
TJT/KRS  
April 8, 2013