



DEPARTMENT OF PUBLIC WORKS

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MEMORANDUM OF UNDERSTANDING

PEWAUKEE SANITARY SEWER INTERMUNICIPAL CONNECTION, MAINTENANCE AND BILLING (Am. 5-22-14)

This Memorandum of Understanding (MOU) is between the City of Waukesha (City), through its Department of Public Works (WDPW) and Waukesha Water Utility (WWU) and the City of Pewaukee (Pewaukee). The purpose of this MOU is to standardize procedures and enhance the communication between the WDPW, the WWU, and Pewaukee regarding the interconnected sewer system.

Specifically, these procedures address connections to and maintenance of the sewer system within the intermunicipal agreement areas, and the billing and payment of charges for sewer services provided by the (City) in accordance with the 1997 Cooperative Boundary Plan and the 2002 and 2009 intermunicipal agreements on file with the Waukesha City Clerk. This MOU is not intended to supersede or replace any of these agreements. If any of the procedures within this MOU are found to be in conflict with these agreements, the agreements shall take precedence.

Sewer billing services for the (City) are provided by the WWU, which forwards all customer billing for the intermunicipal agreement areas directly to Pewaukee. The procedures herein shall be updated or modified as needed. Both parties shall use their best efforts to follow these procedures until such time that a new MOU is adopted by both parties.

I. Pewaukee Sanitary Sewer Service and Connections

- A. *Existing Structures with Sanitary Building Drains.* Prior to connecting to the sewer system, the property owner shall apply for a plumbing permit from Pewaukee and shall pay the applicable fees and assessments (Section II (B)). Within one week Pewaukee Water/Sewer Administrative Assistant (W/S AA) shall notify by email the Waukesha City Engineer and WDPW Administrative Assistant of the intent to connect, by means of a notice of intent form developed for this purpose (NOIF). The NOIF shall include the name of the property owner, the property address and tax key number, acreage, and the assessment and fee total. Payment for the assessments and fees shall be submitted to the Waukesha City Engineer at the time the notification of intent is submitted. After receiving the plumbing permit, the property owner shall notify Pewaukee when ready for the final inspection. If that notification is not received within six months from the date of the permit, Pewaukee shall follow up with the owner as to the project status and shall continue to follow up monthly until the final inspection is complete. As follow up contacts are made, Pewaukee W/S AA shall issue written reports to the Waukesha City Engineer. Pewaukee W/S AA shall notify the Waukesha City Engineer, the WDPW Administrative Assistant, and the WWU Administrative Services Manager of the connection date within five business days after the final inspection. The Waukesha City Engineer and/or the WDPW Administrative Assistant shall notify the WWU Administrative Services Manager when a new account is to be added to the billing system.
- B. *New Construction Structures with Sanitary Building Drains.* After the date of the execution of this document, any new structure with a sanitary building sewer within the current sewer service area shall connect to the public sewer system at the time the structure is constructed. All requirements specified in Section I (A) above shall apply to new construction within the current service area.
- C. *Unauthorized Connections*
1. Monthly Inspections. Pewaukee shall conduct a monthly street-level inspection of the sewered

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SERVICES**
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**■ WASTEWATER
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**□ WAUKESHA
METRO TRANSIT**
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portions of all intermunicipal agreement areas to look for recent excavations or other evidence of potential unauthorized connections to the sewer system. A written report of each inspection shall be provided monthly by the Pewaukee Water/Sewer Superintendent (W/S Supt.) to the Waukesha City Engineer, and shall be maintained on file for at least three years. The report shall include a listing or diagram of the streets inspected.

2. **Follow-up Inspections.** Pewaukee shall initiate the inspection of potential unauthorized connections within one week of the monthly inspection report and shall ascertain the connection status. Upon becoming aware of a connection that has been made without application or notification, Pewaukee shall take corrective action including visual inspection of the connection, and within two weeks the Pewaukee W/S Supt. shall notify the Waukesha City Engineer, the WDPW Administrative Assistant, and the WWU Administrative Services Manager. This notification shall include the connection date, inspection observations, the name of the property owner, the property address and tax key number, acreage, and whether or not the assessments and fees have been paid. The Waukesha City Engineer and/or the WDPW Administrative Assistant shall then notify the WWU Administrative Services Manager that this new account is to be added to the billing system. WWU shall then submit an invoice to Pewaukee for sewer services retroactive to the connection date, and WDPW shall submit an invoice for any applicable assessments and fees. As specified in the intermunicipal agreements, Waukesha shall have the right to inspect all users of the Waukesha sewer system located within the Pewaukee service area, by means of various field verification techniques such as site inspections, sewer cameras, smoke testing, or dye testing. Charges for field verification may be billed to Pewaukee. Waukesha shall notify Pewaukee at least two weeks in advance of all field verification work.
- D. *Infiltration and Inflow.* In June, 2011 Waukesha completed and submitted to the Wisconsin DNR a Capacity, Management, Operations, and Maintenance Implementation Plan (CMOM). The CMOM outlines the activities necessary to operate and maintain the collection system, including minimization of infiltration and inflow (I/I). Waukesha conducts specific system performance measurements to ensure that its collection system is properly maintained. To that end, Pewaukee shall conduct a periodic I/I study of the intermunicipal agreement areas. After obtaining sufficient baseline data, Pewaukee shall collect flow monitoring data sufficient to quantify dry and wet weather flows once every five years. The Pewaukee W/S Supt. shall submit the results of each study to the Waukesha City Engineer upon completion. Pewaukee shall also complete remedial measures within 12 months of the detection of excessive I/I as determined using the criteria listed in the Attachment. Pewaukee shall demonstrate that the measures have successfully reduced I/I to the reasonable satisfaction of the Waukesha City Engineer.
- E. *Negative Impacts.* Pewaukee shall take all necessary measures to prevent negative impacts on the Waukesha sewer system and its residents/users as a result of any connection to the Waukesha system. This includes impacts during and after construction such as, but is not limited to, groundwater migration, changes to surface drainage patterns, and odor issues. Waukesha may require testing by Pewaukee to prove the effectiveness of any measures in place and require additional measures as needed. A plan detailing the testing and/or remediation methods shall be submitted to Waukesha for review prior to implementation.
- F. *Sewer System Extensions.* Pewaukee shall submit a formal request prior to the extension of sewer service to any area not connected to the Waukesha system as of the date of execution of this document. For developed areas, this request shall include a list of all existing parcels with sanitary building drains within the proposed extension area, including the property owner, service address, and tax key. Extensions beyond the original service areas described in the intermunicipal agreements must be approved by the Waukesha Common Council. Pursuant to the attendant intermunicipal agreements, Pewaukee shall be responsible for the planning, permitting, design, and construction, as well as all associated costs, for the extension of and connection to the Waukesha sewer system. All plans and specifications for sewer extensions shall receive review and approval by WDPW prior to construction to ensure compatibility with the Waukesha system. If at any time the construction, placement or infrastructure of a sewer extension is found to cause harm or otherwise negatively impact the City of Waukesha or its citizens, Pewaukee shall take prompt remedial action to correct the problem. Pewaukee is responsible for obtaining all permits and approvals from all other authorities or agencies at Pewaukee's expense. After construction of the sewer main extension is complete, record drawings or "as-built" drawings shall be submitted to Waukesha, showing the detailed sewer information including service connections and lateral stubs in a format reasonably determined by Waukesha.

1. New Development. Pewaukee City Engineer shall notify WDPW of potential new land development within the Waukesha service area when the Pewaukee Plan Commission approves the preliminary plat or preliminary Certified Survey Map (CSM) for lands within the Waukesha sewer service area.
 - a. Following approval of a signed extension agreement by the Waukesha Common Council, the Pewaukee City Engineer shall issue a Notice of Availability (NOA) to WDPW when the sewer is available for connection. The sewer is considered available for connection when the final plat or CSM is approved by the Pewaukee Common Council. Pewaukee does not approve final plats or CSMs until such time as all of the public infrastructure including sanitary sewer has been constructed excepting the top course of asphalt. The NOA shall include a list of all parcels within the extension area. New structures with sanitary building drains shall connect to the public sewer system at the time the structures are constructed. These connections shall be made by following the procedures in Section I(A) of this MOU, except that the fees and assessments shall be paid according to Section I(F)(1)(b) below. The developed area shall be added to the parcels covered by Section I(C) of this MOU at the time the extension agreement is signed.
 - b. Fees and Assessments. All fees and assessments, excluding the quarterly sewer use flat rate charge, shall be paid to Waukesha at the time Pewaukee issues the NOA. An NOIF form as described in Section I(A) shall be submitted along with the payment. No connections shall be allowed in Pewaukee prior to the payment of the fees and assessments. Quarterly sewer use flat rate charges shall be payable upon connection of each sanitary building sewer to the sewer system, and following the procedures specified in Section I(A).
2. Existing Developed Areas (Septic Relief). Where the sewer extension is planned within the Waukesha sewer service area for sections of Pewaukee that are primarily developed with single family homes as a replacement of private septic systems, Pewaukee City Engineer shall notify WDPW of the intent to extend the sewer system at the time the Pewaukee Common Council authorizes the engineering plan preparation to begin.
 - a. Following approval of a signed extension agreement by the Waukesha Common Council, Pewaukee City Engineer shall notify WDPW when the sewer main extension is complete and shall coordinate with Waukesha the connection of the Pewaukee sewer main extension to the Waukesha sewer system. On the date the Pewaukee sewer main extension is connected to the Waukesha sewer system, all parcels with sanitary building drains within the extension area shall be added to the billing system and shall be charged the quarterly sewer use flat rate charge. The developed area shall be added to the parcels covered by Section I(C) of this MOU.
 - b. Fees and Assessments. Following approval of a signed extension agreement by the Waukesha Common Council, fees and assessments for all developed and undeveloped parcels shall be paid at the time the extension agreement is signed. An intent-to-connect form as described in Section I(A) shall be submitted by Pewaukee City Engineer along with the payment.

II. Billing, Fees, and Assessments

- A. *Billing*. Pewaukee shall pay Waukesha on a quarterly basis for the cost of treatment services. A separate bill is issued for each sewer account (i.e., service address) and sent by WWU to the Pewaukee billing specialist. All sewer accounts in the intermunicipal agreement areas are billed the current standard flat rate charge for inside users (Inside Flat Rate Charge), rather than by volume. All structures with sanitary building sewers in new sewer system extension areas shall be added to the Inside Flat Rate Charge on the date each building sewer is connected to the existing sewer main. As specified in the intermunicipal agreements, Pewaukee W/S AA shall provide, on a quarterly basis, a user (customer) billing summary which indicates any changes to the number of users being served by Waukesha. This summary shall be sent to the Waukesha City Engineer, the WDPW Administrative Assistant, and the WWU Administrative Services Manager. WWU shall provide quarterly reports to Pewaukee W/S AA and WDPW that list all sewer accounts that are billed to Pewaukee. The summary of charges as listed on the bills shall constitute notification of rates and rate changes.
- B. *Fees and Assessments*. As specified in the intermunicipal agreements, Pewaukee shall not issue a plumbing permit for any improvement which involves new connections to the sewerage system unless the applicant first pays all applicable fees to Pewaukee W/S AA, not including the quarterly sewer use

flat rate charge. These fees are set by Waukesha and may include a per-acre pumping station assessment, an impact fee, and a one-time connection fee. Pewaukee shall remit the fees and assessments due for each property along with the NOIF (Section I (A)) to the Waukesha City Engineer. For new sewer system extension areas, all applicable assessments and fees, not including the quarterly sewer use flat rate charge, shall be due at the time Pewaukee issues the NOA. The Waukesha City Engineer shall bill Pewaukee for all applicable assessments and fees where unauthorized connections have been made (Section I (C)). The Waukesha City Engineer shall notify Pewaukee W/S AA and City Engineer of any changes to these fees and assessments.

SIGNATORIES

FOR THE CITY OF PEWAUKEE

Date

Signature

Scott Klein, Mayor

FOR THE CITY OF WAUKESHA

Date

Signature

Shawn Reilly, Mayor

Date

Signature

Daniel S. Duchniak, P.E.
General Manager
Waukesha Water Utility

Attachment

Cc: Shawn Reilly, Mayor, City of Waukesha
Ed Henschel, Waukesha City Administrator
Brian Running, Waukesha City Attorney
Fred Abadi, Director, Waukesha DPW
Paul Day, Waukesha City Engineer
Chris Langemak, Engineer
Jon Schapekahm, Engineer
Randy Thater, WWTP Operations Supervisor
Tim Young, WWTP Pretreatment Coordinator
Dan Duchniak, General Manager, Waukesha Water Utility
Donna Scholl, Admin. Services Mgr., Waukesha Water Utility
Tina Kadrach, Waukesha Water Utility
Barbara Werra, Administrative Assistant

Jeff Weigel, Director, Pewaukee DPW
Scott Klein, Mayor, City of Pewaukee
Tammy LaBorde, Pewaukee City Administrator
Jane Mueller, Pewaukee DPW
Renee Reed, Pewaukee Utility Clerk

ATTACHMENT

CRITERION FOR DETERMINING EXCESSIVE INFILTRATION/INFLOW (I/I) IN SANITARY SEWER SYSTEMS

Since the population density is moderate to sparse in the Pewaukee intermunicipal agreement areas, an infiltration metric that normalizes infiltration by sewer volume rather than population shall be used. The threshold for excessive infiltration shall be 3,000 gallons per day per inch diameter mile (gpd/idm). Wet weather inflow is defined as stormwater or snow melt that quickly enters the sanitary sewer system through illicit connections, sump pumps, foundation drains, or system defects. Connections which allow these clear water sources to enter the sanitary sewer are prohibited by Chapter 29 of the Waukesha Municipal Code. Wet weather inflow shall be evaluated and compared with the EPA-recommended peak wet weather flow rate of 275 gallons per capita per day (gpcd). Pewaukee may develop additional or alternative inflow metrics as further engineering initiatives are taken. These additional or alternative metrics shall be incorporated into this MOU prior to their implementation.