

VILLAGE OF ELM GROVE

13600 Juneau Boulevard
Elm Grove, WI 53122

COMMITTEE OF THE WHOLE
MONDAY, JULY 29, 2024 * 5:00 P.M. * PARKVIEW ROOM

ZOOM LINK:

<https://us02web.zoom.us/j/83489188381?pwd=aU1oc1ZVa0hxRE9LZVRNckRuRFNPUT09>

MEETING ID: 834 8918 8381

PASSCODE: 591875

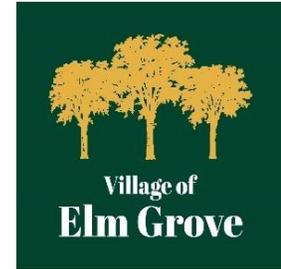
AGENDA

1. Roll Call.
2. Discussion on Underwood Creek Daylighting Project and Associated Referendum.
3. Discussion on the Village Comprehensive Plan and Future Land Use Map.
4. Discussion and update on Municipal Water Lateral Connections.
5. Discussion on Possible Ordinance Creating a Referendum Requirement for Tax Incremental Financing Incentives.
6. Discussion on Possible Amendment to Chapter 30-2 Letting of Contracts.
7. Adjourn.

NOTICE: Any person who has a qualifying disability under the Americans with Disabilities Act that requires that the meeting be accessible or that materials at the meeting be in an accessible format, please contact the Village Clerk, 48 hours prior to the meeting at (262) 782-6700 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.

NOTICE: It is possible that members of, and possibly a quorum of, other governmental bodies of the Village may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to in the above notice.

MEMO



TO: Board of Trustees

FROM: Thomas Harrigan, Village Manager

DATE: July 26, 2024

RE: Committee of the Whole Meeting, July 29, 2024

1. Discussion on Underwood Creek Daylighting Project and Associated Referendum.

As the Underwood Creek Daylighting Project costs will exceed \$1,000,000 a referendum vote will be required pursuant to §30-2 *Letting of Contracts*. The Village shall have the referendum language submitted to the Waukesha County Clerk's Office no later than August 26, 2024. The draft referendum language is enclosed for your review.

In preparation for this deadline, the Public Works Committee and staff have been diligently scrutinizing project costs in effort to present the most accurate total project cost estimate possible. Please see the enclosed Underwood Creek Daylighting Total Project Cost Estimate for your review. Items to note:

- At this time, no contingency has been applied to the total project cost. This is due to a conservative approach that has been taken with the Engineers Opinion of Probable Cost (EOPC). Please see the enclosed Engineers Opinion of Probable Construction Cost enclosed.
- Traffic Impact Analysis (TIA) – Staff was directed to solicit a Request for Proposals (RFP) for a TIA in order to review the existing points of ingress/egress, and traffic flow through the project area and surrounding streets. The Village received one proposal with a total project cost of \$44,500. Currently, the TIA cost has not been included in the UC Daylighting project cost estimate.
- CPKC Rail Land Acquisition – The value entered into this line item has been provided by the Village's appraiser as an estimated value for the acquisition.

Financing:

Todd Taves of Ehlers and Associates will be in attendance to review the updated financial projections for Tax Incremental District #2 (TID). The identified financing package the Village has identified for the project is the utilization of future TID increment and existing stormwater utility fees to finance a borrow. As of writing this memo, the updated financial figures for TID #2 are still in process and will be distributed to the Board prior to the meeting.

Rich Klein of Stantec Engineering will be in attendance to field any questions from the Board.

Also to note, the project design schedule and Alternatives evaluation is enclosed for your reference.

2. Discussion on the Village Comprehensive Plan and Future Land Use Map.

At the May 6, 2024 Plan Commission meeting, a discussion was held pertaining to the Village's Comprehensive Plan and Future Land Use Map and possible amendments thereto (meeting minutes

enclosed). Included for your review is the existing Future Land Use Map which was most recently amended in December of 2021 as part of the Caroline Heights Development project. Please see the enclosed preamble to Chapter 6 of the Village Comprehensive Plan, Land Use, for a detailed explanation in the differences between the terms “zoning” and “land use”. All the properties currently shown in blue as Institutional Use are:

Government & Institutional Zoned Properties

1. Pilgrim Park Middle School – EGV 1099977
 - a. 1500 Pilgrim Parkway
2. Elm Grove Lutheran Church – EGV 1110994
 - a. 945 Terrace Drive
3. Elm Grove Lutheran Church – EGV 1110995003
 - a. 805 Terrace Drive
4. Elm Grove Lutheran Church – EGV 1110995002
 - a. 805 Terrace Drive
5. Elm Grove Lutheran Church – EGV 1110995001
 - a. 755 Terrace Drive
6. Community United Methodist Church – EGV 1109154
 - a. 14700 Watertown Plank Road
7. Community United Methodist Church – EGV 1109153
 - a. 855 San Jose Drive
8. Auxano Church – EGV 1109162002
 - a. 14625 Watertown Plank Road
9. Maria Soulis – EGV 1109162001
 - a. 14625 Watertown Plank Road
10. Zion Cemetery – Gap in legal description (no tax key)
 - a. NE corner of Highland Drive and Lata Vista Drive
11. Elm Grove Women’s Club – EGV 1106118
 - a. 13885 Watertown Plank Road
12. Village of Elm Grove – EGV 1105968
 - a. 900 Wall Street
13. Waukesha Realty Company – EGV 1105996002
 - a. 12800 W Bluemound Road
14. Village of Elm Grove – EGV 1105996003
15. St Mary’s Congregation – EGV 1105998002
 - a. 13205 Watertown Plank Road
16. School Sisters of Notre Dame – EGV 1105998006

- a. 13155 Watertown Plank Road
- 17. St Mary's Parish – EGV 1104997
 - a. 1260 Church Street
- 18. St Mary's Parish – EGV 1104168
 - a. 1260 Church Street
- 19. St Mary's Parish – EGV 1104169001
- 20. St Mary's Parish – EGV 1104170001
- 21. St Mary's Parish – EGV 1104998
 - a. 13110 Juneau Boulevard
- 22. St Mary's Parish – EGV 1104996
 - a. 1260 Church Street
- 23. St Mary's Church – EGV 1104999
 - a. 13150 Juneau Boulevard
- 24. Visitation of the Blessed Virgin Mary Congregation – EGV 1103998
 - a. 1260 Church Street
- 25. Village of Elm Grove – EGV 1106035
 - a. 1195 Legion Drive
- 26. Village of Elm Grove – EGV 1103999
 - a. 13600 Juneau Boulevard
- 27. Tonawanda School – EGV 1102984
 - a. 13605 Underwood River Parkway
- 28. Western Racquet Club – EGV 1097991
 - a. 1800 Highland Drive
- 29. Village Green Homeowners Association – EGV 1097121
 - a. 1900 Village Green Court
- 30. Village Green Homeowners Association – EGV 1097123
 - a. 14283 Creekwood Court
- 31. Village Green Homeowners Association – EGV 1097124
 - a. 14273 Creekwood Court
- 32. Village Green Homeowners Association – EGV 1097125
 - a. 1703 Village Green Court
- 33. Village Green Homeowners Association – EGV 1097122
 - a. 14283 Applewood Court

3. Discussion and update on Municipal Water Lateral Connections.

The correspondence letters that were distributed to property owners eligible for connection to a municipal water lateral stub are enclosed for your review. Specifics pertaining to these letters will be discussed at the meeting.

4. Discussion on Possible Ordinance Creating a Referendum Requirement for Tax Incremental Financing Incentives.

This item will be discussed at the 7/29/24 meeting. Attorney de la Mora will present any findings related to the legalities of this topic.

5. Discussion on Possible Amendment to Chapter 30-2 Letting of Contracts.

§30-2 *Letting of Contracts* is enclosed. As directed by the Board, the Village Plan Commission and Public Works Committee have discussed this item and provided feedback. Those meeting minutes are enclosed for your review.

Please do not hesitate contacting me with any questions prior to the meeting.

Shall the Village of Elm Grove complete the Village's long term stormwater management plan developed in response to past flooding by daylighting and realigning Underwood Creek south of Watertown Plank Road through the downtown area?

The existing creek drainage enclosure located under the Park and Shop parking lot and the Sendik's building is failing, and will not receive permitting for repair from the Wisconsin Department of Natural Resources or the U.S. Army Corps of Engineers. The remaining portion of the plan requires that the Village acquire land and easements to construct a naturalized streambed for the purpose of stormwater management. This action will enhance public safety, provide additional public space, connect pedestrian pathways and protect the economic viability of the downtown. The project will be paid for with existing storm water fees and continued funding from Tax Incremental Financing District #2. The total project cost SHALL not exceed \$_____.

_____ YES

_____ NO

**Village of Elm Grove
Underwood Creek Daylighting**

<u>Total Project Cost Estimate</u>		<u>2023</u>	<u>2024</u>	<u>Jul-24</u>
<u>Project component</u>	<u>Cost Estimate (2019)</u>			
Purchase One Hour Martinizing Property	350,000	626,968	626,968	626,968
Purchase Railroad Property 2.3 AC	700,000	700,000	1,550,000	395,000
Construction Cost* (No Contingency)	<u>3,200,000</u>	<u>4,245,600</u>	<u>4,245,600</u>	<u>6,377,000</u>
	4,250,000	5,572,568	6,422,568	7,398,968
Appraisals (Preliminary)		14,550	14,550	30,000
Easements			250,000	250,000
Title Reports (6 Properties)				6,000
Stantech- 2019 engineering services				175,000
Stantec Tasks 1-4 December 15, 2023				85,000
Stantech- subsurface investigations and design modifications, June 14, 2024			394,000	381,305
ALTA Survey				16,244
Von Briessen- CPKC Rail purchase				30,000
Proposed Traffic Impact Analysis - \$44,500				-
Grant Funding		-		
Friends of Lake Michigan	(200,000)	(200,000)	(200,000)	(200,000)
Sustain our Great Lakes	<u>(300,000)</u>	<u>(300,000)</u>	<u>(300,000)</u>	<u>(300,000)</u>
net cost	<u>3,750,000</u>	<u>5,087,118</u>	<u>6,581,118</u>	<u>7,872,517</u>
Additional Project Enhancements- not included in construction				
Design of public space amenities				-
Repaving of private parking lots	500,000			In Cost*
Contingency	<u>250,000</u>			0
	<u>4,500,000</u>			<u>7,872,517</u>

Current TIF

complete payback of Heritage PayGo	2025
Final payment on GO debt	2025
complete payback of funds advanced	2034
current expenditure period ends	2026
current TIF closure with amendment	2034

Stormwater Utility Fee

Final payment on GO debt	2025
TIF amendment filed using \$184000	beginning in 2026

Debt Fund

\$850,000 Available when advance paid back	2034
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To: Tom Harrigan
Elm Grove Village Manager

From: Richard Klein, PE
Stantec

Date: July 3, 2024

**Reference: Draft Engineer's Opinion of Probable Construction Cost (EOPC)
Underwood Creek Daylighting, Village of Elm Grove, Wisconsin**

This memorandum documents the updated Engineer's Opinion of Probable Construction Cost (EOPC) for the Underwood Creek Daylighting project through downtown Elm Grove and is provided at this time to inform the total project cost required for the planned November 2024 referendum. This July 3, 2024, version of the EOPC should be considered draft since several significant components, including the channel bank elements and soil disposal items, are currently only at a conceptual design stage, and since the total list of project components has not yet been finalized. The items included sum to a total project price of \$6,377,000, as detailed in the attached table. It is anticipated that the Village will apply a contingency multiplier to this number prior to finalizing the referendum language to account for these various uncertainties.

The project components evaluated in developing the EOPC include:

- Clearing, site preparation, demolition and removal of the existing abandoned railroad bridge over Underwood Creek.
- New channel excavation from Watertown Plank Road to the confluence with Underwood Creek approximately 600 south of Wall Street.
- Disposal of excess soil.
- Construction of new channel bed and banks including vegetated banks, toe wood, quarried stone banks, and cast-in-place retaining walls.
- Abandonment of the existing Underwood Creek channel and culvert between Wall Street and just downstream of Watertown Plank Road.
- New storm sewer drainage piping.
- New pipe arch vehicular culvert crossing over the new channel at Wall Street.
- Asphalt path between Watertown Plank Road and Wall Street east of the new channel.
- Pedestrian bridge over the new channel.
- Surface restoration of disturbed areas consisting of seeding, plantings and pavement.

The components considered are most similar to those included in the channel alternative named "Alternative 1" that is being developed and provided as a separate submittal.

Reference: Draft Engineer's Opinion of Probable Construction Cost (EOPC)

Several notable differences between the components considered in this current EOPC and the 2019 version include:

- A more conservative material disposal approach that anticipates a greater percentage of excess soil being disposed of at a landfill. This approach will be refined after completion of the upcoming subsurface investigation.
- Increased pavement demolition and restoration requirements due to the generally deteriorated existing parking lot pavement quality.
- Removal and disposal of the existing railroad bridge at the downstream end of the project area.
- Additional channel bank revetment required to narrow the channel section without extending the channel footprint further west into the parking lot.
- New asphalt path east of channel between Watertown Plank Road and Wall Street.
- Addition of curbing on west edge of channel top of bank along parking lot.
- New pedestrian bridge over the new channel between asphalt path and parking lot connection near north side of Sendik's building.
- Sidewalk along west edge of channel top of bank between Wall Street and pedestrian bridge.
- Revised unit prices referencing recent similar work in the area that reflect the current bidding environment and economy.

Attached: EOPC tabulation (July 3, 2024)

Underwood Creek Daylighting

Village of Elm Grove, Wisconsin

July 3, 2024

Draft - Engineer's Opinion of Probable Construction Cost

No.	Item	Units	Qty	Unit Price	Total
1	Mobilization, Demobilization, And Site Preparation	LS	1	\$ 150,000.00	\$ 150,000
2	Sign Removal and Reinstallation	LS	1	\$ 7,000.00	\$ 7,000
3	Lighting Removal and Reinstallation	LS	1	\$ 15,000.00	\$ 15,000
4	Clearing and Grubbing	LS	1	\$ 30,000.00	\$ 30,000
5	Asphalt Removal	SY	12,200	\$ 6.00	\$ 73,200
6	Concrete Sidewalk Removal	SY	30	\$ 15.00	\$ 450
7	Curb & Gutter Removal	LF	730	\$ 6.00	\$ 4,380
8	Railroad Bridge Removal	LS	1	\$ 76,700.00	\$ 76,700
9	Soil Excavation and Grading	LS	1	\$ 352,000.00	\$ 352,000
10	Off-site Material Disposal - Landfill Daily Cover	TON	27,600	\$ 50.00	\$ 1,380,000
11	Off-site Material Disposal - Landfill Direct	TON	10,600	\$ 70.00	\$ 742,000
12	Off-site Material Disposal - Non-Landfill	TON	8,300	\$ 15.00	\$ 124,500
13	Cast-In-Place Retaining Wall (East)	LS	1	\$ 225,000.00	\$ 225,000
14	Cast-In-Place Retaining Wall (West)	LS	1	\$ 314,000.00	\$ 314,000
15	Pedestrian Bridge - Structure	LS	1	\$ 175,000.00	\$ 175,000
16	Pedestrian Bridge - Abutments	EA	2	\$ 32,000.00	\$ 64,000
17	Quarry Stone Bank	TON	2,779	\$ 430.00	\$ 1,195,153
18	Riprap Quarry Stone Bank Transitions	TON	90	\$ 170.00	\$ 15,300
19	Wall Street Arch Culvert	LS	1	\$ 265,000.00	\$ 265,000
20	Wall Street Roadway	SY	400	\$ 49.00	\$ 19,600
21	Parking Lot Asphalt Paving	SY	7,340	\$ 44.00	\$ 322,979
22	Concrete Curb and Gutter	LF	975	\$ 27.00	\$ 26,325
23	Concrete Sidewalk	SF	2,755	\$ 9.00	\$ 24,795
24	East Asphalt Path	SY	1,008	\$ 36.00	\$ 36,300
25	Subpavement Material (Channel Bed Base)	TON	1,080	\$ 20.00	\$ 21,600
26	Riffle Material	TON	840	\$ 70.00	\$ 58,800
27	Glide Material	TON	170	\$ 40.00	\$ 6,800
28	Run Material	TON	290	\$ 80.00	\$ 23,200
29	Heavy Riprap Energy Dissipation Pool	TON	460	\$ 70.00	\$ 32,200
30	Toewood	LF	350	\$ 150.00	\$ 52,500
31	Landscaping Boulders	EA	20	\$ 300.00	\$ 6,000
32	Topsoil	TON	1,220	\$ 20.00	\$ 24,400
33	Native Seeding – Zones A & B	SY	1,525	\$ 6.00	\$ 9,150
34	Native Seeding – Zone C	SY	5,300	\$ 6.00	\$ 31,800
35	Turf Seeding – Zone D	SY	2,500	\$ 3.00	\$ 7,500
36	Live Stakes (Dormant Woody Cuttings)	EA	1,500	\$ 4.00	\$ 6,000
37	Shrubs	EA	500	\$ 150.00	\$ 75,000
38	Trees	EA	25	\$ 600.00	\$ 15,000
39	Culvert/Channel Removal And Abandonment (W/Pr To Sendiks)	LS	1	\$ 54,600.00	\$ 54,600
40	Culvert Abandonment With Flowable Fill (Beneath Sendiks)	LS	1	\$ 90,000.00	\$ 90,000
41	Stream Channel Abandonment (Downstream Of Sendiks)	LS	1	\$ 45,100.00	\$ 45,100
42	Storm Sewer Pipe Rcp 18-Inch	LF	202	\$ 125.00	\$ 25,250
43	Storm Sewer Pipe Rcp 24-Inch	LF	74	\$ 135.00	\$ 9,990
44	Storm Sewer Pipe Rcp 30-Inch	LF	71	\$ 150.00	\$ 10,650
45	Storm Sewer Pipe Rcp 36-Inch	LF	242	\$ 200.00	\$ 48,400
46	Storm Sewer Pipe Rcp 42-Inch	LF	219	\$ 225.00	\$ 49,275
47	42-Inch Concrete Apron Endwall	EA	1	\$ 3,000.00	\$ 3,000
48	Storm Sewer Manhole 48-Inch	EA	3	\$ 3,300.00	\$ 9,900
49	Storm Sewer Manhole 60-Inch	EA	3	\$ 4,800.00	\$ 14,400
50	Storm Sewer Manhole 72-Inch	EA	1	\$ 7,000.00	\$ 7,000

Contingency 0% \$ -
Total \$ 6,377,000

To: Tom Harrigan
 Elm Grove Village Manager

From: Richard Klein, PE
 Stantec

Date: July 3, 2024

Reference: Alternatives Evaluation
Underwood Creek Daylighting, Village of Elm Grove, Wisconsin

This memorandum presents conceptual alternatives intended to serve as a basis for discussion to facilitate selection of a final configuration of elements to be included in the project design.

- Three alternative stream channel and bank treatment combinations, including pedestrian access options in the channel daylighting project area footprint.
- Three alternative parking lot configurations, showing ingress and egress options at Watertown Plank Road and Wall Street, vehicular and pedestrian travel lanes, and parking spaces. The Village’s upcoming Traffic Impact Analysis will further inform the development of these alternatives.

Table 1 below summarizes the channel alternatives.

Table 1 - Channel Alternatives

Channel Alternative No.	Name	Comments
1	East Path and Pedestrian Bridge	<p>Alternative 1 includes a pedestrian path east of the new channel between Watertown Plank Road and Wall Street, and a pedestrian bridge over the channel to connect the path to the commercial area. This alternative provides a safe, direct connection between the pedestrian path system north of downtown with the path south of Wall Street. It also fosters increased pedestrian traffic to local businesses via the pedestrian bridge.</p> <p>This alternative is more costly than Alternatives 2 and 3 because of the pedestrian bridge and the extended quarry stone bank treatment adjacent to the abutments.</p>

Channel Alternative No.	Name	Comments
2	East Path and West Sidewalk	<p>Alternative 2 includes a pedestrian path east of the new channel between Watertown Plank Road and Wall Street, and a sidewalk west of the new channel between Wall Street and the north side of the Sendik’s building. This alternative provides a safe, direct connection between the pedestrian path system north of downtown with the path south of Wall Street.</p> <p>A pedestrian bridge is not included in this alternative. Pedestrian traffic from Wall Street to the middle of the Park and Shop commercial area is facilitated via a sidewalk along the west channel top of bank.</p> <p>This alternative is less expensive than Alternative 1 because it does not include the pedestrian bridge. The west sidewalk adds a moderate expense that Alternative 1 does not include.</p>
3	West Sidewalk	<p>Alternative 3 includes a sidewalk along the west channel top of bank to facilitate pedestrian traffic from Wall Street to the middle of the Park and Shop commercial area.</p> <p>Neither the east path nor the pedestrian bridge is included in this alternative. It is therefore the least expensive of the three channel alternatives.</p>

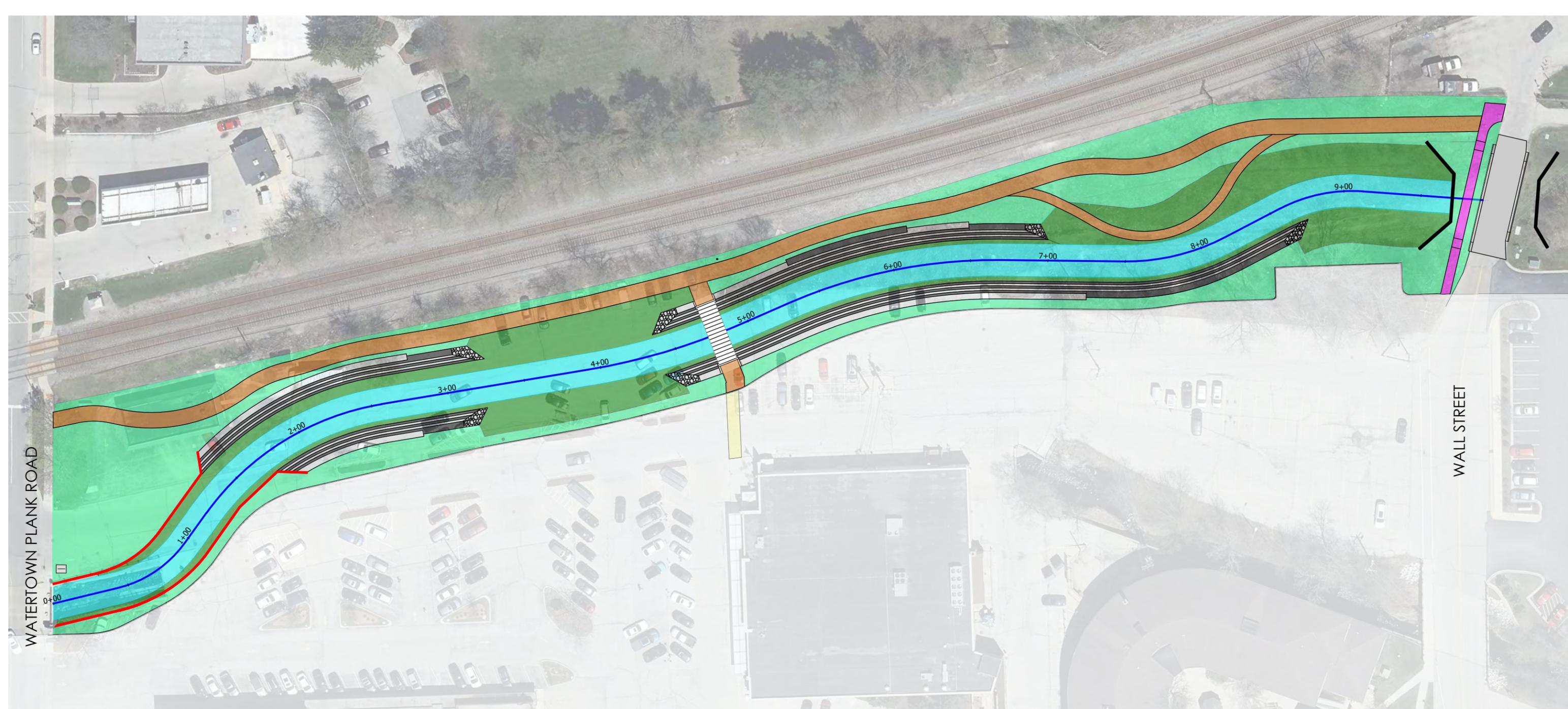
Table 2 below summarizes the parking lot alternatives.

Table 2 - Parking Lot Alternatives

Parking Lot Alternative No.	Name	Comments
A	Ingress/Egress at Watertown Plank Road and at Wall Street	Alternative A accommodates ingress and egress (left-turn out and right-turn out) at both Watertown Plank Road and at Wall Street. Additional space is made available at Watertown Plank Road by relocating the Park and Shop entrance sign to the east side of the channel.
B	Ingress Only at Watertown Plank Road and Ingress/Egress at Wall Street	Alternative B accommodates ingress only at Watertown Plank Road. Alternative B maintains the Park and Shop entrance sign on the west side of the channel and accommodates both ingress and egress at Wall Street.
C	Ingress and Right-Turn Only Egress at Watertown Plank Road and Ingress/Egress at Wall Street	Alternative C accommodates ingress and right-turn only egress at Watertown Plank Road. Alternative C maintains the Park and Shop entrance sign on the west side of the channel and accommodates both ingress and egress at Wall Street.

Attached: Exhibits 1 through 3: Channel Alternatives

Exhibits A through C: Parking Lot Alternatives



WATERTOWN PLANK ROAD

WALL STREET

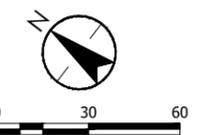
EXHIBIT 1

STREAM CHANNEL ALTERNATIVE 1 East Path with Pedestrian Bridge

VILLAGE OF ELM GROVE
UNDERWOOD CREEK DAYLIGHTING

LEGEND

- STREAM BANK: SLOPE NATIVE VEGETATION (3:1)
- STREAM BANK: STEPPED QUARRY STONE (1:1)
- STREAM BANK: RETAINING WALL (VERTICAL)
- NEW STREAM BED
- ASPHALT PATH
- CONCRETE SIDEWALK
- PEDESTRIAN BRIDGE



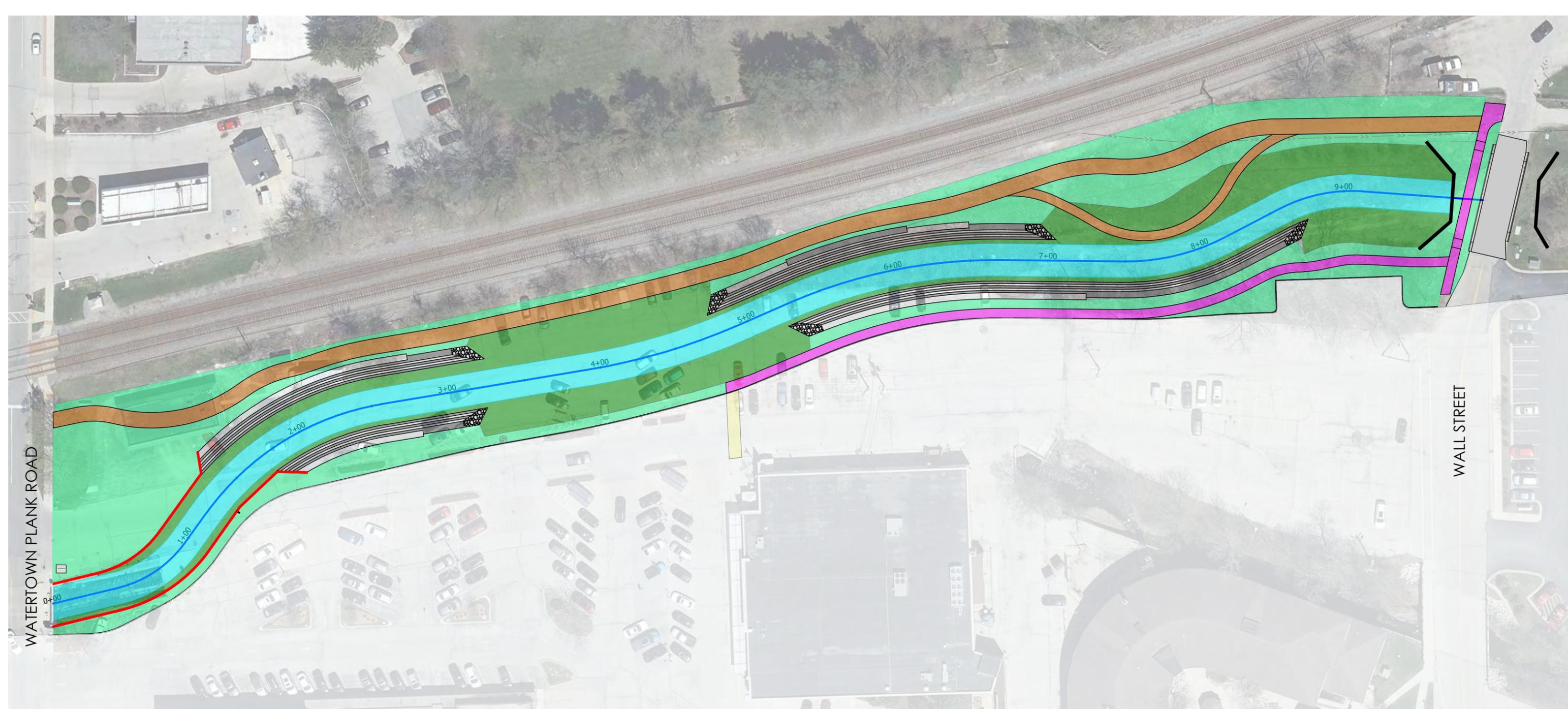


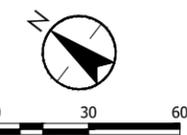
EXHIBIT 2

STREAM CHANNEL ALTERNATIVE 2 East Path and West Sidewalk

VILLAGE OF ELM GROVE
UNDERWOOD CREEK DAYLIGHTING

LEGEND

-  STREAM BANK: SLOPE NATIVE VEGETATION (3:1)
-  STREAM BANK: STEPPED QUARRY STONE (1:1)
-  STREAM BANK: RETAINING WALL (VERTICAL)
-  NEW STREAM BED
-  ASPHALT PATH
-  CONCRETE SIDEWALK
-  PEDESTRIAN BRIDGE



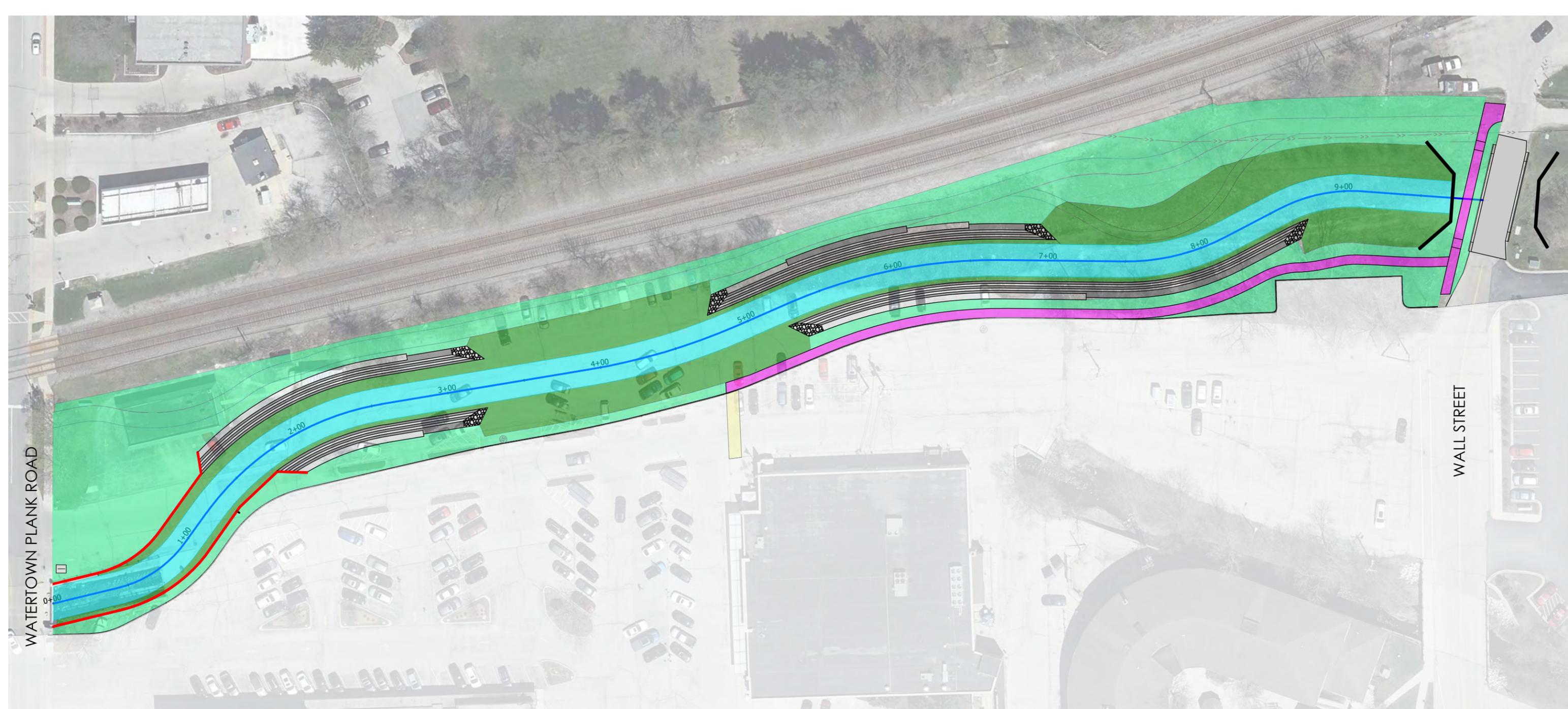


EXHIBIT 3

STREAM CHANNEL ALTERNATIVE 3 West Sidewalk

VILLAGE OF ELM GROVE
UNDERWOOD CREEK DAYLIGHTING

LEGEND

- STREAM BANK: SLOPE NATIVE VEGETATION (3:1)
- STREAM BANK: STEPPED QUARRY STONE (1:1)
- STREAM BANK: RETAINING WALL (VERTICAL)
- NEW STREAM BED
- ASPHALT PATH
- CONCRETE SIDEWALK
- PEDESTRIAN BRIDGE

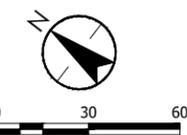




EXHIBIT A

PARKING LOT ALTERNATIVE A
 Ingress/Egress at Watertown Plank Road and at Wall Street

VILLAGE OF ELM GROVE
 UNDERWOOD CREEK DAYLIGHTING

LEGEND

-  ARROW SHOWING DIRECTION OF TRAVEL
-  PEDSTRIAN CROSSWALK
-  PARKING SPACES
-  PARK & SHOP ENTRANCE SIGN

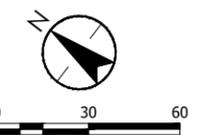




EXHIBIT B

PARKING LOT ALTERNATIVE B
 Ingress Only at Watertown Plank Road and Ingress/Egress at Wall Street

VILLAGE OF ELM GROVE
 UNDERWOOD CREEK DAYLIGHTING

LEGEND

-  ARROW SHOWING DIRECTION OF TRAVEL
-  PEDSTRIAN CROSSWALK
-  PARKING SPACES
-  PARK & SHOP ENTRANCE SIGN

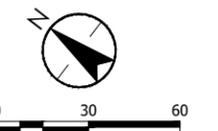




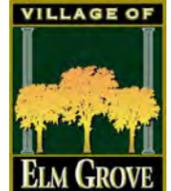
EXHIBIT C

PARKING LOT ALTERNATIVE C
 Ingress and Right Turn Only Egress at Watertown Plank Road and Ingress/Egress at Wall Street

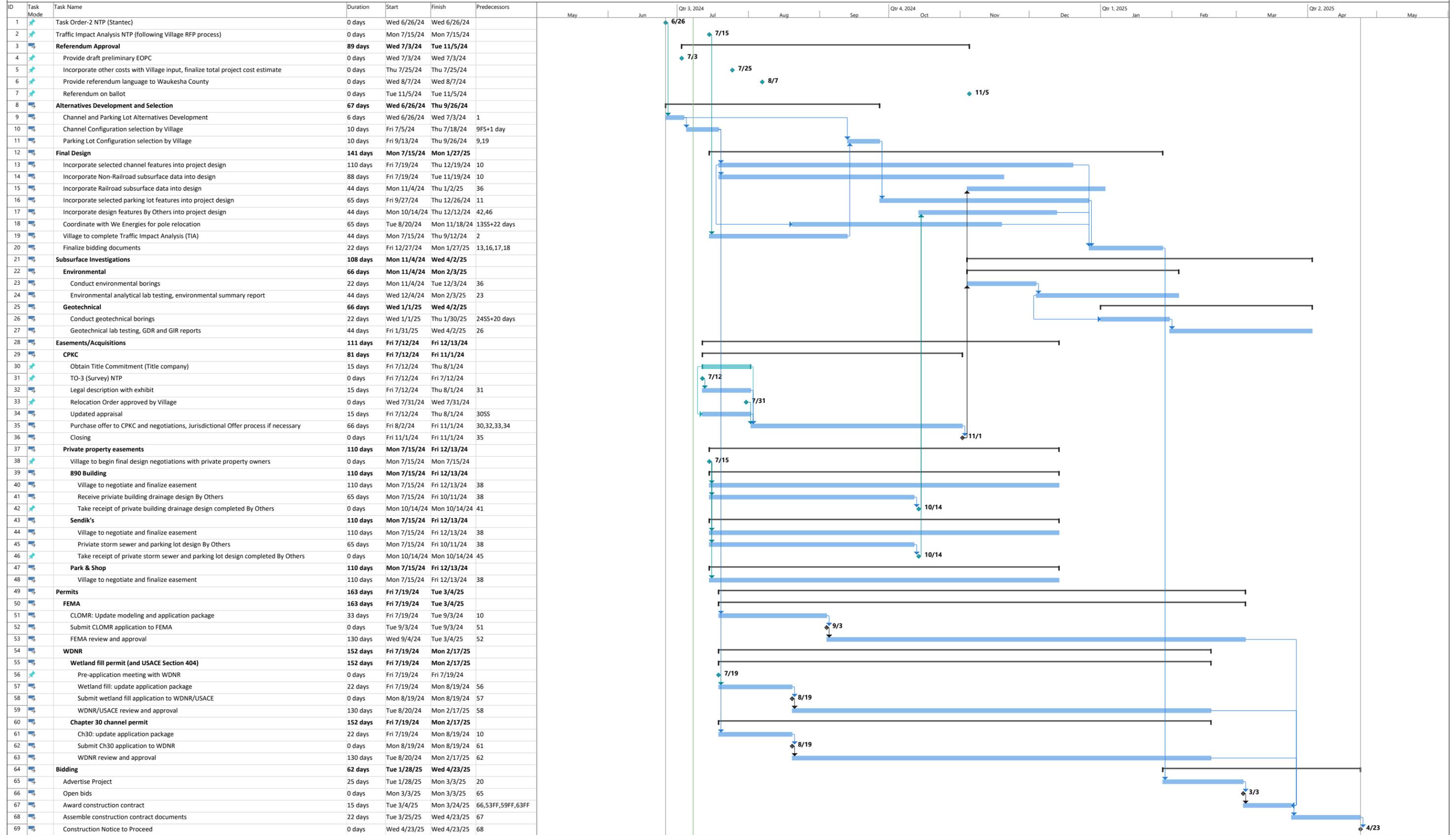
VILLAGE OF ELM GROVE
 UNDERWOOD CREEK DAYLIGHTING

LEGEND

- ARROW SHOWING DIRECTION OF TRAVEL
- PEDSTRIAN CROSSWALK
- PARKING SPACES
- PARK & SHOP ENTRANCE SIGN



Underwood Creek Daylighting
Village of Elm Grove, Wisconsin
Draft Design, Acquisition, Permitting, and Bidding Schedule

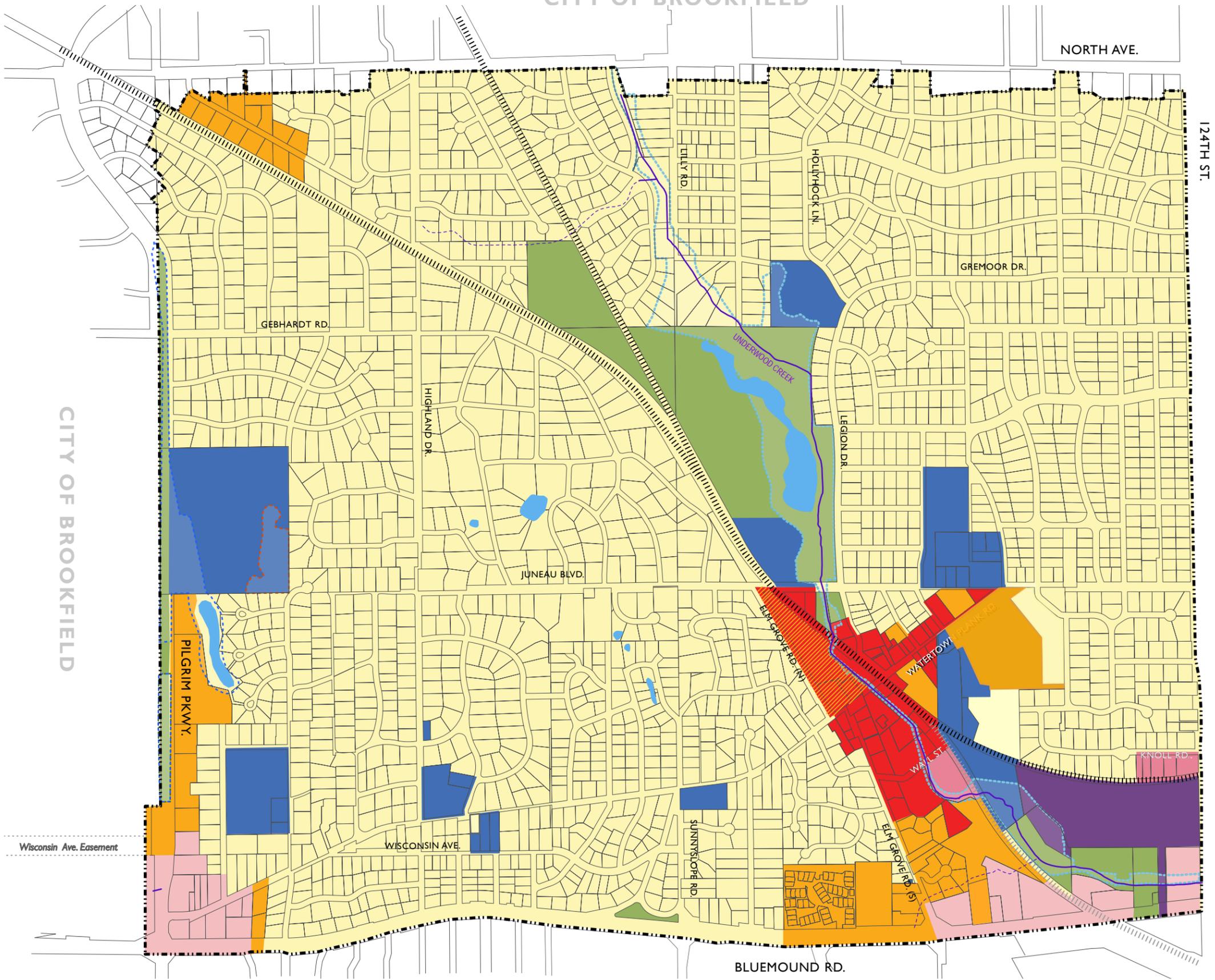


Mon 7/8/24

Task	Milestone	Project Summary	Inactive Milestone	Manual Task	Manual Summary Rollup	Start-only	External Tasks	Deadline	Manual Progress
Split	Summary	Inactive Task	Inactive Summary	Duration-only	Manual Summary	Finish-only	External Milestone	Progress	

Page 1

Exhibit C FUTURE LAND USE



- Village Boundary
- Single Family Residential
- Multifamily Residential
- Mixed-Use Residential & Commercial
- Village Commercial
- General Business
- Corridor Commercial
- Limited Manufacturing
- Government & Institutional
Private & Public
- Parks & Recreation
Private & Public
- ENVIRONMENTAL FEATURES
- Secondary Environmental Corridor
- Isolated Natural Resource Area

Environmental Corridors and Isolated Natural Resource Areas were delineated in 2000 by SEWRPC. Configuration of the corridors is susceptible to change upon redelineation of the floodplain boundaries.



**PLAN COMMISSION
MEETING MINUTES
Monday, May 6, 2024**

Meeting was called to order at 6:03 P.M. by President Koleski.

1. Roll Call.

Present:

President Koleski
Trustee Stuckert (via zoom)
Ms. Becker
Mr. Fronberry
Mr. Cashin
Mr. Termuehlen
Tom Harrigan, Village Manager
Katherine Gehl, Assistant Manager/Zoning & Planning Administrator
Hector de la Mora, Village Attorney

Absent:

Ms. Wynia-Smith

2. Review and act on meeting minutes dated April 1, 2024.

MR. FRONBERRY MOTIONED TO APPROVE THE MEETING MINUTES AS AMENDED. MR. CASHIN SECONDED. MOTION CARRIED 6-0.

3. Discussion and possible action on Strategic Planning Survey.

President Koleski introduced the item and explained that the materials provided were from a 2018 survey that was done as part of a previous Downtown Master Planning effort.

Village Manager Harrigan explained that draft survey questions were prepared by Errin Welty with the Wisconsin Economic Development Corporation (WEDC) based on information shared by staff about what the Plan Commission wanted to focus on. The intention for this meeting is to get feedback from the Commission on the questions. Eventually, the survey will be published and circulated for about 3 weeks. The WEDC will then tabulate the results and then schedule the Strategic Planning session.

Trustee Stuckert noted that she liked the idea of doing “ranked choice” voting within the survey. She wondered if an initial survey could be done, those results could be taken, and then a separate survey is done where choices could be ranked.

Village Manager Harrigan clarified that this particular survey is intended to help the Plan Commission prioritize for the Downtown Master Plan and the strategic planning session.

Mr. Cashin noted that there should be an education piece as part of the survey where questions could be focused to specific projects/things going on in the community.

Mr. Fronberry noted that developers generally know what is or is not going to be successful in a community. He also believes that a visual survey would be helpful and it would allow for residents to say what they want to aesthetically see.

President Koleski thought that biggest question that should be addressed with this Downtown Master Planning effort is how can we assess the level of commitment from residents for a new business venture. He also believes that the Commission should be aware of what the financial responsibility of the priorities set will be.

Trustee Stuckert suggested that the survey questions should be modified to be very pointed questions.

Village Manager Harrigan noted that the Downtown TIF does not generate enough increment to support improvements so the Plan Commission will have to be aware to set expectations that are realistic. President Koleski seconded this and noted that the Commission needs to be aligned with the desires of the residents.

Mr. Termuehlen said that the Village is facing “big picture” scenarios and wonders how we can be sure that a business in Elm Grove is going to be successful. How do we get resident buy-in? He asked if would be more beneficial to wait for the current bid development to finalize in order to get a better idea of what the impact of that development is.

Ms. Becker asked if there is anything done on the village staff level when a business closes and if there is a policy for how the Village supports local developers. Village Manager Harrigan noted that typically there may be a phone call made but there is no formal process. He noted that generally a Community Development Authority would take this role. The Village has a Community Development Authority but he is unsure if it has ever convened.

President Koleski believes the survey information from 2018 was helpful but he believes that the pandemic would significantly impact responses.

Village Manager Harrigan explained that the process of Strategic Planning can lead to “quick wins” and there can be fairly easy ways to create a sense of place.

Mr. Termuehlen noted that we should look at low-hanging fruit where there are current successes, like the Beer Garden, and why it is working well. Village Manager Harrigan noted that the village is in contract re-opening discussions with Third Space and there is a goal to support their growth.

Ms. Becker would like more responses than the 2018 survey received.

Mr. Fronberry asked if there was a way to figure out who is patronizing local businesses.

President Koleski noted that the purpose of tonight’s discussion is to discuss how the survey/s will be used to get Elm Grove to its goal. He noted that he would like the Trustees to weigh in throughout this process and would like a discussion at the Committee of the Whole meeting.

Attorney de la Mora noted that this can be a two-step approach with the property owners: 1. What is their definition of the downtown area; 2. What do they feel they need to be successful

Village Manager Harrigan noted that staff will take the comments from tonight and modify the draft survey.

4. Review and discussion on possible amendments to the Village Comprehensive Plan, Future Land Use Map.

President Koleski introduced the item and noted that this item is coming to the Plan Commission based on direction from the Board of Trustees. The goal was for the Plan Commission to look specifically at the Governmental/Institutional zoning districts and what the Boards' intent is for those properties in the future. This is an educational exercise that will be an ongoing discussion for those areas and if they could be adjusted for future use.

Village Manager Harrigan explained that the Governmental/Institutional districts are shown as blue in the current Future Land Use Map. The map comes from the Village's Comprehensive Plan that was adopted in 2010. The Future Land Use Map essentially is what the governing body would like to for future uses. Any zoning changes have to follow the Future Land Use Map and it requires action by the owner/renter, Plan Commission and Village Board of Trustees. If a zoning change request comes in and it is not compatible with the Future Land Use Map then the Future Land Use Map has to be amended. This can take place at the same time as the zoning change. The direction from the Board of Trustees is for the Plan Commission to look at the Governmental/Institutional Districts to see if these future uses still make sense for the properties.

President Koleski noted that the discussion stemmed from the thought of what could happen on these properties if the existing use ceased to continue.

Attorney de la Mora clarified that state statutes require for the allowance of the current use to continue if the Future Land Use Map is amended. He also suggested that Village review what the is considered a "school" as schools are zoned Institutional.

President Koleski asked if staff can provide a list of all the properties which are currently shown as blue in the Future Land Use Map.

Mr. Fronberry asked if the properties could actually be rezoned to make the future use more secure. He also thought that changes to this map should be reviewed based on what the new Downtown Master Plan reflects.

Trustee Stuckert noted that she has concerns about the current Future Land Use Map because a lot of the blue areas are located within heavy residential areas.

Village Manager Harrigan explained that forced re-zoning could be problematic as it could be seen as limiting the highest and best use for a landowner.

President Koleski believes that amended the Future Land Use Map is the best protection vehicle as it stands right now; however, this first step was to socialize the idea with the Plan Commission.

5. Other Business

None.

6. Adjournment

MR. CASHIN MOTIONED TO ADJOURN. MR. FRONBERRY SECONDED. MOTION CARRIED 6-0.

Meeting adjourned at 7:22 P.M.

Respectfully Submitted,

Katherine Gehl
Assistant Village Manager/Zoning & Planning Administrator

Chapter 6

LAND USE

This chapter focuses on existing and future land uses in the Village with a specific focus on economic redevelopment opportunities. The chapter recognizes the high value of land within the Village and the need to create land use that promotes economic redevelopment within the Village's downtown business district and commercial corridors.

The terms “zoning” and “land use” are often used interchangeably, but they are actually different in nature. “Zoning” is the legal mechanism that stipulates which land uses are allowed, and the requirements and limitations placed on certain uses within a specific zoning district. The term “land use” refers to the type of activity that occurs on a piece of property. A comprehensive plan is a tool for future land use policy development, but it is not as legally binding as zoning in the State of Wisconsin.

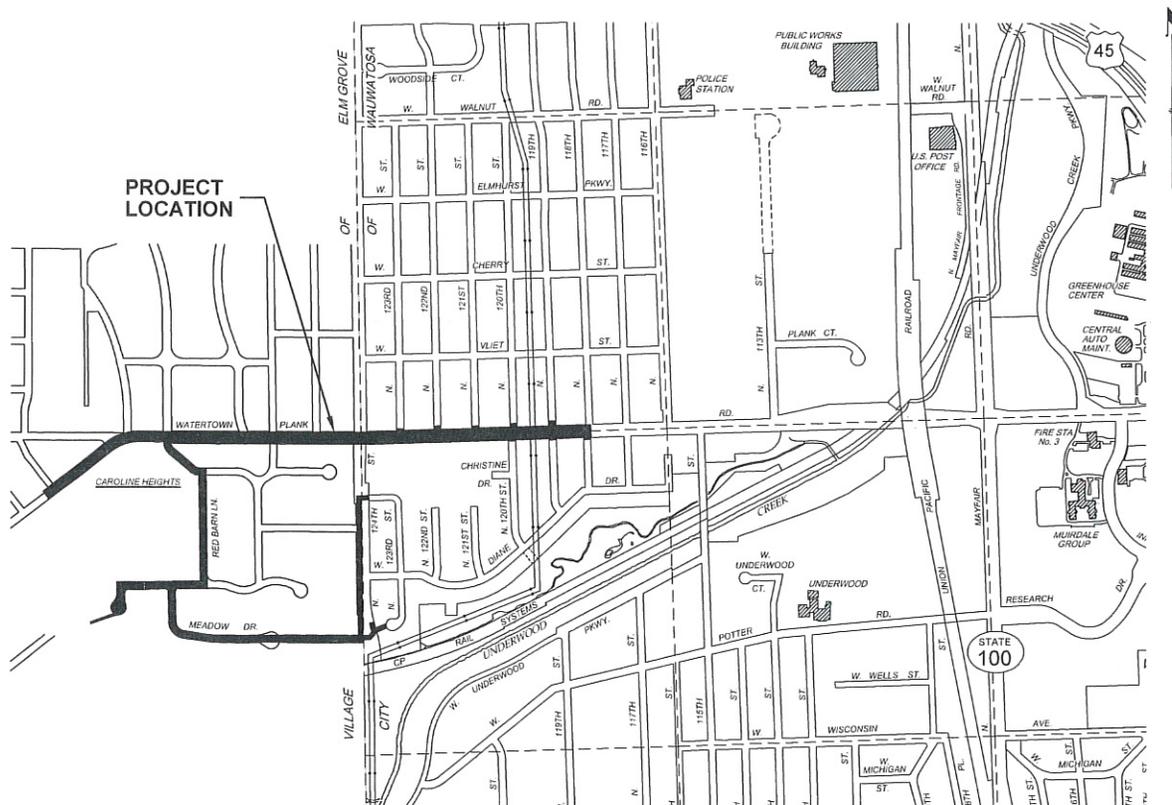
A zoning district change, also referred to as a “rezoning” or “zoning map amendment”, can be requested by the landowner of a specific property or it can be initiated by the presiding jurisdiction to change the permitted use on a property. Conformance with the future land use map (Map 6) of the Comprehensive Plan is a basis for obtaining Village Board approval in a rezoning request. If the requested zoning district complies with the current Comprehensive Plan's land use designation, the Plan Commission has a strong foundation for recommending approval of the requested change.

The designated uses on the future land use map may be different than those that exist at present, and may be implemented at any point in the future. For purpose of this Plan, consistency between the future land use map and the official zoning map shall be achieved over time as applications for redevelopment or replatting of parcels are submitted to the Village.

The process to change zoning and land uses can be lengthy and a change to the Comprehensive Plan's land use designation, when required, must occur prior to a rezoning. However, as long as a property remains in the current zoning district, it can legally continue to function in its existing capacity despite its classification on the Comprehensive Plan's Future Land Use Map.



CITY OF WAUWATOSA ELM GROVE WATER MAIN RELAY & EXTENSION PROJECT #9977



PROJECT COORDINATION:
NICK DEMING, PE
CONSTRUCTION MANAGER
(414) 479-3541
NDEMING@WAUWATOSA.NET

MICHAEL MAKI, PE
SENIOR CIVIL ENGINEER
(414) 479-8991
MMAKI@WAUWATOSA.NET

REVISIONS	
DATE	DESCRIPTION
6-20-23	PLANS FOR WDNR WATER SUBMITTAL
8-4-23	SHEETS 10,11,19,25,26,27,55,56,57 & 99 REVISED
8-8-23	SHEETS 137 & 138 ADDED
8-11-23	SHEETS 11,18,42,43,61 & 137 REVISED
8-28-23	SHEETS 16,23,25,26,65 & 106 REVISED

APPROVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF WAUWATOSA, WISCONSIN BY RESOLUTION ADOPTED:

DATE _____ CITY CLERK _____

SUBMITTED FOR APPROVAL

DATE _____ CITY ENGINEER
REG. PROF. ENGR.

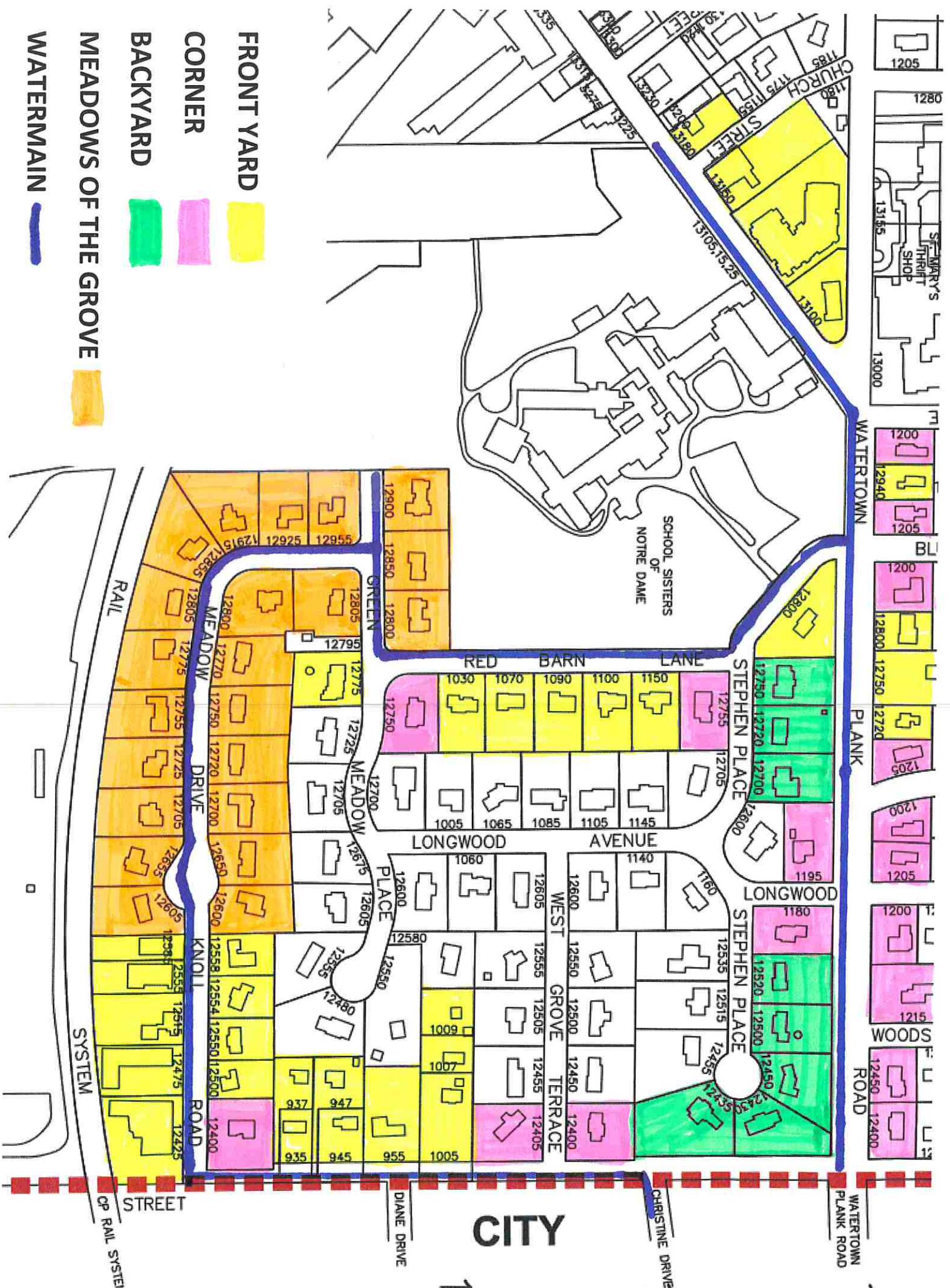
CITY OF WAUWATOSA
ENGINEERING SERVICES DIVISION

WATER MAIN RELAY & EXTENSION

VARIOUS LOCATIONS

SCALE: AS NOTED SHEETS: _____

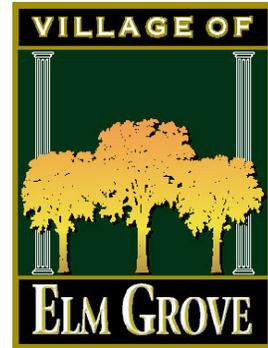
- FRONT YARD
- CORNER
- BACKYARD
- MEADOWS OF THE GROVE
- WATERMAIN



CITY

August 2, 2023

RESIDENT
ELM GROVE, WI 53122-2617



Dear Property Owner:

As you may be aware, in conjunction with the Caroline Heights Development, municipal water will be extended into the Village of Elm Grove from the City of Wauwatosa. You are receiving this notification as your property located at 945 N 124TH ST is adjacent to the future water main that will be located within the Village right-of-way and constructed by D.F. Tomasini Inc. Please see the enclosed service area map.

At this time, you have the ability to elect for a water service lateral to be installed from the water main **to your property line** for a fee not to exceed \$9,000. Please see the enclosed Water Service Lateral Diagram. The actual cost for the construction of your water service lateral will be dependent on the total number of property owners who elect to participate in this offering, potentially resulting in a lower project cost.

The water main **is not** included in the cost of the water service lateral. There is an estimated cost saving of 10% - 20% by electing to participate in the water service lateral connection at this time, rather than at a future date.

The Village is requesting that the enclosed Commitment Letter Agreement be completed and returned no later than **Thursday, August 31, 2023** whether you elect to participate or not. Please be aware that Commitment Letter Agreements returned after August 31, 2023 may result in D.F. Tomasini Inc. being unable to complete the work as proposed. Property owners choosing to have a water service lateral installed to their property line will be obligated to pay the installation fee by October 15, 2023. In the event payment is not made by **Wednesday, November 1, 2023** the charge shall be placed on the property tax bill as a special charge, including an interest penalty.

If you have any questions, please do not hesitate contacting me at (262) 782-6700 or via email at tharrigan@elmgrovewi.org.

Sincerely,

A handwritten signature in black ink that reads "Thomas Harrigan". The signature is written in a cursive style with a long, sweeping underline.

Thomas Harrigan
Village Manager, Elm Grove

Enclosures

COMMITMENT LETTER AGREEMENT

I am the owner of [or: I am a fully authorized agent (i.e. have full authority to legally sign on behalf) of the entity which owns] the property described below which will be eligible to receive water service from the City of Wauwatosa when the Caroline Heights municipal water system project is constructed.

In order for the Village to authorize lateral installation, I understand that the Village needs binding commitments from property owners in the service area so that it will know with certainty:

- (1) how many laterals the contractor will need to install; and
- (2) what final costs for laterals to charge based on number of connections.

Anyone choosing to have a lateral installed within the project area will be obligated to pay by October 15th, 2023. In the event payment is not made by November 1st, 2023 the charge shall be placed on the property tax bill as a special charge, including interest penalty.

In signing this COMMITMENT LETTER AGREEMENT, I realize that I am entering into a contract with the Village of Elm Grove.

Understanding all of the above and having taken that information into account, I hereby:

- (1) irrevocably elect to be provided water service lateral, (the "Elm Grove Property");
- (2) agree and admit that a municipal water system lateral will directly benefit the Property, and that the benefit to the Property is at least equal to the amount stated in paragraph (3) below;
- (3) consent to the levying of a special charge for the cost of this improvement against the Property and irrevocably elect and commit to pay the connection charge in full in an amount not to exceed the \$9,000
- (4) agree to have the Village rely on this agreement in finalizing the total costs for the lateral project.

Dated this _____ day of _____, 2023

Signature of Owner or Authorized Agent

Name Printed

Signature of Witness

Name Printed

Property Tax key:

Property Address:

Contact information for signer:

Address: _____

Phone: _____

Cell: _____

Email: _____

I do not wish to commit to a Water System lateral.

Signature of Owner or Authorized Agent

October 4, 2023

RESIDENT
ELM GROVE, WI 53122



Dear Property Owner:

You are receiving this letter as you have elected to have a water service lateral installed to your property in conjunction with the municipal water extension project, necessitated by the Caroline Heights Development.

The original notice letter you received indicated that:

“Property owners choosing to have a water service lateral installed to their property line will be obligated to pay the installation fee by October 15, 2023. In the event payment is not made by Wednesday, November 1, 2023 the charge shall be placed on the property tax bill as a special charge, including an interest penalty.”

Based on communications with the contractor, DF Tomasini, there is no assurance that the entire installation of water main and water service laterals will be completed in 2023. Therefore, the Village is modifying the original payment policy.

Payment will now be required within 60 days after installation of the water service lateral. The Village will provide you an invoice after it has received notice from DF Tomasini that the installation is complete. Payments not received within 60 days of invoicing will begin to accrue interest.

The total cost for installation of the water service lateral is being finalized at this time. Installation costs will be mailed out to property owners once the finalized costs have been verified by DF Tomasini.

We thank you for your patience and understanding as this project continues to proceed.

If you have any questions, please do not hesitate contacting me at (262) 782-6700 or via email at tharrigan@elmgrovewi.org.

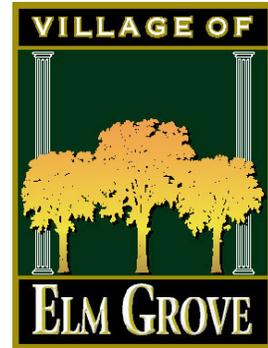
Sincerely,

A handwritten signature in black ink that reads "Thomas Harrigan".

Thomas Harrigan
Village Manager, Elm Grove

June 27, 2024

RESIDENT
ELM GROVE, WI 53122



Re: Water Service Lateral Installation Notice

Dear Property Owner:

Thank you for your continued patience while living through and navigating the ongoing construction of the Caroline Heights redevelopment. In conjunction with that activity, a watermain was installed in the right-of-way abutting your home. You previously elected to pay for a water service connection to be installed from the existing water main in the street **to your property line**.

Please be advised, there has been a change in the general contractor who will be completing this installation. CornerStone One, LLC is now the general contractor who will install the water lateral to your property line.

The cost for installation of the water service connection to your property line will be \$9,250.00

Due to the change in contractor, the Village is now requiring that the new enclosed Commitment Letter Agreement be completed and ***full payment*** for the water service connection installation both be returned no later than **Friday, August 9th, 2024**.

Please be advised, the cost for installation has been determined on the basis of the total number of single-family properties that previously elected to connect. In the event the total number of committed properties is reduced in conjunction with this solicitation to connect, your total cost for installation may increase.

Prior to installation, the location of your property boundary will be surveyed and the contractor will identify where the water service valve will be located on the property boundary. You will then need to connect, at your separate expense, a water lateral from that location to provide service into your home.

Again, if you have any questions, please do not hesitate to contact me at (262) 782-6700 or via email at tharrigan@elmgrovewi.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Harrigan". The signature is fluid and cursive, written over a thin horizontal line.

Thomas Harrigan
Village Manager, Elm Grove

Enclosures

COMMITMENT AGREEMENT

I am the owner of [or: I am a fully authorized agent (i.e. have full authority to legally sign on behalf) of the entity which owns] the property described below which will be eligible to receive water service from the City of Wauwatosa when the Caroline Heights municipal water system project is constructed.

In order for the Village to authorize a connection installation (meaning a connection from the water main to a water service valve on my street boundary property line which does not include the cost or responsibility for the installation of a lateral from the water service valve to provide service into my home), I understand that the Village needs binding commitments from property owners in the service area so that it will know with certainty:

- (1) how many connections to water service valves located at individual street boundary property lines the contractor will need to install; and
- (2) what final costs for connections to charge based on number of confirmed installation commitments.

Anyone choosing to have a connection installed within the project area will be obligated to pay by August 9th, 2024. In the event a connection installation occurs where payment is not made by November 1st, 2024, the charge shall be placed on the property tax bill as a *special charge*, including interest penalty.

In signing this COMMITMENT LETTER AGREEMENT, I realize that I am entering into a contract with the Village of Elm Grove.

Understanding all of the above and having taken that information into account, I hereby:

- (1) irrevocably elect to be provided a water service connection from a water main to a water service valve to be located at my street boundary property line, (the "Property");
- (2) agree and admit that a municipal water system connection will directly benefit the Property, and that the benefit to the Property is at least equal to the amount stated in paragraph (3) below;
- (3) consent to the levying of a special charge for the cost of this improvement against the Property and irrevocably elect and commit to pay the connection charge in full in an amount of \$9,250.00
- (4) acknowledge, the cost for installation has been determined from the total number of single-family properties that have preliminarily elected to connect. In the event the total number of committed properties is reduced during this solicitation process, the cost for installation may increase.
- (5) agree to have the Village rely on this agreement in finalizing the total costs for the water connection project.

Dated this _____ day of _____, 2024

Signature of Owner or Authorized Agent

Name Printed

Signature of Witness

Name Printed

Contact information for signer requested on reverse side of page.

| Property Tax key:

Property Address:

Contact information for signer:

Address: _____

Phone: _____

Cell: _____

Email: _____

Chapter 30. Financial Procedures

§ 30-2. Letting of contracts.

[Amended 3-8-1999; 9-11-2000; 5-23-2006]

- A. Contracts by Village Manager. All contracts for the performance of any work or services or the purchase of any materials or equipment for the Village of Elm Grove of \$25,000 or less may be made by the Village Manager. To the extent such section is applicable, purchases shall be made in the manner provided in Chapter **54**, § **54-3H**.
- B. Contracts in excess of \$25,000.
- (1) Subject to the provisions of Subsection **B(2)** below, contracts for the performance of work, services or the purchase of materials or equipment for the Village of Elm Grove exceeding \$25,000 shall be let to the lowest responsible bidder pursuant to the provisions of § 61.55, Wis. Stats. The term "work" or "service" as used in this subsection shall not refer to any professional services. For purposes of this section, "professional services" includes but is not limited to the services of any attorney, architect, artist, public accountant, computer consultant, consulting engineer, insurance underwriter, realtor, real estate appraiser or planning consultant.
 - (2) The Village Board shall have the right to reject all bids for contracts for any work or services or material. Thereafter, such contracts for any work, services or materials shall be let as directed by the Village Board. The Village Board shall also have the right to waive the requirement for solicitation of bids for specific materials and/or equipment where the Village Board makes a legislative finding that the purchase of specific materials or equipment for the replacement or upgrading of existing Village materials and/or equipment is necessary to avoid incurring additional costs and/or expenses or the disruption of Village services.
- C. Public works contracts.
[Added 10-26-2020]
- (1) For purposes of this section, a "public works project" means the construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds.
 - (2) Prior to the letting of any contract for a public works project entered into by the Village that requires an expenditure in excess of the amount listed in § **30-2C(3)**, the Village Board shall submit to the electorate a binding referendum for approval of the public works project. Failure of the binding referendum shall preclude the Village from proceeding with the public works project. The wording of any referendum shall include a concise summary of the public works project with the information regarding the specific purpose and location of the public works project as well as the total anticipated cost of the public works project and the method to be used by the Village for payment of said cost.
 - (3) The total anticipated out-of-pocket amount to be spent directly by the Village for any public works project sufficient to trigger a binding referendum is \$1,000,000 as of the date that this subsection is enacted. This amount shall be adjusted annually for inflation using the consumer price index published by the U.S. Department of Commerce, and said adjustments will be effective on January 1 of each year beginning in 2022.

- (4) Nothing in this subsection shall be construed to preclude the Village or its representatives the planning or design any public works project.
- (5) Nothing in this subsection shall preclude the Village or Village Board from spending funds or moving forward in any way with a public works project as needed in the case of an emergency declaration pursuant to Chapter **22**.