


**TO:** Michael C. Van Milligen, City Manager

**FROM:** Gus Psihoyos, City Engineer 

**SUBJECT:** Upper Bee Branch Creek Restoration Project &  
Pump Station Agreement – B & M Properties & Storage LLC Property at  
525 East 19<sup>th</sup> Street

**DATE:** February 10, 2017

### **INTRODUCTION**

The purpose of this memorandum is to request City Council approval of an agreement whereby the City of Dubuque would, as part of the Upper Bee Branch Creek Restoration Project, replace the existing gravity sanitary sewer service lateral at 525 East 19<sup>th</sup> Street with a private sanitary sewer pump station and associated force main discharge pipe located in the Pine Street right of way. The City of Dubuque would own and maintain the pump station and force main after the project has been completed, inspected and accepted by the City Council. B & M Properties & Storage, LLC would pay all electricity usage costs associated with the operation of the pump station unit in perpetuity.

### **BACKGROUND**

The City, while installing a storm sewer main in the Pine Street right of way for said project, found a conflict with the proposed location the storm sewer and the location of the existing private sanitary sewer lateral serving the building at the subject property.

### **DISCUSSION**

The City proposes to remedy the utility location conflict by replacing the existing gravity sanitary sewer service lateral with a private sanitary sewer pump station and associated force main discharge pipe, all located in the Pine Street right of way, and install the proposed storm sewer improvements in the location shown on the approved plans for the Upper Bee Branch Creek Restoration Project. The terms of the agreement are as follows:

1. City agrees to install, at no cost to B & M, a private sanitary sewer pump station and associated force main discharge pipe in the Pine Street right of way. City agrees to make all necessary connections to public sanitary sewer main on Garfield Avenue and to the existing private sanitary sewer service line serving the building on said Lot 12.

2. City agrees to own and maintain, except as stated below, said pump station and discharge piping in perpetuity.
3. B & M agrees to pay all electricity usage costs associated with the operation of the pump station unit in perpetuity.
4. B & M agrees to own and maintain all gravity sanitary sewer lateral piping between said pump station and buildings located on said Lot 12.
5. B & M agrees to contact a plumbing contractor, who has been approved by the City Engineer, and the City of Dubuque Police Department Dispatch Office in all cases of equipment malfunction associated with the pump station and discharge piping.
6. At such time that the City should extend sanitary sewer main adjacent to this property, the pump system shall be abandoned by the City, the City shall install a new sewer service connection to the new sewer main, and this agreement shall become null and void.

A copy of the agreement executed by B & M Properties and Storage, LLC is attached.

**RECOMMENDATION**

I recommend that the City approve the Agreement to replace the existing gravity sanitary sewer service lateral with a private sanitary sewer pump station and associated force main discharge pipe per the terms of the attached Agreement.

**ACTION TO BE TAKEN**

I respectfully request adoption of the attached resolution approving the Agreement and authorizing the City Manager to execute said agreement.

Attach.

cc: Steve Brown, Project Engineer  
Nate Kieffer, PLS