

JOE DAVIS, SR.

Alderman, 2nd District



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- National League of Cities' Community and Economic Development Policy and Advocacy Steering Committee
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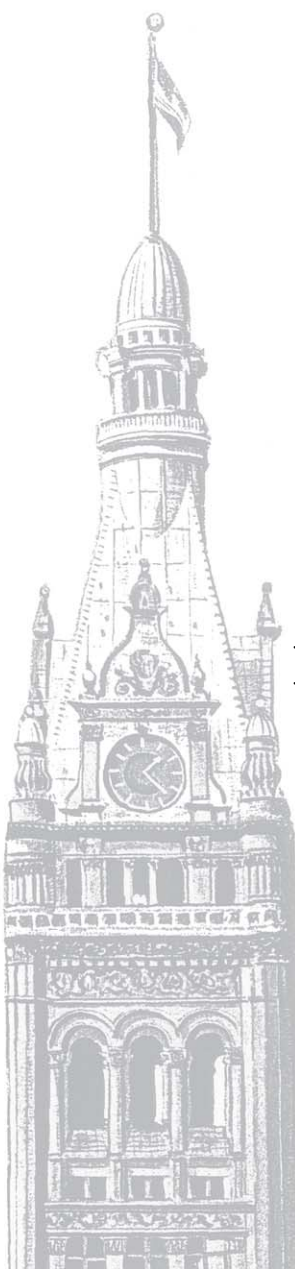
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- Steering and Rules Committee
- Milwaukee Economic Development Corporation

Statement of Alderman Joe Davis, Sr. August 18, 2010



As I have been patiently gathering information on the storm events that occurred on July 16th & 22nd, there is information that I'm compelled to release concerning the unfortunate personal loss of constituents in the 2nd Aldermanic District. The District that I represent experienced substantial damage from the heavy rains which caused residents to watch in dismay as their streets and alleys filled with storm and sewer water at an alarming rate. During the event of July 22nd, I spent much of my time wading through the water to clean clogged catch basins in my neighborhood while my home was being impacted.

Just a few years back I served on the Lincoln Creek Steering Committee that was convened to address creek overflows and flooding during heavy rain events. Our mission was to advise the MMSD, Milwaukee County, and the City of Milwaukee on how to address this same issue that recently occurred. In this job, and after attending numerous community meetings on this issue, residents just want a straight answer, and so, here it is:

First, a scaffolding system with floor decking under a bridge across Lincoln Creek at N. 60th St. and (approximately) W. Hampton Ave. (**see photo at bottom**) greatly impeded the flow of storm water during the heavy rains. This system, installed by the Department of Public Works, had been in place for almost a year and a half for bridge repair maintenance, but as the photo reveals, it also served as an obstruction to heavy flow rates. In the neighborhood that surrounds this part of Lincoln Creek, water was not allowed to flow into the creek because the massive flow exceeded its capacity limits and because of the high level of water already in this conveyance system. Residents knew about the work being done, and during my visits to impacted areas they asked me to investigate the reason why the scaffolding system had been there so long.

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I immediately called the Deputy Commissioner of the Department of Public Works and requested a meeting at the site to determine the impact of this issue, and he swiftly sent someone who was knowledgeable to the site to answer my questions. At this time, it was revealed to me that the workers would clean debris from the scaffolding system after heavy rains but did not care to report this major obstruction issue to upper management.

THIS IS TOTALLY UNACCEPTABLE!

If you have a clogged toilet, do you just clean out the contents or do you call a plumber to remove the obstruction? My constituents deserve answers to why this project took so long to complete, in addition to why this system remained in place during the heavy rain season. After I had further heated discussions with the project manager at the site, the scaffolding system was removed the next day.

Second, during my time serving on the LCSC, the issue of the Estabrook Dam had been a contentious debate which is the responsibility of Milwaukee County government. This structure was designed and installed to mitigate the Milwaukee River and for flood control reasons. Although the dam has been discussed at various lengths regarding its usefulness in its current operational state, this structure also creates an obstruction to the flow of flood water within the Milwaukee River with debris accumulating in and around this structure causing additional concerns with the flow of storm water. Most dams are designed to be fully automated with sensors monitoring rising storm water levels to reduce the possibility of flooding in upstream areas. During the previous discussions of the operation of the dam, it was suggested that the dam be removed or fully automated to address rising water levels upstream – including in Lincoln Creek – which is a Milwaukee River tributary. Until this day, the dam is still manually operated and requires Milwaukee County personnel to manually open the gates in anticipation of heavy flow events.

This is clearly inefficient and is a safety hazard for Milwaukee County personnel who have the responsibility of venturing out on the structure to adjust the heights of the gates. During heavy rain events, Milwaukee County government just simply let heavy flow exceed its levels and flow over the top of the dam. Although some say this allows flow of the storm water to continue, beneath the water's surface creates a collection point for debris which again causes restriction to emergency flow of raging storm water. The issue of deferred maintenance to the dam must be addressed because the District I represent depends on the free flowing movement of storm water at this critical point in the Milwaukee River so that Lincoln Creek continues to flow without impediment.

Finally, the issue of deferred maintenance is a problem with all local government authorities. The Milwaukee Metropolitan Sewerage District has the responsibility, along with Milwaukee County, to keep vegetation growth inside the concrete-lined portions of Lincoln Creek to designed standards. Maintenance on grass cutting and tree removal inside of the creek bed is critical which may affect the flow capacity and create restrictions that may cause rising waters to overflow this flow channel. I have requested on numerous occasions that maintenance be addressed in a timely manner by the responsible jurisdictions. To date, one can easily observe overgrown mature trees that are not part of the vegetation design of the creek bed, as well as man made debris which creates obstructions on stationary objects during heavy flow events.

The other issue of deferred maintenance is the operational status of the Metropolitan Interceptor Sewer structures that are used to divert storm and sewer water during heavy rains. Because they are operated from a remote location, the reliability of the structure is questionable, and unlikely to protect homeowners in the City of Milwaukee. If the automated gates are inoperable, or used to protect other systems, this will cause massive sewer backups in residents' basements through the City of Milwaukee's sanitary sewer system because the City's sewers are integrated with the MMSD system. Let's remember that it is the responsibility of the MMSD to manage storm and sewer flows throughout their taxing authority jurisdiction. MMSD Commissioners should be vocal about how the system has not performed to designed standards which is evident through excessive dumping and sewer backups into homes in the 2nd Aldermanic District. Taxpayers demand and deserve to have this problem addressed and resolved, NOW!

In conclusion, there are several issues that I have raised in this statement on behalf of the constituents I represent. The LCSC addressed previous flooding issues that put areas like Sherman Blvd. and the Parklawn Housing Authority property under water during the 1990s, where then first lady Hillary Clinton visited the devastation. Milwaukee has experienced storms that are a challenge to our future growth in certain neighborhoods where residents continue to experience personal financial loss. We cannot continue to ask 2nd District residents or others who were affected by these disasters to shoulder the burden of the huge financial cost of their loss. It has become a psychological nightmare for numerous constituents who have to deal with environmental problems inside of their homes, and it is our (elected officials) responsibility as their representatives to bring relief.

With this in mind, I'm requesting County Executive Scott Walker and Mayor Tom Barrett to set up an Emergency Relief Fund either through existing contingency funds or authorized contingency borrowing bonds or/and notes of \$5,000,000.00 (five million dollars) with the Milwaukee County Government, the City of Milwaukee, and the Milwaukee Metropolitan Sewerage District contributing to this emergency compensation fund. The funding should be deposited into the Damages & Claims Fund of the City of Milwaukee and residents should be allowed to file claims that would be reviewed by the City Attorney's office and the Common Council's Judiciary and Legislation Committee.

President Obama's administration has shown leadership regarding this emergency and has given local government relief through the FEMA disaster declaration process, but local government must do its part on behalf of its affected citizens. I commend our federal representatives for advocating for government relief for the cost of our clean up efforts, but it is also our responsibility to provide assistance to our taxpayers through existing resources that are available.

The concerns I have raised point out that we have created a liability for local government and our constituents by deferring maintenance, not addressing operational functions relating to flood control mitigation, and by allowing flow to be restricted within Lincoln Creek and the Milwaukee River -- the main conveyance systems for storm water on the north side of the City of Milwaukee. Integrity is defined by decisions made not when everyone is watching, but when decisions are made for the right reasons. Even if FEMA approves individual compensation for the residents of the 2nd District and others, there must be a fund that will help affected residents restore their standard of living.

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I have heard the excuse of the event being of the magnitude of the “500-year storm,” and I heard the same rhetoric describing the events in the 1990s as the “100-year storms.” What is the next excuse, “residents should start building arks in their backyards?”

Short term: we must provide relief. Long term: let’s fix the problem.

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