

**MINUTES
City of New Berlin
Utility Committee Meeting
Tuesday October 23, 2007**

Members Present: Alderman Harenda, Alderman Ament, Alderman Seidl, Commissioner Bob Dude and Commissioner Jim Morrissey

Others Present: Rick Johnson (Utility Manager), Mayor Jack Chiovero, City Attorney Mark Blum, Jim Hart (Utility Supervisor), Alderman Moore and Sue Hanley (Office Coordinator Utilities & Streets)

Alderman Harenda called the meeting to order at 5:05 p.m. with roll call and declared a quorum with all members present.

UT I-07 Approval of Minutes from the September 25th meeting

Motion by Alderman Seidl to approve the minutes from the September 25th meeting. Seconded by Commissioner Dude and upon voting the motion passed unanimously, with Alderman Ament voting present.

CLOSED SESSION

The basis for the items to be discussed in Closed Session is as enumerated in Wisconsin Statute Section 19.85(1) (e)

Discussion and possible action to enter into closed session pursuant to Wis. Stat Sec. 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. More specifically:

- ◆ Discussion concerning Bargaining for the Purchase of water from the City of Milwaukee

Motion to go into Closed Session at 5:06 p.m. by Commissioner Morrissey. Seconded by Alderman Seidl. Roll call vote: Alderman Ament yes, Commissioner Dude yes, Alderman Seidl yes, Commissioner Morrissey yes, Alderman Harenda yes.

Alderman Moore arrived at 5:08 p.m.

Motion to go into Open Session at 5:44 p.m. by Alderman Ament. Seconded by Commissioner Morrissey and upon voting the motion passed unanimously.

Reconvene to Open Session

UT 12-04 -Status on Milwaukee Water Negotiations

No new updates at this time.

-Status on Governor's Office & WDNR approval on Lake Michigan Water for remaining half of Water Utility Service Area

No new updates at this time.

-Status of Infrastructure and Distribution of Lake Michigan Water to Utility customers west of the Subcontinental divide

Alderman Harenda: This is still on the agenda. The Committee is still waiting for the Utility to get a submittal on this. Is R & M putting that together?

Mr. Johnson: I believe so.

Alderman Harenda: If you could follow up on this so that we can get it off of the agenda that would be great.

UT 08-06 Radium Compliance Wells 3, 5, and 7

Alderman Harenda: We received a letter from Greg Bolin of R & M regarding preparing the bid specification package for rebidding for pumps 3 and 7 for the radium treatment projects. The advertisement for public bids went out October 18th and October 25th. The bids will be opened will be at 10:30 a.m. on November 8th at City Hall and directed by this Committee we will hold the bids open for the timeframe of 120 days.

UT 04-07 Update & Status on MMSD 2020 Plan – Impact to City of New Berlin

Alderman Harenda: As I stated last time there was a letter that was submitted by the Mayor and Staff to the DNR requesting them to hold up and allow the City of New Berlin to discuss and offer comment internally as well as citizens of the City of New Berlin on the MMSD 2020 Facility Plan. Have you heard anything back from them?

Mayor Chiovatero: No.

Alderman Harenda: The discussion previously was to set a potential public hearing or public information meeting in a public hearing format regarding the 2020 Plan, not only for discussion on the current sewer service area and the ultimate sewer service area, but also the cost impact that the Utility customers will be seeing over the next 10 years if we proceed with this facilities plan which is a big one. I am looking for direction. I can bring forth at the next meeting a timeframe and date to set that up. I was looking to incorporate that meeting with the Utility Committee as well as the Committee of the Whole or Common Council to have a joint meeting so that we are all here when the public comes in to speak to us. Just looking for a timeframe to accomplish this. Right now I have been very busy as well as the other aldermen with the budget process, so I am looking to take care of this possibly sometime in the month of December if that is acceptable.

Alderman Ament: The sooner the better.

Alderman Harenda: At the next Utility Committee meeting I will bring some dates and we can make a formal request and a recommendation to Common Council to set that and have a similar format by having Greg Bolin and Bill Mielke from Ruekert & Mielke, Phil Evenson from SEWRPC was interesting in being present and offering Kevin Schaefer from MMSD to present their side and then take public comments. I will make contact with these individuals and make the offer to come and join us.

Alderman Ament: This is still in the hands of the DNR.

Alderman Harenda: Yes. I will check with the Mayor and maybe one of us will make a call to the Secretary's offer and find out where it is.

Alderman Ament: I think we should do that as soon as we can.

UT 05-07 Water Conservation Measures – Current & Future Objectives

Alderman Harenda: The subcommittee of Commissioner Dude and myself has met on several occasions with Alderman Moore, our Finance Department and our Utility Manager. We haven't done anything since then, because we have been tied up with the budget process. It is something we still want to pursue but look at the potential ramifications to our Utility customers as well as the commercial and industrial customers within the utility. Bob and I are going to try to meet in the next few weeks prior to the next meeting to find out what the next step is. OK Bob?

Commissioner Dude: Yes sir.

UT 08-07

Award of Construction Contract for Sanitary Sewer Rehabilitation Project Basins NB-1 and NB-4

Alderman Harenda: Rick do you want to give us an overview please.

Mr. Johnson: This was a project that was approved in our Wastewater budget for rehabilitation of the basins NB-1 and NB-4. It should finish up the whole northeast part of the City. The first estimates we took out for this project was a half million dollars. The bids came in last week with a low bid of \$448,427.00 to Michels Corporation and we will be adding the 10% contingency cost so the total project cost is not to exceed \$493,269.70. We are under budget on this project.

Commissioner Morrisey: I assume this will help reduce I & I?

Mr. Johnson: Yes. This is part of the I & I project that is an ongoing process.

Commissioner Morrisey: I see 2 manhole lids here. Are they just broken or do they need replacement?

Mr. Johnson: They are going to have to be replaced because they are no seals on them with the ring, so they come as one unit.

Motion by Commissioner Morrisey to recommend to Common Council to approve the award of Construction contract for Sanitary Sewer re-lining, replacement, manhole grouting, testing and sealing in Basins NB-1 and NB-4 to the lowest responsive and responsible bidder, Michels Corporation in the amount of \$448,427.00 for a total project cost not to exceed \$493,269.70. Source of Funds: Wastewater Account 81001131.52030. Seconded by Commissioner Dude and upon voting the motion passed unanimously.

UT 07-07

Approve Resolution No. 07-27 To Authorize The Loan From The City Of New Berlin Sewer Fund To The City Of New Berlin Water Fund To Refund The 1999 City Of New Berlin Water Revenue Bonds and approve the \$1,389,570 Promissory Note

Alderman Harenda: Information was given out and previously discussed with Mike Holzinger.

Commissioner Dude: This is a win-win situation. We will save a considerable amount of money for the Water Utility by calling the bonds early. Borrowing the money from the Sewer Utility we guarantee them Sewer Utility a 5% return which is what they were making last year, despite the fact that interest rates dropped significantly since the time we authorized this, so the Sewer Utility is getting a very fair return on their money. We are also picking up about a half a year's interest by borrowing from ourselves as opposed to going out to the public. Win, win, win on all cases. We called the loan early for the Water Utility, it is a good rate for the Sewer Utility, it is a savings for the public and Mike Holzinger assured us there was no problem with the finance regarding not having the availability of funds and having to go outside.

Motion by Commissioner Dude to recommend to Common Council to approve Resolution No.07-27 A Resolution To Authorize The Loan From The City Of New Berlin Sewer Fund To The City Of New Berlin Water Fund To Refund The 1999 City Of New Berlin Water Revenue Bonds, the Promissory Note and the Debt Service Schedule. Seconded by Alderman Seidl and upon voting the motion passed unanimously.

Motion by Alderman Seidl to adjourn at 5:55 p.m. Seconded by Commissioner Morrisey and upon voting the motion passed unanimously.

Privilege of the Floor

*Please Note: Minutes are not official until approved by the Committee
Respectfully submitted, Suzette Hanley - Office Coordinator, Utilities & Streets*