

**MINUTES  
City of New Berlin  
Utility Committee Meeting  
Tuesday October 25, 2005**

Members Present: Alderman Gallagher, Alderman Ament, Alderman Harenda, and Commissioner Jim Morrissey

Excused: Commissioner Bob Dude

Others Present: Ray Grzys (Director of Utilities & Streets), Mark Blum (City Attorney), JP Walker (City Engineer), Steve Schultz and David Arnott (Ruekert & Mielke), and Sue Hanley (Office Coordinator Utilities & Streets)

Chairman Gallagher called the meeting to order at 5:00 p.m. declaring a quorum with 4 members present. Mr. Dude was excused.

**ITEM N-05 Approval of Minutes from September 27<sup>th</sup> meeting**

Motion by Alderman Harenda to approve the minutes from the September 27<sup>th</sup> meeting. Seconded by Alderman Ament and upon voting the motion passed unanimously 4-0.

**ITEM UT 06-05 Discuss Need for Boosted Pressure Looping Main – National, Calhoun and Observatory**

Motion by Commissioner Morrissey to remove this item from the table. Seconded by Alderman Harenda and upon voting the motion passed unanimously 4-0.

Director Grzys asked that this item be removed from the agenda. Alderman Ament asked why? Director Grzys stated that there are several ways to fund the boosted pressure looping main. He continued that if the project is funded by special assessments, it would be difficult to meet the school deadline and the cost was prohibitive. He said that the project could not be Utility driven, since the money for this project was now being utilized for the radium compliance issue, so in order for the school to stay on schedule, they need to extend the main themselves as a developer driven project.

Motion by Alderman Harenda to remove this item from the agenda. Seconded by Commissioner Morrissey and upon voting the motion passed unanimously 4-0.

**ITEM 11-05 Request by T-Mobile to reconsider revising term of their original Communication Contract**

Director Grzys stated that at the last meeting, the decision was made by the Committee to keep the current contract. He said that he explained this to a T-Mobile representative and they wanted to submit 6 different agreements for the Committee to consider. Director Grzys said that he talked to the Finance Department and they agreed that the contract should be left as is with the present terms. This item will be dropped from the agenda since action was taken at the last meeting.

**ITEM 16-05 Review & Action of Ordinance Section 267-10**

Director Grzys stated that changes made to the ordinance at the past meeting dealt with the number of meters required for apartments and that the Wimmer Homes representative had expressed his concern regarding the cost of individual meters. He noted that the ordinance was revised so that the developer has the option to install 1 meter per condominium or multi-tenant unit, or install individual meters. Director Grzys stated that the Utility staff requested a section be added to the ordinance regarding the size of the meter room, a floor drain requirement and also for a penalty for illegal connections. He added that staff has reviewed the revised ordinance prepared by Attorney Mark Blum and has approve this as is. Attorney Blum further explained the revisions in the ordinance.

Alderman Harenda asked how many illegal connections there were this year? Director Grzys stated one where the resident was taking water and bypassing the meter.

Motion by Alderman Harenda to approve the ordinance changes to section 267-10 of the Municipal Code. Seconded by Commissioner Morrissey and upon voting the motion passed unanimously.

**ITEM UT 18-05                      Request and Authorize the Wastewater Utility to share in the cost to update Regal Manor West Liftstation with Ronald Reagan Elementary School**

Director Grzys stated that we had an item previously on the agenda to approve funding for a study to increase the size of the liftstation, but the motion failed for a lack of a second. He added that this is the other part of that issue that was pushed aside. Director Grzys read the requested action to recommend to Council to accept the study report from Ruckert & Mielke dated April 2005 and approve the Wastewater Utility share of 66% of the project cost of \$82,400 for a total cost not to exceed \$55,000, source of funds approved year 2005 operating budget account 81001131.52020 Collection System Contracted. He said that the Ruckert & Mielke Regal Manor West Liftation analysis dated April 2005 included the Wastewater Utility share in the cost to update the liftstation at 66% Utility and 34% Ronald Reagan Elementary School.

Alderman Harenda said that according the Ruckert & Mielke report, the liftstation is presently undersized for the existing peak flow as each pump conveys approximately 850 GPM and the existing peak flow to the station has been as high as 968 GPM. The report stated that even without the additional 62 GPM capacity for the school, the upgrade would have to be done anyway.

JP Walker stated that the Board of Public Works did review the Developer's Agreement and did have the recommended percentage share in it, but the language was taken out and revised to defer to the Ruckert & Mielke report and to the Utility Committee decision.

Alderman Ament questioned whether the update needed to be done, stating that the report states several times that the liftstation was in good condition and would not reach the end of it's design life until 2018. His concern that the upgrade was for long term growth needs and that if the liftstation is meeting the current needs now, and upgrades need to be made for the Ronald Reagan school, the burden should be placed on the school. He added that if further development is made, the cost should be placed on the developer not the Utility customer.

Jim Morrissey asked if the proposal for the study in UT05-05 was turned down by the Committee, who paid for this study? Director Grzys replied that it was paid for by the Ronald Reagan School. Mr. Morrissey said that on page 3, paragraph 1, it says that even if the school was not developed, the report states there is a need to upgrade to prevent sewer backups.

David Arnott from Ruckert & Mielke said that his firm was retained by the school district to determine what is required to handle additional flow. He said that the liftstation's present state, flow rate, pressure, history and records of peak flow were reviewed and it was determined that during a particular wet Spring in 2004 with a flow rate of 968 GPM, both pumps were needed to handle the peak flow. Mr. Arnott said that according to state code, one pump is required to handle the flow, with one pump as a backup. In addition, the pump recycle time exceed the limit by 5 minutes and does not meet the state code. Mr. Arnott stated that it was R & M's recommendation to replace the pumps with 40 HP motors and a larger propeller, as well as variable frequency drives to slow pumps to run longer, but have a shorter recycle time.

Alderman Gallagher asked if by doing this work we were oversizing a little, or could we do less for less money? Mr. Arnott responded that this updating will meet the flow standards today and for the school, that's it.

Commissioner Morrissey asked if there were any sewer backups besides the May 2004 one? Director Grzys said no, but that Utility staff was called in on several occasions and bypassed the manhole.

Alderman Ament asked if this liftstation primarily serves NB 7 and why the manhole rehab work, which gave the City a substantial increase in capacity in the northeast part of the City, has not helped here?

JP Walker stated that the manholes in the northeast corner of the City were older and leaking, and the rehab helped considerably there. In Basin 7, he expected fewer leaks, but there were some improvements. Alderman Ament asked if the report included the manhole rehabilitation work? Director Grzys stated that the work was completed prior to the report.

Motion by Commissioner Morrissey to recommend to Council to accept the study report from Ruekert & Mielke dated April 2005 and approve the Wastewater Utility share of 66% of the project cost of \$82,400 for a total cost not to exceed \$55,000. Source of funds: Approved year 2005 Operating Budget A/C #81001131.52030 Collection System Contracted. Seconded by Alderman Harenda and upon voting the motion passed 3 to 1 with Alderman Ament voting no.

**ITEM UT 19-05 Request by Cingular to reconsider revising term of their Original Communication Contract**

Director Grzys stated that the current lease amount for the Cingular Communication Contract was \$21,106.50 and the request was to lower the base rate to \$16,885.20. Alderman Gallagher said that this item was similar to the T-Mobile request and that the contract should remain as it is. Director Grzys said that he would forward the response that the Committee chose not to consider the request.

**ITEM UT 20-05 Request approval to proceed with the purchase of sites for Wells #11 & 12**

Director Grzys said the requested action to recommend to Council approval to purchase outlet sites #3 and 4 in the Conservancy subdivision for City wells #11 and 12, not to exceed \$35,000. He said in 2004, the Utility set aside \$65,000 for the purchase of Well sites #11 and #12 with MLG Commercial Corporation, but had to wait until the final plat approval was completed before providing the option to purchase. The time has arrived and the City of New Berlin needs to exercise its option to purchase the land as provided for in the Option to Purchase Agreement. The cost of the lot is set at \$20,000/acre and the total cost for 1.541 acres is approximately \$35,000 with the agreement that in the event the well site is no longer used for municipal wells, the seller would have rights to reacquire the land at a cost of \$20,000/acre together with an adjustment based upon the increase in the Consumer Price Index.

Alderman Gallagher said that the Utility is hopeful and optimistic we won't need the wells, and Marcus has the option to purchase back for home lots. He asked if the laterals were already put in? Director Grzys said yes the laterals are in and Marcus would gladly purchase the lots back.

Alderman Ament said he thought when we signed the Milwaukee Water agreement we would not need Well 12, and that if we did have to use it, it wouldn't help with the radium issue as the DNR tests are done at each site. Director Grzys said that well 12 would be a shallow well that is radium free, and with well sites dwindling, staff recommends purchasing it with a chance that we won't need it if Milwaukee water negotiations are good. He added that we probably won't need the well, but it could be used to blend with the other wells, we would just have to pipe it to the west side of Sunnyslope.

Mr. Morrissey asked if the well sites were on the east side of Sunny Slope, the Milwaukee water side? Director Grzys answered yes, that Well 11 has a pumphouse and the water would have to be reconditioned, but Well 12 was not drilled yet.

Attorney Blum said that the option needs to be exercised within the year and will have to be closed before the final plat is closed. He added the issue is whether or not to reverse course based on what we know about Milwaukee water and Well 11. Alderman Harenda said that by purchasing the land, we have insurance, and we won't lose anything if we get Milwaukee water. Alderman Harenda asked if the land at Well 11 is zoned institutional, and if we do resell it, will it revert back to residential? Attorney Blum said that would have to be done by Council and could be put in as a requirement if we sell it back.

Motion by Alderman Harenda to recommend to Council approval to purchase outlet sites #3 and 4 in the Conservancy subdivision for City wells #11 and 12, not to exceed \$35,000. Source of funds: Approved

2004 CIP Budget account 90-173100. Seconded by Commissioner Morrisey and upon voting the motion passed unanimously.

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

*Respectfully submitted,*

*Suzette Hanley - Office Coordinator, Utilities & Streets*