

MINUTES
City of New Berlin
Utility Committee Meeting
Tuesday February 22, 2005

Members Present: Alderman Gallagher, Alderman Ament, Commissioner Bob Dude, Jim Morrissey

Excused: Alderman Harenda

Others Present: Mayor Wysocki, Ray Grzys (Director of Utilities & Streets), City Attorney Mark Blum, Larry Wilms (Division Engineer), Steve Schultz (Ruekert & Mielke), Suzette Hanley (Office Coordinator Utilities & Streets),

Alderman Gallagher called the meeting to order at 5:02 pm and declared a quorum with 4 members present. He welcomed back Bob Dude and welcomed new citizen member Jim Morrissey.

ITEM B-05 Approval of Minutes from January 25th meeting

Alderman Gallagher noted that only 2 members of the committee were present at the January 25th meeting, so this item would have to be tabled until Alderman Harenda was back.

Motion to table by Alderman Gallagher. Seconded by Alderman Ament and upon voting the motion passed unanimously.

ITEM 12-04A Milwaukee Water Construction Update #6 (Steve.Schultz, Ruekert & Mielke)

Steve Schultz stated that Greenridge pumping station is 95% complete in converting this existing station to a booster station. He added that all piping has been completed and start up activities, including energizing is proceeding. Mr. Schultz said that there are some cosmetic work, painting, and spring landscaping to be completed. Mr. Schultz said that the Grange Avenue pumping station is about 50% complete due to delays for site filling and the mismarked utilities by SBC. Mr. Schultz said that staff had met with the contractor to adjust the schedule to meet the start up deadline to pump water, and landscaping and painting would be completed later in the summer.

Mr. Schultz said that settlement issues and landscaping will be dealt with as they arrive. He added that restoration was completed too late for grass growth. He stated that the pressure reducing station was energized 2 weeks ago and testing will be done on the 23rd. Mr. Schultz related that liquidated damages they have recommended to the City to hold back so far amount to \$72,700 because of delays by the contractor. He also stated that the project is still within budget with \$60,000 left.

Commissioner Dude asked if the liquidated damages were figured into that figure? Mr. Schultz said that the \$60,000 was separate from the liquidated damage amount. Commissioner Dude asked if the piping would be large enough if the City negotiates Milwaukee Water for the west side of the service area? Mr. Schultz replied yes, and the only thing that the City would have to change is the size of the pumps.

Commissioner Dude asked if the City could upsize the pumps, what the cost would be and what the lead-time was? Mr. Schultz said that the pumps have been ordered, lead time is approximately 6-8 weeks, and that the cost of the pumps is a couple of thousand dollars each. Commissioner Dude asked if we could ever use the smaller pumps at other stations and Mr. Schultz replied no. Mr. Schultz added that because we have redundant stations, if we ever did have to change the size of the pumps in the event that we receive Milwaukee water for the west side, it would not cause a disruption in service, as long as it was not during peak use times.

Director Grzys added that the original design, infrastructure and size of the mains were designed so that if New Berlin received Milwaukee Water for the entire system, we did not have to dig up pipes and roads again. Steve Schultz said that we may just need to change some impellers. Director Grzys added that to change the size of the pumps the City would need DNR approval. Alderman Gallagher said that we don't want too big a pump and waste money on electricity.

Director Grzys informed the Committee that they are keeping the public updated regarding the City of Milwaukee construction via the City website, cable channel and newsletter. He added that we will keep citizens informed of the possible changes, flushing of the system, water discoloration and will send Water quality reports from Milwaukee and New Berlin to those customers receiving Milwaukee water.

Commissioner Dude asked if the rate approvals were finalized? Director Grzys responded yes, it is a 2-phase increase with 3% last year and the final increase of 21% when the Milwaukee water goes in. Commissioner Dude asked if some PR work should be done to inform citizens of the good news – less use of salt, no sprinkling bans, saving money on radium treatment, etc. along with this bad news? Director Grzys responded that we have had a public hearing and we plan to do a bill insert, and put information on the cable channel, newsletter and website.

ITEM 13-04 Direct City Attorney to research and advise Utility Committee on Legal Rights Concerning MMSD issues

Item remains on the table and was not discussed.

Closed Session

Alderman Gallagher read the following:

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

(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, more specifically:

- Claim against the City regarding Sewer Overflows into Lake Michigan

Motion to move into Closed Session by Alderman Ament. Seconded by Commissioner Dude.

Role call vote: Alderman Ament voted yes, Alderman Gallagher voted yes, Commissioner Dude voted yes, and Jim Morrissey voted yes.

Motion by Alderman Ament to go into Open session. Seconded by Commissioner Dude and upon voting the motion passed unanimously.

Open Session

Motion to adjourn at 6:17 p.m. by Alderman Ament. Seconded by Commissioner Dude and upon voting the motion passed unanimously.

Respectfully submitted,

*Suzette Hanley
Office Coordinator, Utilities and Streets*