

MINUTES
City of New Berlin
Special Utility Committee Meeting
Tuesday May 11, 2004

Members Present: Aldermen Gallagher, and Ament, Bob Dude (Citizen Member) and Ray Grzys (Director of Utilities and Streets)
Alderman Harenda arrived at 5:30 pm

Others Present: J.P. Walker (City Engineer), Larry Wilms (Division Engineer), Mayor Ted Wysocki,

Alderman Gallagher called the meeting to order at 5:01 pm and declared a quorum.

ITEM 10-04 Approve Resolution 04-24 – Transfer of Funds for Well #11 Rehab

Director Grzys stated that the Committee talked about Well #11 rehab at the last meeting and looked to the Attorney to obtain the necessary approval from Ruckert and Mielke. He stated that we received a letter from Ruckert & Mielke accepting the conditions, and a go ahead letter from the DNR, with some provisions to follow.

Motion by Alderman Ament to recommend to Council to approve the transfer of approved Hydrant Replacement Funds fro Moorland Road A/C #348 to Well A/C #314 and adopt Resolution 04-24. Seconded by Commissioner Dude and upon voting the motion passed unanimously.

ITEM 01-03A Award Contract for 2004 Flow Monitoring to meet MMSD Requirements

Director Grzys explained the spreadsheet that was prepared as requested at the last meeting, showing the charges paid for Sewer availability over the last 10 years for vacant lots on the list in the subbasins to be monitored.

Alderman Gallagher asked how many people have actually requested to hook up to the sewer, and have been told there is no capacity? Director Grzys stated that calls have come in to Engineering, the Mayor's office, and his office, probably 6-8 residents, possibly 10 maximum.

Larry Wilms stated that based on the April 21st letter in the packet, basins 1,3,4,5,6 and 9 all have zero capacity, except for Basin 9, where MMSD gave us additional capacity if we continue monitoring.

Commissioner Dude cited the letter from Michael Martin, MMSD dated November 4, 2003, in which MMSD commends the City for reducing I/I in the system in Basin NB-9. The letter states that the City has an annual reporting requirement that may be replaced or eliminated once the 2020 Facilities Plan is adopted. Director Grzys stated that this would probably be required until 2008.

Alderman Ament said that this issue has gone away from what we originally intended, and that is to prevent back ups in basements. He added that now the issue is to try to provide additional capacity for residents who purchased property 10-20 years ago, and now want to build, but can't because there is no capacity. Alderman Ament said that perhaps it would be cheaper not to charge these people and just say that we have no capacity at this time. Alderman Ament added that if we determine any amount is over, we will be required to spend money to fix the problem.

Alderman Harenda arrived at 5:30 p.m.

Commissioner Dude stated that we need to monitor the I/I until 2008, and that we have an obligation to the people who paid availability charges for years. Alderman Gallagher argued that we don't have a contract with these people, that it is MMSD who is restricting them connecting to the sewer system, not the City. Commissioner Dude suggested that we send a letter to the people paying availability charges, asking if they want to connect to the Sewer system. If they don't want to connect, we could refund the

payments that they have made over the years (with interest), and this would get the City out of its obligation. He added that the City Attorney should be consulted on this. Alderman Gallagher agreed that we should get the City Attorney's opinion, what is our legal obligation to potential Utility customers?

Director Grzys responded that we have spent money by monitoring I/I in the past few years, and have been complimented by MMSD for reduction in Basin 9. He added that the Utility now has an ordinance approved by this Committee, which gives authority to knock on doors if clear water is infiltrating the system, and that requires homeowners to make repairs.

Motion by Director Grzys to recommend to Council to approve a Professional Services Agreement with R.A. Smith & Associates, Consulting Engineers, for Flow Monitoring data collection and analyses to identify and quantify the Infiltration and Inflow for selected tributary areas within the sewer system using Utility rainfall data for a fee not to exceed \$61,500, funded by Wastewater Utility Account #831.04. Seconded by Commissioner Dude. Upon voting, the motion failed 4 to 1. Voting was Director Grzys yes, Commissioner Dude no, Alderman Ament no, Alderman Gallagher no, Alderman Harenda no.

Motion to adjourn at 6:15 p.m. by Commissioner Dude. Seconded by Alderman Ament, and upon voting the motion passed unanimously.