



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Preston D. Cole, Chair*  
*Robert C. Brunner, Vice Chair*  
*Lyle A. Balistreri, David Cullen, Pedro Colon,*  
*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, January 26, 2009

9:00 AM

MMSD Headquarters Building, Room 121

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#### CALL TO ORDER

*The Commission Chair called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Lyle A. Balistreri, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

**Excused:** Pedro Colon

#### Approval of Proceedings of Special Commission Meeting held on December 1, 2008 and Regular Commission Meeting held December 15, 2008

A motion was made by Commissioner White, seconded by Commissioner Hayward, to approve the Proceedings. The motion carried.

#### NEW BUSINESS

##### 09-008-1 Operations and Maintenance Report for December 2008

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.*

*Commission Brunner requested and staff concurred that the influent for nitrogen be tracked and included in future presentations.*

**Received**

#### OPERATIONS COMMITTEE MEETING REPORT

Commissioner Richards, Operations Committee Vice Chair, presented the report from the 1/12/09 Committee meeting.

##### 1 09-001-1 Award of Contract TS-2478 Watercourse Maintenance

**A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

- 2      **09-002-1**      Award of Contract W40004E01 Kinnickinnic River Sediment Transport Planning Study
- A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

### **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Commissioner Cullen, PF&P Committee Chair, presented the report from the 1/12/09 Committee meeting.

- 3      **09-003-1**      Authorizing the Executive Director to Execute a Memorandum of Understanding with the Wisconsin Department of Transportation for the Reconstruction of a Metropolitan Interceptor Sewer in South 27th Street in Association with the Reconstruction of I-894
- A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4      **09-004-1**      Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement with the City of Milwaukee to Provide Maintenance of Railroad Line on Jones Island
- A motion was made by Commissioner Cullen, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

### **ORGANIZATION & ADMINISTRATION**

**09-009-1** EXECUTIVE DIRECTOR'S REPORT

- A. Educational Outreach Activities Quarterly Report
- B. Update on Revisions to District Rules
- C. Small Business Administration Award for Exceptional Support
- D. Conservation Easement on Underwood Creek
- E. 2008 Year in Review
- F. Status of Federal Stimulus Package

*The Executive Director reported to the Commission on these items as follows:*

*A. The Commission received a hard copy and an oral presentation from Cora Palmer, Community Affairs Coordinator.*

*B. The Commission received a Power Point presentation from Tim Bate, Engineering Planning Manager, and Mark Kaminski, Acting Controller.*

*The Commission requested a copy of the draft document of the rules changes prior to staff presenting it to the Commission for approval. Commissioner Richards also requested a copy of the cumulative attendance spread sheet for the Technical Advisory Committee (TAT) meetings be provided to Commissioners and that this attendance record be sent to the respective municipal Mayors/Village Presidents.*

*C. The Executive Director, Kevin L. Shafer, P.E., presented the trophy to the Commission and passed it around for all to see.*

*D. The Commission received a presentation from the Kevin L. Shafer, P.E., Executive Director.*

*E. The Commission received a Power Point presentation from Kevin L. Shafer, P.E., Executive Director.*

*F. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director.*

**Received**

A motion was made by Commissioner Cullen, seconded by Commissioner White, to go into Closed Session in accordance with state statutes as stated on the published notice and agenda. The motion carried.

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 09-010-1** Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement with the City of Milwaukee to Provide Maintenance of Railroad Line on Jones Island

**Not Discussed in Closed Session**

- CS2 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:  
**Not Discussed in Closed Session**
- CS3 09-012-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:  
- Milorganite  
- Alterra Flushing Station Lease  
**Not Discussed in Closed Session**
- CS4 09-013-1** WPDES Permit Reissuance  
**Heard in Closed Session**
- CS5 09-014-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD  
**Heard in Closed Session**
- CS6 09-015-1** Potential Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS7 09-016-1** Negotiations - Methane Pipeline  
**Heard in Closed Session**
- CS8 09-017-1** E-L Enterprises Inc. v. MMSD, et. al.  
**Heard in Closed Session**
- CS9 09-018-1** Badger Alloys, Inc. v. MMSD  
**Heard in Closed Session**
- CS10 09-019-1** MMSD v. Sedgwick of Illinois, et al  
**Heard in Closed Session**

## **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 11:40 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



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*Preston D. Cole, Chair*  
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*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, February 23, 2009

9:00 AM

MMSD Headquarters Building, Room 121

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#### CALL TO ORDER

*The Commission Chair called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ronald G. Hayward, Ben Gramling, Dale Richards, Michael A. West

**Excused:** Ashanti Hamilton, Wallace White

#### Approval of Proceedings of Regular Commission Meeting held January 26, 2009

A motion was made by Commissioner Balistreri, seconded by Commissioner West. The motion carried.

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for January 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.*

**Received**

#### OPERATIONS COMMITTEE MEETING REPORT

**1** **09-020-2** Award of Contract W45002E01, Wilson Park Creek Flood Management Planning Project South Howell Avenue to South 27th Street

**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**

#### POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

**2** **09-021-2** Approval of Revised Sanitary Sewer Service Area for the City of New Berlin

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

**ORGANIZATION & ADMINISTRATION****09-009-1 EXECUTIVE DIRECTOR'S REPORT**

- A. Monthly Reports
- B. Status of Federal Stimulus Package
- C. Seventh Circuit Court Decision - 2002 Citizen Lawsuit

*The Commission received the following reports from the Executive Director:*

*A. No report.*

*B. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director.*

*C. The Commission received a presentation from Mike McCabe, Director of Legal Services, with comments from Kevin L. Shafer, P.E., Executive Director.*

**Received**

A motion was made by Commissioner Cullen, seconded by Commissioner Richards, to go into Closed Session in accordance with statutory authority as stated on the published notice and agenda. The motion carried.

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

**CS1 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:

**Not Discussed in Closed Session**

**CS2 09-012-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:

- Milorganite
- Alterra Flushing Station Lease

**Heard in Closed Session**

**CS3 09-013-1** WPDES Permit Reissuance

**Not Discussed in Closed Session**

**CS4 09-014-1** Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD

**Heard in Closed Session**

CS5 09-015-1 Potential Claims Arising from June 6-9, 2008 Storm Event

**Heard in Closed Session**

CS6 09-016-1 Negotiations - Methane Pipeline

**Heard in Closed Session**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 10:00 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



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*Dale J. Richards, Michael A. West, Wallace White*

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Monday, March 9, 2009

9:10 AM

MMSD Headquarters Building, Room 121

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### SPECIAL COMMISSION MEETING

#### CALL TO ORDER

*Commission Chair Preston D. Cole called the meeting to order at approximately 9:20 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Pedro Colon, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

**Excused:** Lyle A. Balistreri

#### OPERATIONS COMMITTEE MEETING REPORT

- 3    **09-025-3**    Approval of Contract Modification No. 2, Contract C07022C01, Canal Wet Weather Relief Sewer, Approve Changes in Total Project Costs and Restore the Executive Director's Original Delegated Authority
- A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

The Commission adjourned its meeting at approximately 9:25 a.m.

Commission Chair Preston D. Cole reopened the Commission meeting at approximately 10:40 a.m.

A motion was made by Commissioner West, seconded by Commissioner Hamilton, to go into Closed Session in accordance with state statutes and for the purposes as stated on the published notice and agenda. The motion carried.

#### CLOSED SESSION

PURSUANT TO SECTION 19.85(1)(g), Wisconsin Statutes, the Commission convened in Closed Session to confer with Legal Counsel with respect to litigation in which the District is or may become involved.

CS5 09-015-1 Potential Claims Arising from June 6-9, 2008 Storm Event

**Heard in Closed Session**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session at approximately 10:45 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Preston D. Cole, Chair*  
*Robert C. Brunner, Vice Chair*  
*Lyle A. Balistreri, David Cullen, Pedro Colon,*  
*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, March 23, 2009

9:00 AM

MMSD Headquarters Building, Room 121

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#### CALL TO ORDER

*The Commission Chair called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Lyle A. Balistreri, David Cullen, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

**Excused:** Pedro Colon, Ashanti Hamilton

#### Approval of Proceedings of Regular Commission Meeting held February 23, 2009

**A motion was made by Commissioner White, seconded by Commissioner Cullen, to approve the Proceedings. The motion carried.**

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for February 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.*

**Received**

#### OPERATIONS COMMITTEE MEETING REPORT

**1** **09-023-3** Award of Contract J06025C01, Jones Island Water Reclamation Facility Wet Well Relining Project

**A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

**2** **09-024-3** Approval of Amendment No. 2, Contract C98041D01, Conveyance Pump Station Upgrades Phase II and Restore the Executive Director's Original Delegated Authority

**A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**

**POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

- 4      **09-026-3**      Adoption of 2020 Facilities Plan Addendum Entitled "Landfill Gas Utilization Project"  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5      **09-027-3**      Authorizing the Executive Director to Approve Computer-related Purchases from the State Bid List for Calendar year 2009  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 6      **09-028-3**      Authorizing the Executive Director to Enter into Agreements for Provision of the Workforce Development and Training & Placement Program (WDTP)  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7      **09-029-3**      Establishing a Policy for District Participation in Municipal Ordinance Litigation  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8      **09-030-3**      Award of Supplemental Environmental Project (SEP) for the 2008 Stipulation -- Contract M03041P01  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 9      **09-031-3**      Authorize the Executive Director to Execute a New Lease for the Milwaukee River Flushing Station  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 10     **09-032-3**      Authorizing the Transfer of Funds in the 2008 Operations and Maintenance Budget and Transfer of Funds in the 2008 Capital Budget  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 11     **09-033-3**      Amending the Adopted 2009 Operations & Maintenance Budget to Reflect Carryover of Unexpended Funds  
**A motion was made by Commissioner Cullen, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

**ORGANIZATION & ADMINISTRATION**

**09-009-1** EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Status of Federal Stimulus Package
- C. 2009 Federal Appropriations
- D. Value Engineering Analysis Summary for Project J01006, Preliminary Facility Upgrade
- E. MMSD Review of Waukesha Diversion Impacts

*A. Agency Services Report sent electronically to all Commissioners.*

*B. The Commission received a Power Point presentation (a map outlining potential projects) from Kevin L. Shafer, P.E., Executive Director.*

*C. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director.*

*D. The Commission received a Power Point presentation from Patrick Obernauf, CMOM Program Manager/Asset Manager.*

*E. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director. NOTE: This item will be brought to the April Commission meeting cycle.*

*Commissioner Cole requested that we ask for an official request and also invite the Waukesha policy makers to attend the April MMSD Commission meeting.*

**Received**

A motion was made by Commissioner Cullen, seconded by Commissioner Brunner, to go into Closed Session in accordance with state statutes and for the purposes as set forth on the published notice and agenda. The motion carried.

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(c), (e), and (g), Wisconsin Statutes, the Commission convened in Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

**CS1**    **09-011-1**    Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:

**Not Discussed in Closed Session**

**CS2**    **09-012-1**    Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:

- Milorganite
- Alterra Flushing Station Lease

**Heard in Closed Session**

**CS3**    **09-013-1**    WPDES Permit Reissuance

**Not Discussed in Closed Session**

- CS4**    **09-014-1**    Friends of Milwaukee's Rivers and Lake Michigan Federation vs. MMSD  
**Heard in Closed Session**
- CS5**    **09-015-1**    Potential Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS6**    **09-035-3**    2008 Performance Evaluation and Proposed 2009 Accountabilities for the Executive Director  
**Heard in Closed Session**
- CS7**    **09-036-3**    2008 Performance Evaluation and Proposed 2009 Accountabilities for the Director of Legal Services  
**Heard in Closed Session**

#### **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 10:20 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



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*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, April 20, 2009

9:00 AM

MMSD Headquarters Building, Room 121

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#### CALL TO ORDER

*The Chair called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Pedro Colon, David Cullen, Ronald G. Hayward, Ben Gramling, Dale Richards, Michael A. West

**Excused:** Lyle A. Balistreri, Ashanti Hamilton, Wallace White

#### Approval of Proceedings of Special Commission Meeting held March 9, 2009 and Regular Commission Meeting held March 23, 2009

A motion was made by Commissioner West, seconded by Commissioner Colon, to approve the Proceedings. The motion carried.

#### NEW BUSINESS

##### 09-008-1 Operations and Maintenance Report for March 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee LLC.*

*Scott Royer introduced the following two Veolia employees to the Commission:*

*Bob Hines, former Capital Coordinator promoted to Assistant General Manager; and Larry Coke, Project Manager for the design of the landfill gas project.*

**Received**

##### 18 09-054-4 Annual Performance Report for 2008

*The Commission received a Power Point presentation from Mickie Pearsall, Lead Management and Budget Analyst.*

*Commissioner Richards commended staff on a job well done.*

**Received**

#### OPERATIONS COMMITTEE MEETING REPORT

Commissioner Colon, Chair of the Operations Committee moved approval of Items 1, 3-8 and 19 as a block. Item 2 was addressed separately, and Item 9 was held in Commission.

- 1      **09-037-4**      Award of Contract S06006C01, South Shore Water Reclamation Facility Masonry Restoration, Roof and Iron Acid Improvements  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 2      **09-038-4**      Award of Contract C07011C01, Basin D Branch Sewers Rehabilitation Project  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 3      **09-039-4**      Award of Contract C06013C01, Basin B Dry Weather Flow Rehabilitation  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 4      **09-040-4**      Award of Contract P2497, Air Quality Engineering Services  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 5      **09-041-4**      Award of Contract P02001D03, Design of Landfill Gas Pipeline and Dryer Burner Conversion  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 6      **09-042-4**      Award of Contract to Provide Temperature Control and Mechanical Maintenance Services for MMSD Headquarters and Laboratory Facilities for a Period of One Year, Renewable for Three Additional Years - Formal Bid NO. P-2501  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 7      **09-043-4**      Award of Contract to Provide HVAC Building Control Upgrade for the MMSD Headquarters - Formal Bid NO. P-2502  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 8      **09-044-4**      Award of Contract M03015E32, Implementation of Area-wide Stormwater Best Management Practices  
**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 9      **09-045-4**      Memorandum of Understanding with Waukesha Water to Perform Underwood Creek Return Flow Water Quality Analysis  
**Held in Commission**

- 19      09-055-4      Green/Blue Roof Partnership Program

**A motion was made by Commissioner Colon, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**

## **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Commissioner Cullen moved approval of Items 10-17 as a block, indicating that Commissioner Balistreri had voted no on Item 16 at the Committee meeting.

- 10      09-046-4      Conveyance of a Permanent Highway Easement to Wisconsin Department of Transportation on District Owned Lands Adjacent to Interstate Highway 94 East of South 13th Street and Along and Above Wilson Park Creek in the City of Milwaukee

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

- 11      09-047-4      Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Kinnickinnic River Flood Management South Sixth Street to South Chase Avenue, Project W40002

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

- 12      09-048-4      Award of Supplemental Environmental Project (SEP) for the 2008 Stipulation - Contract M03041P02

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

- 14      09-050-4      Extending the Broker/Administrator Contract for the District's Owner Controlled Insurance Program

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

- 15      09-051-4      Purchase of Builder's Risk Insurance for Contract W20004C06, Milwaukee County Grounds Floodwater Management Facility Structures and Tunnel

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

- 16      09-052-4      Revising Policies 1-77.04, Educational Reimbursement for Management and Non-Represented Employees; 1-77.09, Employee Service Award Program; 1-77.12, Work Study Program; 1-77.20, Insurance and Related Benefits (Management/Non-Represented Employees); 1-77.28, Staffing, Recruitment and Hiring Practices; 1-77.35, Compensation Policy for Non-Represented Employees; 1-77.44, Hiring Preferences for Eligible Veterans; and Eliminating Policy 1-77.31, Revisions in Staffing Level

**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

*Commissioner Richards voted no.*

- 17      09-053-4      Approval of the 2009 Milwaukee Metropolitan Sewerage District Affirmative Action Plan
- A motion was made by Commissioner Colon, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

## **ORGANIZATION & ADMINISTRATION**

### **09-009-1      EXECUTIVE DIRECTOR'S REPORT**

- A. Monthly Reports
  - B. Earth Day Activities
  - C. Aquaculture
  - D. Status of Federal Stimulus Package
  - E. Two Engineering Excellence Awards --  
2020 Facilities Plan and Instrumentation Controls Upgrades
- A. Agency Services Reports were provided to Commissioners.*
- B. The Commission received a report from Kevin L. Shafer, P.E., on the following Earth Day Activities:*
1. *MMSD Medicine Collection, Saturday, April 18, 2009*
  2. *Food is Fuel Project*
  3. *Household Hazardous Waste Collection kickoff on Friday, April 24, and Saturday, April 25, 2009 at State Fair Park*
  4. *Science Day at Boerner Botannical Gardens in Hales Corners on Saturday, April 25, and Sunday, April 26, 2009*
  5. *The Commission received a Power Point presentation, H2O, from Don Nehmer, Capital Program Business Manager, and Chris Magruder, Community & Environmental Liaison. Purpose of the H2O website is to educate people about water quality and quantity.*
  6. *The Executive Director reported Fox Point passed a Stormwater Utility ordinance, and they are giving credit for rain gardens and the use of rain barrels.*
- C. The Commission received a Power Point presentation from Karen Sands, Sustainability Manager, related to potential fish farming at South Shore Water Reclamation Facility. Rick Goetz of the Great Lakes Water Institute was present at the meeting related to this issue.*
- D. The Commission received a presentation from Kevin L. Shafer, P.E., and a document was distributed to Commissioners related to the Federal Stimulus Package.*
- E. Kevin L. Shafer, P. E. reported that the District received these two Engineering Excellence Awards and passed them to the Commission for viewing.*

*Sharon Mertens, Laboratory Manager, was honored for her appointment as Vice Chair of the National Environmental Laboratory Accreditation Conference Institute.*

*The Commission directed staff to place an item on the next cycle of meetings to discuss a potential project for partnering with the 28 municipalities for providing assistance relating to projects for low flow and reduction of water usage as a 2010 budget initiative.*

**Received**

A motion was made by Commissioner Colon, seconded by Commissioner Brunner, to go into Closed Session in accordance with state statutes and as indicated on the published notice and agenda. The motion carried.

### **CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(c),(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:  
**Not Discussed in Closed Session**
- CS2 09-012-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:  
- Milorganite  
**Not Discussed in Closed Session**
- CS3 09-013-1** WPDES Permit Reissuance  
**Not Discussed in Closed Session**
- CS4 09-015-1** Potential Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS5 09-035-3** 2008 Performance Evaluation and Proposed 2009 Accountabilities for the Executive Director  
**Heard in Closed Session and Filed**
- CS6 09-036-3** 2008 Performance Evaluation and Proposed 2009 Accountabilities for the Director of Legal Services  
**Heard in Closed Session and Filed**

### **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 11:30 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Preston D. Cole, Chair*  
*Robert C. Brunner, Vice Chair*  
*Lyle A. Balistreri, David Cullen, Pedro Colon,*  
*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, May 18, 2009

9:00 AM

Discovery World at Pier WI

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#### CALL TO ORDER

*The Chair called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Ben Gramling, Dale Richards, Michael A. West  
**Excused:** Pedro Colon, Lyle A. Balistreri, Wallace White

#### Approval of Proceedings of Regular Commission Meeting held April 20, 2009

**A motion was made by Commissioner West, seconded by Commissioner Gramling, to approve the Proceedings. The motion carried.**

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for April 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee LLC.*

**Received**

#### OPERATIONS COMMITTEE MEETING REPORT

Items 1-3 and 8 were taken as a block.

- 1**     **09-056-5**     Award of Contract J01003C01, Jones Island Water Reclamation Facility Inline Storage System Pump Station Cone Valve Isolation  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 2**     **09-057-5**     Project W20021, Menomonee River Stream Management  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

- 3      **09-058-5**      Approval of 2009 Stormwater Best Management Practices Partnership, 2020 Facilities Plan - Stormwater Best Management Practices  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8      **09-062-5**      Award of Contract C06009C01, South 43rd Street Relief Sewer  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

### **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Items 4-7 were taken as a block.

- 4      **09-059-5**      Authorizing and Providing for the Sale and Issuance of Four Series of General Obligation Sewerage System Promissory Notes, and all Related Details  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5      **09-005-1**      Award of Contract to Provide Insurance Brokerage Services for General Operations, Professional Liability, and Environmental Liability  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 6      **09-060-5**      Insurance Renewal for the Owner Controlled Insurance Program  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7      **09-061-5**      Authorizing the Executive Director to Continue a Self-Insured Workers Compensation Program  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

### **ORGANIZATION & ADMINISTRATION**

**09-009-1** EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Educational Outreach Activities Quarterly Report
- C. 2010 New Budget Initiatives
- D. Summary of Greenseams Acquisitions
- E. 2010-2012 Strategic Plan
- F. Status of Federal Stimulus Package

A. *The Commission received an electronic March 2009 and First Quarter 2009 Agency Services report.*

B. *The Commission received a Power Point presentation from Cora Lee-Palmer, Community Affairs Coordinator.*

C. *The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director, on new budget initiatives related to 1) low flush toilet installation rebates; 2) garbage disposal rebates; 3) partnering with the City of Milwaukee for the purchase of a river skimmer; 4) distribution of funding to municipalities to target private property Infiltration and Inflow (I&I) and Best Management Practices (BMPs) and green infrastructure; 5) partnering with Will Allen of Growing Power for composting and green initiatives on MMSD property at South Shore (aerial picture of South Shore distributed to Commissioners); 6) report re high level pipe and low level pipe final connections of the Harbor Siphons project (high level cutover - diversion to the tunnel during dry weather - probably in the next day or two) (low level connection next winter).*

*Related to the above 4) initiative, Commissioner West requested staff to focus on this initiative, and as these are brought forward for staff to comment on their contribution to solving the I&I both in the separated and combined sewer areas.*

D. *The Commission received a presentation from Peg Kohring of the Conservation Fund. (Attachment of all purchases distributed to Commissioners.)*

*Commissioner Richards requested and staff concurred to provide the Commissioners with the electronic spreadsheet version of the distribution of this program as they did in the past.*

E. *The Commission received a Power Point presentation from Mickie Pearsall, Lead Management and Budget Analyst.*

*Commission Chair, Preston D. Cole, requested that Commissioners take this opportunity to forward to staff any budget initiatives they feel compelled to have the District undertake over the next two to three years.*

*Kevin L. Shafer, Executive Director, also reported to the Commission that MMSD may be chosen by the EPA for a watershed pilot program in Region 5.*

F. *No report.*

**Received**

A motion was made by Commissioner Brunner, seconded by Commissioner Richards, to go into Closed Session. The motion carried.

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:  
**Not Discussed in Closed Session**
- CS2 09-012-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:  
- Real Estate Negotiations for Project W97002, the Greenseams Program  
- Milorganite  
**Heard in Closed Session**
- CS3 09-013-1** WPDES Permit Reissuance  
**Not Discussed in Closed Session**
- CS4 09-015-1** Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 10:20 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Preston D. Cole, Chair*  
*Robert C. Brunner, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, June 15, 2009

9:15 AM

Dennis M. Grzezinski Conference Room

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### SPECIAL COMMISSION MEETING

#### CALL TO ORDER

*Vice Commission Chair Robert C. Brunner called the meeting to order at approximately 9:35 a.m.*

#### RECORD ROLL

**Present:** Robert C. Brunner, Pedro Colon, Lyle A. Balistreri, David Cullen, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West  
**Excused:** Preston D. Cole, Ashanti Hamilton

The agenda was taken out of sequence.

A motion was made by Commissioner Cullen, seconded by Commissioner White, to go into Closed Session in accordance with state statutes and for the purposes as stated on the published notice and agenda. The motion carried.

The Commission heard the Closed Session items and returned to Open Session at approximately 10:25 a.m.

#### NEW BUSINESS

- 18      09-080-6      Design of Landfill Gas Pipeline and Dryer Burner Conversion (Open and Closed Session)
- Commissioner Richards indicated that HNTB and Camp Dresser & McKee were solicited for proposals for this project.*
- A motion was made by Commissioner Richards, seconded by Commissioner White, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 7 - Brunner, Balistreri, Gramling, Hayward, West, Richards, White
- No:** 2 - Colon, Cullen
- Present:** 0 -
- Excused:** 2 - Cole, Hamilton

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

**18**    **09-080-6**    Design of Landfill Gas Pipeline and Dryer Burner Conversion (Open and Closed Session)

**Heard in Closed Session**

**CS5**    **09-081-6**    Sewer Plan Review - Whitefish Bay

**Heard in Closed Session**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned in Open Session after taking action on Item 18 at approximately 10:30 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Preston D. Cole, Chair*  
*Robert C. Brunner, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, June 29, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*Commission Chair Preston D. Cole called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Lyle A. Balistreri, David Cullen, Ashanti Hamilton, Ronald G. Hayward, Dale Richards, Michael A. West  
**Excused:** Pedro Colon, Ben Gramling, Wallace White

#### Approval of Proceedings of Regular Commission Meeting held May 18, 2009

The agenda was taken out of sequence. Item G. on the Executive Director's report was heard first, before returning to the regular agenda sequence; and Items 16 and 17 were heard at the end of the Open Session agenda.

#### NEW BUSINESS

##### 09-008-1 Operations & Maintenance Report for May 2009

*The Commission received a Power Point presentation related to the Rain Event of June 18-20, 2009 from John Jankowski, Manager of Contract Compliance, with comments from Kevin L. Shafer, P.E., Executive Director.*

*The Commission received an update on the emergency declaration debris removal work at 82nd and Arthur from Mike Martin, Director of Technical Services, emergency declaration repair work at Underwood Creek Pump Station Force Main and emergency repair of 8" waterline at South Shore from John Jankowski, Manager of Contract Compliance.*

*The Commission received a Power Point presentation related to the May 2009 Operations and Maintenance Report from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.*

*The Commission received a Power Point presentation related to the analysis of the April 2009 Green Tree Road and River Overflow from Mike Martin, Director of Technical Services.*

**Received**

Items 16 and 17 were taken as a block.

Commissioner Richards on behalf of the Commission presented the commendation plaques to Commission Chair Cole and Commission Vice Chair Brunner and thanked them with appreciation for their exemplary leadership and dedicated service on the Commission for the past nine years.

- 16      09-078-6**      Resolution Commending Commission Chair Preston D. Cole for Meritorious Service and Leadership on the Commission of the Milwaukee Metropolitan Sewerage District
- Commission Chair Cole indicated that he was humbled and thanked the Commission and elected officials for their hard work, values, strength, insight and commitment and holds them in high regard.*
- Secondly, Commissioner Cole indicated that this organization is committed to the protection of the environment, and he will continue to be an ambassador for this organization. In his capacity in the Department of Public Works as well as the Department of Natural Resources, he will make sure to add value in any conversation for the people of this organization and their mission.*
- Commissioner Cole indicated that he was inspired by the people in this organization and thanked each and every one; specifically, Kevin L. Shafer, P.E., Executive Director, for his excellent leadership, Michael McCabe, Director of Legal Services, for one of the best legal minds in the state, and Marjorie Stahl, Commission Secretary, for her valued assistance and support.*
- In conclusion, Commissioner Cole thanked staff, fellow Commissioners, and all and indicated he will miss his time here.*
- A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.**
- 17      09-079-6**      Resolution Commending Commission Vice Chair Robert C. Brunner for Meritorious Service and Leadership on the Commission of the Milwaukee Metropolitan Sewerage District
- Commission Vice Chair Brunner indicated that it has been a privilege to serve on this Commission where he met a lot of great people with a great work ethic and of whom he has great respect for. He also thanked District staff, contractors United Water and Veolia, and Dick Wanta of the Wisconsin Underground Contractors' Association. He again thanked all, and indicated that he will have fond memories of his time serving on the Commission.*
- A motion was made by Commissioner Richards, seconded by Commissioner Hamilton, that this matter be Adopted by a Voice Vote. The motion carried.**

## **OPERATIONS COMMITTEE MEETING REPORT**

Items 1, 2, 3, 6, 7, 8, 12 and 13 were taken as a block. Items 4 and 5 were held in Commission.

- 1      **09-063-6**      Award of Contract C05043C01, Port Washington Road Pump Station Force Main Rehabilitation  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 2      **09-064-6**      Approval of Amendment No. 1, Consultant Agreement (P.O. 4957), Design Services for the North 27th Street Tunnel Connection  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 3      **09-065-6**      Request to Restore the Executive Director's Original Delegated Authority for Contract W21005C01, Underwood Creek Rehabilitation and Flood Management Phase 1  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

Items 4 and 5 were heard as a block.

*The Commission received comments from the following members of the public:*

*John St. Peter/Jim Jurvis, and Tim Schneider (In favor of approval)  
Representing J. F. Ahern*

*Dan Slane (against approval)  
Business Representative  
Chicago Regional Council of Carpenters-Milw. Bldg. Trades*

*Colin Teska (against approval)  
Business Manager  
Iron Workers Local 8*

*Tony Mayrolofer (registered against approval)  
Business Agent  
Iron Workers Local 8*

*Items 4 and 5 will be brought back to the Commission at the July 13 or July 27, 2009 Commission meeting when Commissioners Balistreri and White will be in attendance and after staff meets with appropriate parties involved related to labor issues.*

- 4      **09-066-6**      Award of Contract J01008C01, Jones Island Water Reclamation Facility Primary Clarifier Mechanism Upgrade  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hamilton, that this matter be Held in Commission. The motion carried.**
- 5      **09-067-6**      Award of Contract S02005C01, South Shore Water Reclamation Facility Secondary Clarifier Mechanism Upgrade  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hamilton, that this matter be Held in Commission. The motion carried.**

- 6      **09-068-6**      Approval of Amendment No. 3, Contract C98041D01, Conveyance Pump Station Upgrades Phase II  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7      **09-069-6**      Approval of Amendment No. 2 to Contract W40002D01, Kinnickinnic River Flood Management: South Sixth to Chase Project  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8      **09-070-6**      Request to Restore the Executive Director's Original Delegated Authority for Contract C07005C01, Basins A and D Intercepting Structures Improvement Project  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 12     **09-074-6**      Jones Island Gas Turbine Replacement Project  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**
- 13     **09-075-6**      Review of the 2008 Wisconsin Department of Natural Resources Compliance Maintenance Annual Reports for the Jones Island and South Shore Water Reclamation Facilities  
**A motion was made by Commissioner Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

## **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Items 9, 10 and 11 were taken as a block.

- 9      **09-071-6**      Approval of Request for Variance from MMSD Rules  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 10     **09-072-6**      Approval of Revised Sanitary Sewer Service Area for the City of Muskego  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**
- 11     **09-073-6**      Amend the 2009 Capital Budget and Create Projects in the 2009 Capital Budget  
**A motion was made by Commissioner Cullen, seconded by Vice Chair Brunner, that this matter be Adopted by a Voice Vote. The motion carried.**

## **ORGANIZATION & ADMINISTRATION**

09-009-1

## EXECUTIVE DIRECTOR'S REPORT

A. Monthly Reports

B. 2008 Final Report on the Workforce Development Training &amp; Placement Program

C. Wisconsin Wetland Gems Award

D. GFOA Distinguished Budget Award

E. ACEC National Recognition Award

F. Status of Federal Stimulus Package

G. Staff Recognition for Harbor Siphons Project

H. Bradford Beach Blue Wave Certification

I. Completion of Deep Tunnel Mining at 27th Street

A. *Agency Services April Monthly Report distributed to Commissioners electronically.*

B. *The Commission received a Power Point presentation from Pete Coffaro, Procurement & Business Development Manager, and Christine Smith, Principal, Baker Tilly Virchow Krause.*

C., *Award passed for viewing to Commissioners.*

D. *Award passed for viewing to Commissioners.*

E. *Award passed for viewing to Commissioners.*

F. *The Commission received an update from Kevin L. Shafer, P.E., Executive Director.*

G. *The following individuals were recognized and commended by Kevin L. Shafer, P.E., Executive Director, for their excellent work related to the diversion and hook-up of the high level for the Harbor Siphons project.*

*MMSD staff involved were: Chuck Kennedy, Resident Engineer; Glenn Melby, Staff Engineer; Joe Janicek, Resident Inspector; Dineo Black, Resident Inspector, Bob Rebitski.*

*Contract Compliance Office; Larry Ellis, Senior Project Manager; Dave Kasper, Section Manager; Tom Zimmerman, Engineering Design & Construction Manager; Veolia Water and Rust/Harza were also part of the team.*

*Conveyance: Steve Botic, Gary Feigley, Jeff Lohman, Les Laubusch, Brian Shimetz, Dave Spengler, John Schaal, Scott Sands, Arzell Jackson, Bob Gassenhuber, and Paul Noran.*

*JIWRF: Joe Rosga, Rich Spengler, Stu Vogel, Rufus Thomas, Steve Bruskiwicz, Chuck Hoskins, and Leonard Aprahamian.*

*Technology Department: Karen Livingston, Gary Schuyler, Chris Proeber, and Mark Krueger.*

H. *Framed Certification passed for viewing to Commissioners.*

I. *The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director, and a video presentation of the Deep Tunnel Mining at 27th Street from Bill Graffin, Public Informations Officer.*

**Received**

A motion was made by Commissioner Cullen, seconded by Commissioner Brunner, to go into Closed Session pursuant to statutory authority and for the purposes as stated on the published notice and agenda. The motion carried by a voice vote.

### **CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:  
**Heard in Closed Session**
- CS2 09-012-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:  
- Milorganite  
**Heard in Closed Session**
- CS3 09-013-1** WPDES Permit Reissuance  
**Not Discussed in Closed Session**
- CS4 09-015-1** Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**

### **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening into Open Session at approximately 11:25 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Preston D. Cole, Chair*  
*Robert C. Brunner, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Ben Gramling, Ashanti Hamilton, Ronald G. Hayward,*  
*Dale J. Richards, Michael A. West, Wallace White*

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Monday, July 13, 2009

8:45 AM

Dennis M. Grzezinski Conference Room

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### SPECIAL COMMISSION MEETING

#### CALL TO ORDER

*Commission Chair Preston D. Cole called the meeting to order at approximately 8:45 a.m.*

#### RECORD ROLL

**Present:** Preston D. Cole, Robert C. Brunner, Ronald G. Hayward, Ben Gramling, Dale Richards, Wallace White, Michael A. West

**Excused:** Pedro Colon, Ashanti Hamilton

**Out of Room:** Lyle A. Balistreri, David Cullen

#### NEW BUSINESS

- 1      **09-076-6**      Election of the Commission Chair for Remainder of the Year 2009  
  
*Commission Vice Chair Brunner nominated Commissioner Richards to be Chair of the Commission for the remainder of 2009.*  
  
*As there were no further nominations, the nominations were closed.*  
**A motion was made by Vice Chair Brunner, seconded by Commissioner White, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 2      **09-077-6**      Election of the Commission Vice Chair of the Remainder of the Year 2009  
  
*Commissioner Gramling nominated Commissioner White to be Chair of the Commission for the remainder of 2009.*  
  
*As there were no further nominations, the nominations were closed.*  
**A motion was made by Commissioner Gramling, seconded by Commissioner Richards, that this matter be Adopted by a Voice Vote. The motion carried.**

#### ADJOURNMENT

*As there was no further business, the Commission adjourned at approximately 8:50 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, July 27, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*Commission Chair Richards called the meeting to order at approximately 9:00 a.m.*

*The Chair welcomed and congratulated the following new Commissioners to the MMSD Board:*

*Michal Ann Dawson, Lyle Sohns, and Willie C. Wade.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, Lyle A. Balistreri, David Cullen, Michal A. Dawson, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Willie C. Wade, Michael A. West

**Excused:** Pedro Colon

#### Approval of Proceedings of Special Commission Meeting held June 15, 2009 and Regular Commission Meeting held June 29, 2009

**A motion was made by Vice Chair White, seconded by Commissioner West, to approve the Proceedings. The motion carried.**

The agenda was taken out of sequence.

A motion was made by Commissioner West, seconded by Commissioner White, to go into Closed Session in accordance with state statutes for the purposes as stated on the published notice and agenda. The motion carried.

The Commission convened in Closed Session at approximately 9:05 a.m.

A motion was made by Commissioner White, seconded by Commissioner Sohns, to return to Open Session. The motion carried.

The Commission reconvened in Open Session at approximately 9:40 a.m. and addressed the Committee reports before returning to the regular agenda sequence.

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for June 2009

*The Commission received a Power Point presentation related to the June 2009 Operations and Maintenance Report from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.*

*Scott Royer invited the Commissioners to attend the annual Veolia barbeque to be held at Jones Island on August 27 and at South Shore on August 28.*

**Received**

**OPERATIONS COMMITTEE MEETING REPORT**

*Items 3, 5, 6 and 13 were taken as a block. Item 4 was taken separately.*

- 3**     **09-082-7**     Award of Contract TS-2491, Honey Creek Drop Structure Repair
- A motion was made by Commissioner West, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4**     **09-083-7**     Award of Contract J01009C01, Jones Island Water Reclamation Facility Inline Storage System Pump Station Upgrades Motors and Variable Frequency Drives Procurement (OPEN AND CLOSED SESSION)
- A motion was made by Commissioner Balistreri, seconded by Vice Chair White, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 8 - Richards, Balistreri, Dawson, Gramling, Hayward, Sohns, Wade, West
- No:** 2 - White, Cullen
- Present:** 0 -
- Excused:** 1 - Colon
- 5**     **09-084-7**     Creation of Project C98046, Sewer Televising Inspection System and Award of Contract P-2505 to ELXSI d/b/a CUES for a Sewer Televising Inspection System
- A motion was made by Commissioner West, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 6**     **09-085-7**     Award of Contract K01010D01, Design of Wet Weather Peak Flow Management System Project
- A motion was made by Commissioner West, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 13**    **09-090-7**     Approval of Contract Modification No. 1 to Contract M01009CP725 HVAC Building Control Upgrade for the MMSD Headquarters
- A motion was made by Commissioner West, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

**POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

*Item 7 was taken separately, and Items 8-10 were taken as a block.*

- 7      **09-086-7**      Creation of Project W40008 and Authorization to Negotiate and Execute an Intergovernmental Cooperation Agreement with the City of Milwaukee
- A motion was made by Commissioner Hayward, seconded by Vice Chair White, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 7 - White, Balistreri, Dawson, Gramling, Hayward, Sohns, West
- No:** 1 - Richards
- Abstained:** 1 - Wade
- Present:** 0 -
- Excused:** 1 - Colon
- Out of Room:** 1 - Cullen
- 
- 8      **09-087-7**      Declaration of the Public Necessity and Approval of the Revised Acquisition Plat (Relocation Order) for the Kinnickinnic River Flood Management Projects W40002 and W40008
- A motion was made by Commissioner Hayward, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 
- 9      **09-088-7**      Creation of Project C05047, Fairmont Avenue MIS and Authorization to Negotiate and Execute an Intergovernmental Agreement with Village of Whitefish Bay
- A motion was made by Commissioner Hayward, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 
- 10     **09-089-7**      Extending the Broker/Administrator Contract for the District's Owner Controlled Insurance Program
- A motion was made by Commissioner Hayward, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

**ORGANIZATION & ADMINISTRATION**

**09-009-1 EXECUTIVE DIRECTOR'S REPORT**

- A. Monthly Reports
- B. Update - Co-Digestion of High Strength Waste - Daniel Zitomer, Ph.D.
- C. Review of Storm Terminology
- D. 2010 Budget Status Updates
- E. WEF Award
- F. Special Achievement in GIS Award

A. *No reports.*

B. *The Commission received a Power Point presentation related to co-digestion of high strength waste from Daniel Zitomer, Ph.D. of Marquette University.*

C. *The Commission received a Power Point presentation related to storm terminology from Michael Hahn, P.E., P.H., of the Southeastern Wisconsin Regional Planning Commission.*

D. *The Commission received a Power Point presentation on the status updates of the 2010 O&M and Capital Budgets.*

E. *The Commission received a copy of a letter from the Water Environmental Federation's (WEF) Executive Director indicating that the MMSD's Water Abatement Program/2020 Facilities Plan has been selected by the WEF Board of Trustees as the 2009 recipient of the Water Quality Improvement Award.*

F. *The Commission was informed of the MMSD receiving the following award which was passed around: ESRI, Special Achievement in GIS Award, 2009.*

**Received**

A motion was made by Commissioner West, seconded by Commissioner Gramling, to go into Closed Session in accordance with state statutes and for the purposes as stated on the published notice and agenda. The motion carried.

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- 4      **09-083-7**      Award of Contract J01009C01, Jones Island Water Reclamation Facility Inline Storage System Pump Station Upgrades Motors and Variable Frequency Drives Procurement (OPEN AND CLOSED SESSION)

**Heard in Closed Session**

- CS1    **09-011-1**      Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session:

**Not Discussed in Closed Session**

- CS2 09-012-1** Deliberating the Investment of Public Funds for which Competitive and Bargaining Reasons Require a Closed Session:  
- Milorganite  
-Initial Acquisition Plat for Projects W40002 and W40008, Kinnickinnic River Flood Management  
-For Real Estate Negotiations for Project W97002, the Greenseams Program  
**Heard in Closed Session**
- CS3 09-013-1** WPDES Permit Reissuance  
**Not Discussed in Closed Session**
- CS4 09-015-1** Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS5 09-091-7** Harbor Siphons Contract, C07010C02  
**Heard in Closed Session**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned at approximately 11:55 a.m. in Closed Session without returning to Open Session.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Wednesday, August 12, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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### SPECIAL COMMISSION MEETING

#### CALL TO ORDER

*Commission Chair Richards called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, Pedro Colon, David Cullen, Michal A. Dawson, Ben Gramling, Lyle Sohns, Willie C. Wade

**Excused:** Lyle A. Balistreri, Ronald G. Hayward, Michael A. West

#### UNFINISHED BUSINESS

Items 1 and 2 were taken as a block.

The Commission received comments related to these items from the following members of the public:

Tony Mayrhofer, Business Agent  
Ironworkers Local 8

John St. Peter  
J. F. Ahern Company

- 1     **09-066-6**     Award of Contract J01008C01, Jones Island Water Reclamation Facility  
Primary Clarifier Mechanism Upgrade  
**A motion was made by Vice Chair White, seconded by Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 2     **09-067-6**     Award of Contract S02005C01, South Shore Water Reclamation Facility  
Secondary Clarifier Mechanism Upgrade  
**A motion was made by Vice Chair White, seconded by Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned at approximately 9:05 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, September 14, 2009

9:15 AM

Dennis M. Grzezinski Conference Room

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### SPECIAL COMMISSION MEETING

#### CALL TO ORDER

*Commission Chair Dale J. Richards called the meeting to order at approximately 10:25 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, Lyle A. Balistreri, Pedro Colon, David Cullen, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Michael A. West

**Excused:** Michal A. Dawson, Willie C. Wade

#### OPERATIONS COMMITTEE MEETING REPORT

- 9      09-100-9      Approval of Contract Modification No. 2, Contract W20017C01, Western Milwaukee Flood Management Project - Phase I, and Restore the Executive Director's Original Delegated Authority
- A motion was made by Commissioner West, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

#### NEW BUSINESS

- 12      09-103-9      Discussion/Action on October 2009 Commission Committee Meeting Date
- The resolution was presented and adopted to move the October 12, 2009 Committee meeting date to October 19, 2009.*
- A motion was made by Vice Chair White, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.**

#### ADJOURNMENT

*As there was no further business, the Commission adjourned at approximately 10:30 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, September 28, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*Commission Chair Dale J. Richards called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, Lyle A. Balistreri, David Cullen, Michal A. Dawson, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Willie C. Wade, Michael A. West  
**Excused:** Pedro Colon

#### Approval of Proceedings of Special Commission Meetings held July 13, 2009 and August 12, 2009; and Regular Commission Meeting held July 27, 2009

A motion was made by Commissioner Sohns, seconded by Vice Chair White, to approve the Proceedings. The motion carried.

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for July and August 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC.*

**Received**

The agenda was taken out of sequence.

Item 23 was addressed at the end of the Committee reports.

- 23**    **09-114-9**    Resolution Commending Commissioner Ashanti Hamilton for Meritorious Service on the Commission of the Milwaukee Metropolitan Sewerage District  
*On behalf of the Commission, Commission Chair Richards offered congratulations and best wishes to former Commissioner Hamilton for his dedicated and meritorious service on the Board of Commissioners for the Milwaukee Metropolitan Sewerage District.*  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

A motion was made by Commissioner White, seconded by Commissioner Balistreri, to go into Closed Session in accordance with statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

The Commission convened in Closed Session at approximately 9:20 a.m. and addressed Item 2 on the Closed Session agenda.

At approximately 10:05 a.m. the Commission reconvened in Open Session.

## **OPERATIONS COMMITTEE MEETING REPORT**

Item 2 was addressed separately. Items 1, 3, 4, 5, 6, 7, 8, 10, and 11 were taken as a block.

- 1**      **09-092-9**      Creation of Project J06040 and Award of Contract P-2511 for a Telescopic Boom Crane Truck

**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 2**      **09-093-9**      Award of Contract J02006C01, Jones Island Water Reclamation Facility Return Activated Sludge Pump Station Improvements Project

**A motion was made by Commissioner Balistreri, seconded by Commissioner West, that this matter be Referred back to Committee. The motion carried by the following vote:**

**Yes:** 10 - Richards, White, Balistreri, Cullen, Dawson, Gramling, Hayward, Sohns, Wade, West

**No:** 0 -

**Present:** 0 -

**Excused:** 1 - Colon
- 3**      **09-094-9**      Award of Contract S06013C01, South Shore Water Reclamation Facility Effluent Pumping, Facility Building HVAC, and Sluice Gate Improvements

**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4**      **09-095-9**      Award of Contract P01003E01, Preliminary Engineering Services for the Interplant Pipeline Improvements Project

**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5**      **09-096-9**      Award of Contract J04025D01, Jones Island and South Shore Water Reclamation Facility Chemical Tank Replacement Project

**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**

- 6      **09-097-9**      Award of Contract J06035D01, Jones Island and South Shore Water Reclamation Facility Variable Frequency Drive (Phase III) Replacement Project  
**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7      **09-098-9**      Approval of Contract Modification No. 9, Contract S020004C01, South Shore Water Reclamation Facility Blower and Engine-Generator System Upgrade  
**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8      **09-099-9**      Award of Contract C07020C01, Basin "A" Metropolitan Interceptor Sewer Replacement  
**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 10     **09-101-9**      Request to Restore the Executive Director's Original Delegated Authority for Contract C07022C01, Canal Street Wet Weather Relief Sewer  
**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 11     **09-102-9**      Approval of Modification No. 4, C03005C01, Underwood Creek Metropolitan Interceptor Sewer Relief Sewer  
**A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**

## **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Items 13-19 and 22 were taken as a block.

- 13     **09-104-9**      Approval of Revised Sanitary Sewer Service Area for the Village of Caledonia  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**
- 14     **09-105-9**      Approval of Lease with Growing Power, Inc. for Facilities at the South Shore Water Reclamation Facility  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**
- 15     **09-106-9**      Authorizing the Executive Director to Enter Into Contracts for Health Care Administration Services for District Group Health Insurance Benefits Effective January 1, 2010  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**

- 16      09-107-9      Authorizing the Executive Director to Enter Into a Contract for Dental Insurance Benefits Effective January 1, 2010  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**
- 17      09-108-9      Transferring Additional Money to a Debt Service Fund  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**
- 18      09-109-9      Insurance Coverage Renewal for General Operations  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**
- 19      09-110-9      Approval of Broker and Safety Representative Services for the District's Owner Controlled Insurance Program: Contract P-2510  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**
- 22      09-113-9      Approval of Acquisition of Conservation Easement at Wheelhouse Property in City of Milwaukee, Project W97002, the Greenseams Program  
**A motion was made by Commissioner Cullen, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**

## **ORGANIZATION & ADMINISTRATION**

**09-009-1** EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Bradley Tech Recognition
- C. 2010 Capital & O&M Budget Update
- D. Executive Director's 2035 Vision for MMSD

*B. An Award was passed to Commissioners which was received by MMSD for participation in the April 24, 2009 20th Annual Bradley Tech Career Fair. MMSD received special recognition for outreach efforts which the Executive Director attributed to the work of our Outreach Coordinator, Cora Lee-Palmer, and Trina DeLeon-Simpson, of our Human Resources Department.*

*As Chair of the Commission of Bradley Tech High School, Commissioner Balistreri thanked the Executive Director, Kevin L. Shafer, P.E., and MMSD staff for their participation in this effort which contributed to the great success of the Career Fair and which goes a long way to helping our kids.*

*As a present MPS employee on leave of absence to be an elected official, Commissioner Wade invited all to visit Bradley Tech to experience some of the hard-working, bright, dedicated young people; and some of the outstanding programs there.*

*C. 2010 Budget issues/concerns by Commissioners were discussed.*

*Commissioner Richards noted the following issues/concerns related to the budget: 1) Legal issues; 2) Issues related to the Boat Skimmer; and 3) Funding related to the KK River Project.*

*Commissioner Richards entertained an open discussion related to issues/concerns any of the Commissioners may have related to the budgets:*

*O&M Budget:*

*Commissioner West had concerns related to clarification of the rules on how the following three new programs are going to be administered: 1) Private Laterals; 2) Stormwater Quality Initiative; and 3) Low Flow Toilets. He indicated that the funding is in the budget, however he would like to see the mechanics/details of the funding spelled out in the budget.*

*Commissioner Richards had concerns related to 1) Boat Skimmer, he requested further details on the \$99,000 funding and the responsibilities of the District for this program; 2) Agency Services Division, organizational chart, the Office of Commission, Commission Secretary, (place dotted line on the org chart); and 3) Milorganite Chart for 2010, concerns related to the projected increase in Milorganite sales (42,584 tons).*

*Commissioner Richards complimented the Executive Director and staff on the new proposed structure related to the Planning, Research & Sustainability Division in 2010, the mission of this Division, and for making these transitional changes based on the way we see future technology going; and indicated that this will enable us to reduce costs and ultimately result in savings for our rate payers. The Executive Director gave credit to Mike Martin, Director of Technical Services, for what we have been able to do related to this effort.*

*Capital Budget:*

*Commissioner Gramling shared his concern related to the KK River Flood Management*

*Project; the importance for the District and for our community to move forward with this project in order to protect public health, public safety and to fulfill the District's flood management responsibilities on the south side of Milwaukee; the importance for the Commission to recognize there will be tough decisions in the next several months related to property acquisitions on the south side adjacent to the river channel. In addition, his concern related to the 2010 budget (the long range financing plan) and the need to recognize the opportunity to bring in outside resources from the state or federal level which is critical to the long-term success of this project; however, he stated that he understands that staff is working hard to identify those potential funding opportunities and will do what they can to bring in resources from outside the District to help support this project. Commissioner Gramling also indicated that in future budget cycles, it will be important for the Commission to reevaluate the budget priorities as they relate to this project to make sure to move forward, again, in order to protect public health, public safety, and to fulfill the District's flood management obligations.*

*There was further discussion related to the Southeastern Wisconsin Watershed Trust and the District related to the watershed restoration plan, flood management responsibilities, and acquisition of properties.*

*D. The Commission received a presentation from Kevin L. Shafer, P.E., on his 2035 Vision for MMSD, and a hard copy of the 2035 Vision was distributed to the Commission.*

*Commissioner White recommended establishment of an Ad Hoc Subcommittee for strategic policy initiatives and also recommended Ben Gramling to Chair the Subcommittee. A document recommending the Subcommittee will be brought to the October meeting cycle.*

#### **Received**

At approximately, 11:10 a.m., a motion was made by Commissioner Cullen, seconded by Commissioner West, to go into Closed Session in accordance with statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

### **CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(c), (e) and (g), Wisconsin Statutes, the Commission convened in Closed Session for considering employment compensation and performance evaluation data of public employees over whom the Commission has jurisdiction, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- 2      09-093-9cs      Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is or may become involved with regard to Award of Contract J02006C01, Jones Island Water Reclamation Facility Return Activated Sludge Pump Station Improvements Project**

**Heard in Closed Session**

- CS1 09-115-9** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session for Real Estate Negotiations for Project C07010  
**Heard in Closed Session and Filed**
- CS2 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session  
**Not Discussed in Closed Session**
- CS3 09-012-1** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session for:  
- Milorganite  
- Real Estate Negotiations for Project W97002, the Greenseams Program  
**Heard in Closed Session**
- CS4 09-013-1** WPDES Permit Reissuance  
**Not Discussed in Closed Session**
- CS5 09-015-1** Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS6 09-116-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is or may become involved with regard to June 25, 2009 Sanitary Sewer Overflow  
**Not Discussed in Closed Session**
- CS7 09-117-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session regarding Contract C07010C02, Harbor Siphons: Status of negotiation of pending claims by contractor  
**Heard in Closed Session**
- CS8 09-118-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is involved regarding Contract C05013C01, N. 27th Street Inline Storage System Extension: Status of project schedule and negotiation of pending claims by contractor  
**Heard in Closed Session**

- CS9 09-119-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District may become involved: Status of negotiation of remediation plan for PCB contaminated sediment in District sewers  
**Heard in Closed Session**
- CS10 09-120-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session regarding Contract S02004D01 South Shore Wastewater Treatment Plant Blower System Upgrade: Status of negotiation of MMSD claims against designer  
**Not Discussed and Filed**
- CS11 09-121-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session: Project P0200, Landfill Gas Pipeline, status of negotiation with West Shore Pipeline  
**Heard in Closed Session**
- CS12 09-122-9** Considering Employment Evaluation Data of a Public Employee Over Whom the Commission has Jurisdiction  
**Heard in Closed Session and Filed**

## **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 12:30 p.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, October 26, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*The Chair called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, David Cullen, Michal A. Dawson, Ben Gramling, Ronald G. Hayward, Michael A. West

**Excused:** Lyle A. Balistreri, Pedro Colon, Lyle Sohns, Willie C. Wade

#### Approval of Proceedings of Special Commission Meeting held September 14, 2009 and Regular Commission Meeting held September 28, 2009

A motion was made by Commissioner Cullen, seconded by Vice Chair White, to approve the Proceedings. The motion carried.

#### NEW BUSINESS

##### 09-008-1 Operations and Maintenance Report for September 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee LLC.*

*The Commission also received a Power Point presentation from Scott Royer, General Manager, Veolia Water Milwaukee LLC, related to Veolia Water's 2009 Affirmative Action Statistics.*

*Commission Chair Richards requested that an item/bullet be added to the bottom of the page of the chart re the Inline Storage System Events in this report each month indicating the root cause of each sanitary sewer overflow.*

**Received**

#### OPERATIONS COMMITTEE MEETING REPORT

Commissioner West, Vice Chair of the Operations Committee, gave the Committee report and moved Items 1 through 5 as a block.

- 1      **09-124-10**      Award of Contract P-2509, Jones Island Water Reclamation Facility Process Air Compressor Acoustical Insulation Replacement  
**A motion was made by Commissioner West, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**
- 2      **09-125-10**      Approval of Modification No. 2, C06003C01, Basins B and C Intercepting Structures Improvement Project  
**A motion was made by Commissioner West, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**
- 3      **09-126-10**      Approval of the Updated Kinnickinnic River Watercourse Management Plan  
**A motion was made by Commissioner West, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4      **09-127-10**      Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Kinnickinnic River Flood Management-Mainstem Work, Project W40002  
**A motion was made by Commissioner West, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5      **09-128-10**      Authorization to Execute an Intergovernmental Cooperation Agreement with the Redevelopment Authority of the City of Milwaukee for Project W40002  
**A motion was made by Commissioner West, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**

## **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Commissioner Cullen, PF&P Committee Chair, gave the Committee report and moved Items 7, 9, 10, and 13 as a block. Items 8, 14, 15, and 17 were taken separately, and Item 16 was moved to a Special Commission meeting to be held on November 2, 2009.

- 7      **09-130-10**      Declaration of the Public Necessity and Approval of the Acquisition Plat (Relocation Order) for the Metropolitan Interceptor Sewer System Conveyance Pump Stations Improvements - Phase II Project C98041 (Beach Drive Site)  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

- 8      **09-131-10**      Approval of Revised Sanitary Sewer Service Area for the Village of Germantown  
**A motion was made by Commissioner Cullen, seconded by Commissioner Dawson, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**  
**Yes:** 6 - Richards, White, Dawson, Gramling, Hayward, West  
**No:** 1 - Cullen  
**Present:** 0 -  
**Excused:** 4 - Balistreri, Colon, Sohns, Wade
- 9      **09-132-10**      Public Hearing Regarding Proposed Amendments to the District's Rules  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 10     **09-111-9**      Approval of the District Strategic Plan for 2010-2012  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 13     **09-135-10**      Authorizing the Executive Director to Enter Into a Contract for Life Insurance Benefits Effective January 1, 2010  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 14     **09-136-10**      Adopting the Operations and Maintenance Budget for the 2010 Fiscal Year  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 15     **09-137-10**      Adopting the Capital Budget for the 2010 Fiscal Year  
**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 16     **09-138-10**      Levying of Taxes for the Milwaukee Metropolitan Sewerage District Capital Purposes for the 2010 Fiscal Year  
*This item will be addressed at a Special Commission meeting on Monday, November 2, 2009.*  
**Held in Commission**

**17 09-139-10** Creation of an Ad Hoc Subcommittee for Strategic Policy Initiatives

*The Chair indicated that Commissioner Gramling will chair the Ad Hoc Subcommittee and Commissioner Dawson will be a member of the Subcommittee; other members to be determined.*

*Commissioner Gramling requested others who are interested to let him know, and he will bring forth names to the Commission.*

**A motion was made by Commissioner Cullen, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

**ORGANIZATION & ADMINISTRATION****09-009-1 EXECUTIVE DIRECTOR'S REPORT**

- A. Monthly Reports
- B. Update on Real Estate Services Contract
- C. 2nd & 3rd Quarter Outreach Report
- D. Water Quality Improvement Award from Water Environment Federation (WEF)

*A. No report.*

*B. The Commission received a Power Point presentation from Don Nehmer, Capital Program Business Manager, and Dennis Stefanik, Real Estate Agent. The Rights of Landowners, and Wisconsin Relocation Rights, Residential, pamphlets were distributed to Commissioners.*

*C. The Commission received a Power Point presentation on the Outreach report from Chris Magruder, Community & Environmental Liaison. Commissioner Richards requested that staff provide to the Commission, as time permits at a future meeting, an approximate 15 minute presentation detailing to the Commission related to education, the power of the tools, and the investment we have made in high tech equipment, to be able to monitor these things as to what it is we are doing out there and what is available.*

*D. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director, related to the award received and the award was passed around to Commissioners. Mr. Shafer also commended staff for their hard work.*

**Received**

A motion was made by Commissioner Hayward, seconded by Commissioner Dawson, to go into Closed Session pursuant to statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

**CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e) and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1 09-140-10** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session - Acquisition Plat for Kinnickinnic River Flood Management-Mainstem Work, Project W40002  
**Heard in Closed Session and Filed**
- CS2 09-011-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session  
**Not Discussed in Closed Session**
- CS3 09-012-1** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session  
- Milorganite  
**Not Discussed in Closed Session**
- CS4 09-013-1** WPDES Permit Reissuance  
**Not Discussed in Closed Session**
- CS5 09-015-1** Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS6 09-116-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is or may become involved with regard to June 25, 2009 Sanitary Sewer Overflow  
**Heard in Closed Session and Filed**
- CS7 09-117-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session regarding Contract C07010C02, Harbor Siphons: Status of negotiation of pending claims by contractor  
**Not Discussed in Closed Session**
- CS8 09-118-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is involved regarding Contract C05013C01, N. 27th Street Inline Storage System Extension: Status of project schedule and negotiation of pending claims by contractor  
**Not Discussed in Closed Session**

**CS9 09-119-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District may become involved: Status of negotiation of remediation plan for PCB contaminated sediment in District sewers

**Not Discussed in Closed Session**

**CS10 09-121-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session: Project P0200, Landfill Gas Pipeline, status of negotiation with West Shore Pipeline

**Not Discussed in Closed Session**

### **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 10:35 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, November 2, 2009

9:15 AM

Dennis M. Grzezinski Conference Room

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### SPECIAL COMMISSION MEETING

#### CALL TO ORDER

*Commissioner Richards, Commission Chair, called the meeting to order at approximately 9:20 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, Lyle A. Balistreri, Pedro Colon, David Cullen, Michal A. Dawson, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Willie C. Wade, Michael A. West

#### UNFINISHED BUSINESS

- 12    09-138-10    Levying of Taxes for the Milwaukee Metropolitan Sewerage District Capital Purposes for the 2010 Fiscal Year
- A motion was made by Commissioner West, seconded by Commissioner Sohns, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 11 - Richards, White, Balistreri, Colon, Cullen, Dawson, Gramling, Hayward, Sohns, Wade, West
- No:** 0 -
- Present:** 0 -

#### ADJOURNMENT

*As there was no further business, the Commission adjourned at approximately 9:25 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, November 16, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*Commission Chair Richards called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Lyle A. Balistreri, Pedro Colon, David Cullen, Michal A. Dawson, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Willie C. Wade

**Excused:** Wallace White, Michael A. West

#### Approval of Proceedings of Regular Commission Meeting held October 26, 2009

A motion was made by Commissioner Balistreri, seconded by Commissioner Dawson, to approve the Proceedings. The motion carried.

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for October 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee LLC.*

**Received**

**11 09-148-11** Adoption of the 2010 Committee/Commission Meeting Calendar

A motion was made by Commissioner Balistreri, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.

#### OPERATIONS COMMITTEE MEETING REPORT

Commissioner Colon, Operations Committee Chair, moved approval of Items 1-4 as a block.

**1 09-093-9** Award of Contract J02006C01, Jones Island Water Reclamation Facility Return Activated Sludge Pump Station Improvements Project

A motion was made by Commissioner Colon, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.

- 2      **09-141-11**      Approval of Amendment No. 10, C020DE001 (C97001), Project Management for the Central Metropolitan Interceptor Sewer Improvement Project  
**A motion was made by Commissioner Colon, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**
- 3      **09-142-11**      Approval of Amendment No. 4 to Contract W40002E01, Kinnickinnic River Channel Rehabilitation Preliminary Engineering Project  
**A motion was made by Commissioner Colon, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4      **09-143-11**      Approval of Extension of Contract W97001P03, GreenseamsSM Program Implementation for 2010  
**A motion was made by Commissioner Colon, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**

### **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Commissioner Cullen, PF&P Committee Chair, moved approval of Items 5-8 and 13 as a block. Item 9 was addressed separately.

- 5      **09-144-11**      Authorizing 2010 Capital Charges to Non-Member Communities  
**A motion was made by Commissioner Cullen, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 6      **09-145-11**      Update of Cost Recovery Procedures Manual, Including 2010 User Charge Rates  
**A motion was made by Commissioner Cullen, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7      **09-146-11**      Authorizing the Executive Director to Extend the Contracts for Health Insurance for Post Medicare Retirees  
**A motion was made by Commissioner Cullen, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8      **09-147-11**      Authorization to Amend the Consultant Services Agreement with M3 Insurance Solutions, Inc.  
**A motion was made by Commissioner Cullen, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 9      **09-133-10**      Approval of 2010 Pay Grade Structure for Pay Grades 8 through 20 for Management/Non-Represented Employees  
*This matter will be brought to the December 2009 meeting cycle.*

*The Commission Chair also directed that staff provide to the Commission the names of those organizations on the list of 18 who responded to the market analysis and the customized survey to measure pay at comparable organizations.*

**Referred back to Committee**

- 13      09-149-11      Authorizing the Executive Director to Enter Into a Contract for Stop Loss Insurance for the Milwaukee Metropolitan Sewerage District Group Health Insurance Benefits

**A motion was made by Commissioner Cullen, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**

## **ORGANIZATION & ADMINISTRATION**

### **09-009-1      EXECUTIVE DIRECTOR'S REPORT**

- A. Monthly Reports
- B. Update on Southeastern Wisconsin Watersheds Trust
- C. Milwaukee Area Workforce Investment Board Award
- D. Emergency Declaration for Canal Street Wet Weather Project
- E. Water Efficiency Video
- F. MMSD's Household Hazardous Waste Video
- G. MMSD's Water Quality Video

*A. No report.*

*B. The Commission received a Power Point presentation from the Executive Director related to the Southeastern Wisconsin Watersheds Trust.*

*C. The Commission received a presentation from the Executive Director related to this award.*

*D. The Commission received a presentation related to this project from Michael Martin, Director of Technical Services.*

*E. No video presentation.*

*F. The Commission received a video presentation on MMSD's Household Hazardous Waste program from Bill Graffin, Public Information Manager.*

*G. The Commission received a video presentation on Blue Science from Bill Graffin, Public Information Manager.*

*Commissioner Hayward commended Bill Graffin, Public Information Manager, for the excellent job on the two videos he presented and produced.*

#### **Received**

A motion was made by Commissioner Sohns, seconded by Commissioner Dawson, to go into Closed Session in accordance with statutory requirements and for the purposes as stated on the published notice and agenda. The motion carried.

## **CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(e), and (g), Wisconsin Statutes, the Commission convened in Closed Session regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1      09-011-1      Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session

**Not Discussed in Closed Session**

- CS2 09-012-1** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session  
- Milorganite  
**Not Discussed in Closed Session**
- CS3 09-013-1** WPDES Permit Reissuance  
**Heard in Closed Session**
- CS4 09-015-1** Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS5 09-116-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is or may become involved with regard to June 25, 2009 Sanitary Sewer Overflow  
**Not Discussed in Closed Session**
- CS6 09-117-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session regarding Contract C07010C02, Harbor Siphons: Status of negotiation of pending claims by contractor  
**Heard in Closed Session**
- CS7 09-118-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is involved regarding Contract C05013C01, N. 27th Street Inline Storage System Extension: Status of project schedule and negotiation of pending claims by contractor  
**Heard in Closed Session**
- CS8 09-119-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District may become involved: Status of negotiation of remediation plan for PCB contaminated sediment in District sewers  
**Not Discussed in Closed Session**
- CS9 09-121-9** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session: Project P0200, Landfill Gas Pipeline, status of negotiation with West Shore Pipeline  
**Not Discussed in Closed Session**

**ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening into Open Session at approximately 10:40 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

## Meeting Proceedings

### Commission

260 West  
Seeboth Street  
Milwaukee, WI  
53204

*Dale J. Richards, Chair*  
*Wallace White, Vice Chair*  
*Lyle A. Balistreri, Pedro Colon, David Cullen,*  
*Michal Ann Dawson, Ben Gramling, Ronald G. Hayward,*  
*Lyle Sohns, Willie C. Wade, Michael A. West*

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Monday, December 14, 2009

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*Commission Chair Dale J. Richards called the meeting to order at approximately 9:00 a.m.*

#### RECORD ROLL

**Present:** Dale Richards, Wallace White, Lyle A. Balistreri, Pedro Colon, David Cullen, Michal A. Dawson, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Michael A. West  
**Excused:** Willie C. Wade

#### Approval of Proceedings of Special Commission Meeting held November 2, 2009 and Regular Commission Meeting held November 16, 2009

A motion was made by Commissioner West, seconded by Commissioner Sohns, to approve the Proceedings. The motion carried.

#### NEW BUSINESS

**09-008-1** Operations and Maintenance Report for November 2009

*The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and and Scott Royer, General Manager, Veolia Water Milwaukee LLC.*

*The Commission requested Mr. Royer to provide more detailed information related to the Maintenance Backlog report (PM and CM work orders).*

**Received**

**9** **09-159-12** Election of the Commission Chair for the Year 2010

*Commission Chair Dale J. Richards was reelected to the position of Commission Chair for the year 2010.*

**A motion was made by Vice Chair White, seconded by Commissioner Hayward, that this matter be Adopted by a Voice Vote. The motion carried.**

- 10      09-160-12      Election of the Commission Vice Chair for the Year 2010
- Commission Vice Chair Wallace White was reelected to the position of Commission Vice Chair for the year 2010.*
- A motion was made by Chair Richards, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**

### **OPERATIONS COMMITTEE MEETING REPORT**

- 1      09-150-12      Award of Contract C05037C01, Brady Street Pump Station Abandonment
- A motion was made by Commissioner Colon, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
- 11      09-161-12      Approval of Amendment No. 1, Contract P02001D04, Design of Landfill Gas Pipeline and Dryer Burner Conversion
- A motion was made by Vice Chair White, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**

### **POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT**

Commissioner Cullen indicated that Item 2 was forwarded to the Commission without a recommendation. This item was taken separately.

Commissioner Cullen moved approval of Items 3 through 6 as a block.

- 2      09-133-10      Approval of 2010 Pay Grade Structure for Pay Grades 8 through 19 for Management/Non-Represented Employees
- Approval of 2010 Pay Grade Structure for Pay Grades 8 through 19 were approved.*
- A motion was made by Vice Chair White, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**
- 3      09-152-12      Declaration of the Public Necessity and Approval of the Revised Acquisition Plat (Relocation Order) for the Kinnickinnic River Flood Management-Mainstem Work, Project W40002
- A motion was made by Commissioner Cullen, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**
- 4      09-153-12      Authorization to Extend the Agreement with the City of West Allis Fire Department for the Provision of Tunnel Rescue Services
- A motion was made by Commissioner Cullen, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5      09-154-12      Authorizing Application for a State Municipal Flood Control Grant and Appropriation of Funds for a Municipal Flood Control Grant-Eligible Project in the Kinnickinnic River Watershed
- A motion was made by Commissioner Cullen, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**

- 6      09-155-12      Award of Contract for the Purchase of Analytical Laboratory Services

**A motion was made by Commissioner Cullen, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**

## **ORGANIZATION & ADMINISTRATION**

### **09-009-1      EXECUTIVE DIRECTOR'S REPORT**

- A. Monthly Reports
- B. URISA (Urban and Regional Information Systems) Distinguished System Award in the Enterprise System Category

*A. No Report.*

*B. The Executive Director, Kevin L. Shafer, P.E., recognized the following employees for their teamwork on the GIS system which enabled the District to receive this award:*

*Don Nehmer, Sara Hackbarth, Mike Benedict, Sara Siefert, Greg O'Hearn, Bob Carroll, Tom Simmons, Pat Ubenauf, Larry Ellis, Dan Senner, and Frank Weil*

**Received**

At approximately 9:30 a.m., a motion was made by Commissioner Cullen, seconded by Commissioner Colon, to go into Closed Session in accordance with state statutes and for the purposes as indicated on the published notice and agenda. The motion carried.

## **CLOSED SESSION**

PURSUANT TO SECTION 19.85(1)(c), (e) and (g), Wisconsin Statutes, the Commission convened in Closed Session considering employment, compensation and performance evaluation data of District employees, regarding deliberations and/or negotiations on contracts which for bargaining reasons require a Closed Session and for conferring with Legal Counsel with respect to litigation in which the District is or may become involved.

- CS1      09-151-12      Approval of Amendment No. 2, Contract P02001D04, Design of Landfill Gas Pipeline and Dryer Burner Conversion**

**Heard in Closed Session**

- CS2      09-158-12      Considering Employment, Compensation and Performance Data; Executive Director, Director of Legal Services**

**Not Discussed in Closed Session**

- CS3      09-012-1      Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session**  
 - Revised Acquisition Plat for Kinnickinnic River Flood Management-Mainstem Work, Project W40002  
 - Milorganite

**Heard in Closed Session**

- CS4**    **09-011-1**    Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session  
**Not Discussed in Closed Session**
- CS5**    **09-013-1**    WPDES Permit Reissuance  
**Heard in Closed Session**
- CS6**    **09-015-1**    Claims Arising from June 6-9, 2008 Storm Event  
**Not Discussed in Closed Session**
- CS7**    **09-117-9**    Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session regarding Contract C07010C02, Harbor Siphons: Status of negotiation of pending claims by contractor  
**Not Discussed in Closed Session**
- CS8**    **09-118-9**    Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session and Conferring with Legal Counsel with respect to litigation in which the District is involved regarding Contract C05013C01, N. 27th Street Inline Storage System Extension: Status of project schedule and negotiation of pending claims by contractor  
**Heard in Closed Session**
- CS9**    **09-121-9**    Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session: Project P0200, Landfill Gas Pipeline, status of negotiation with West Shore Pipeline  
**Heard in Closed Session**
- CS10**    **09-162-12**    Jones Island Water Reclamation Facility Secondary Clarifier Mechanism Upgrade, Contract Number J02007C01  
**Heard in Closed Session**
- CS11**    **09-163-12**    Negotiations with Various Landfill Gas Turbine Vendors  
**Heard in Closed Session**

## **ADJOURNMENT**

*As there was no further business, the Commission adjourned in Closed Session without reconvening in Open Session at approximately 11:45 a.m.*

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District