



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, David Cullen, Michal Ann Dawson,
Ben Gramling, Ronald G. Hayward, Lyle Sohns,
Willie C. Wade, Michael A. West

Monday, June 28, 2010

9:00 AM

Dennis M. Grzezinski Conference Room

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, David Cullen, Ben Gramling, Ronald G. Hayward, Lyle Sohns, Michael A. West
Excused: Lyle A. Balistreri, Michal A. Dawson, Willie C. Wade

Approval of Proceedings of Special Commission Meeting held May 10, 2010 and Regular Commission Meeting held May 24, 2010

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

10-004-1 Operations and Maintenance Report for May 2010

The Commission received a Power Point presentation from John Jankowski, Manager of Contract Compliance, and Scott Royer, General Manager, Veolia Water Milwaukee, LLC, which included a report on the June 2010 Rainstorms.

Responding to a request from Commissioner White, the Commission also received comments from Kevin L. Shafer, P.E., Executive Director, related to the new phosphorus rule.

Received

UNFINISHED BUSINESS

9 **10-058-4** Approval of the 2010 Milwaukee Metropolitan Sewerage District (MMSD) Affirmative Action Plan

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

NEW BUSINESS

- 10 10-084-6 Appointment of Deputy Director of Legal Services
- The Commission received a presentation from Mike McCabe, Director of Legal Services, related to the employment process for this position and comments from Commissioner Gramling who, as requested by the Commission Chair, was a member of the interview panel.*
- A motion was made by Vice Chair White, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried.**

OPERATIONS COMMITTEE MEETING REPORT

- 1 10-074-6 Authorizing the Executive Director to Reject all Bids for Contract TS-2505, Watercourse Maintenance Vegetation and Sediment Removal Contract
- A motion was made by Commissioner West, seconded by Commissioner Gramling, that this matter be Adopted by a Voice Vote. The motion carried.**

The following Item 2 was addressed after the Commission received the Power Point presentation of the Operations and Maintenance Report for May 2010.

- 2 10-075-6 Review of the 2009 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 Sohns, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

Items 4, 6, 7 and 8 were taken as a block. Item 5 was taken separately after the Executive Director's Report.

- 4 10-077-6 Approval to Purchase Parcel 13, North Branch Root River Flood Management Project, W33001
- A motion was made by Vice Chair White, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5 10-078-6 Authorizing and Providing for the Sale and Issuance of Three Series of General Obligation Sewerage System Promissory Notes, and all Related Details
- This item will be brought back to a Special Commission meeting on July 12, 2010 to reaffirm the required 2/3 vote of all Commissioners.*
- A motion was made by Vice Chair White, seconded by Commissioner Cullen, that this matter be Adopted by a Roll Call Vote. The motion carried by the following vote:**
- Yes:** 7 - Richards, White, Cullen, Gramling, Hayward, Sohns, West
- No:** 0 -
- Present:** 0 -
- Excused:** 3 - Balistreri, Dawson, Wade

- 6 **10-079-6** Authorizing the Executive Director to Request Approval to Offer the Bonus Year and Military Service Credit to Management/Non-Represented Employees
A motion was made by Vice Chair White, seconded by Commissioner Cullen, that this matter be Adopted by a Voice Vote. The motion carried.
- 7 **10-080-6** Deliberating the Investment of Public Funds for Project W97002, the Greenseams(sm) Program: Acquisition of a Conservation Easement in the Milwaukee River Watershed
A motion was made by Vice Chair White, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.
- 8 **10-081-6** Deliberating the Investment of Public Funds for Project W97002, the Greenseams(sm) Program: Acquisition of Real Property in the Menomonee River Watershed
A motion was made by Vice Chair White, seconded by Commissioner Sohns, that this matter be Adopted by a Voice Vote. The motion carried.

ORGANIZATION & ADMINISTRATION

10-003-1 EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Report on Ad Hoc Subcommittee for Strategic Policy Initiatives
- C. Discussion of 2011 Capital and O&M Budget Objectives
- D. Workforce Development Training and Placement Program (WDTP) 2009 Final Report
- E. Great Lakes Restoration Initiative Funding Update
- A. *No report*

B. The Commission received a brief report from Commissioner Gramling indicating that the June 23 Ad Hoc Subcommittee meeting was cancelled and rescheduled to July 15; and he will report on that meeting at the July Commission meeting.

C. The Commission received a Power Point presentation on the 2011 O&M and Capital budgets from Mark Kaminski, Acting Controller, and Mickie Pearsall, Budget Manager, with comments from Kevin L. Shafer, P.E., Executive Director, and Tim Bate, Director of Engineering Planning and Sustainability.

The budget process was discussed, and the next steps were determined as follows: Staff recommendations for both budgets in July; PF&P Committee review in July; Commission direction for budgets in July; proposed budgets finalized and Commissioner briefings in August; and public hearings in September.

D. The Commission received a Power Point presentation on the 2009 Final Report of the Workforce Development Training and Placement Program from Pete Coffaro, Procurement and Business Development Manager.

Commission Chair Richards directed Pete Coffaro to send the "Apprentice Retention Rates" chart from the presentation to Commissioner Balistreri.

Commission Vice Chair White congratulated Pete Coffaro for his effort and energy to make this a successful program; commended Scott Royer, General Manager, Veolia Water Milwaukee LLC, for Veolia's support of the program, and commended all others who were involved in the program.

Pete Coffaro recognized Procurement staff: Kathy Oestreich, Contract Administrator, Jim Morgan, Senior Contract Administrator, and Jose Galvan, SWMBE Coordinator, for their work on the program as well as the Budget Department and Technical Services staff for their assistance.

E. The Commission received a funding update from Kevin L. Shafer, P.E., Executive Director, on the Great Lakes Restoration Initiative; a sheet identifying the projects and amount of funding was distributed to Commissioners.

Received

A motion was made by Commissioner White, seconded by Commissioner Sohns, 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)(c), (e), and (g), Wisconsin Statutes, the Commission convened in Closed Session at 11:00 a.m. 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 10-026-1** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session for:
- Milorganite
Not Discussed in Closed Session
- CS2 10-027-1** Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session
Not Discussed in Closed Session
- CS3 10-028-1** WPDES Permit Reissuance
Not Discussed in Closed Session
- CS4 10-024-1** Claims Arising from June 18-19, 2009 Rain Event
Not Discussed in Closed Session
- CS5 10-029-1** Claims Arising from June 6-9, 2008 Storm Event
Not Discussed in Closed Session
- CS6 10-032-1** Deliberations for Which Competitive or Bargaining Reasons Require a Closed Session: Project P02001, Landfill Gas Pipeline, Design and Dryer Burner Conversion, Status of Negotiation with West Shore Pipeline; Negotiation with Veolia ES - Landfill Gas Purchase Contract
Not Discussed in Closed Session
- CS7 10-066-4** Director of Legal Services Report
- Considering Employment, Compensation and Performance Data: Director of Legal Services
A motion was made by Commissioner Sohns, seconded by Vice Chair White, that this matter be Heard in Closed Session. The motion carried.
- CS8 10-082-6** Considering Employment Evaluation Data of a Public Employee Over Whom the Commission has Jurisdiction
Not Discussed and Filed

- CS9** **10-083-6** Disallowance of Claim Submitted by Lawrence Winiarski
Heard in Closed Session and Filed
- CS10** **10-030-1** 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
- CS11** **10-031-1** 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
- CS12** **10-073-5** Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session:
Kinnickinnic River Flood Management - Mainstem Work
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 11:25 a.m.

Marjorie Stahl, Commission Secretary
Milwaukee Metropolitan Sewerage District