



# 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*

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Monday, May 24, 2010

9:00 AM

Dennis M. Grzezinski Conference Room

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#### CALL TO ORDER

*The 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, Willie C. Wade, Michael A. West  
**Excused:** Lyle Sohns

#### Approval of Proceedings of Regular Commission Meeting held April 26, 2010

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

The agenda was taken out of sequence. The Committee Reports were addressed first, then the Executive Director's Report, and Item 5. the Landfill Gas Project was taken last.

#### UNFINISHED BUSINESS

- 5      **10-064-4**      Authorization to Award Contracts P02001C01, Landfill Gas Project and TS-2507, Resident Engineer Services
- The Chair called on members of the public who requested to speak to the Commission; and the Commission received comments from the following:*
- Paul Lubanski, Project Manager (Against approval)*  
*Joel Kennedy Construction Corp.*  
*40 Noll Street*  
*Waukegan, IL 60085*  
*847.360.8080*
- Frank Lizzadro, Vice President (In favor of approval)*  
*Meade*  
*9550 West 55th Street*  
*McCook, IL 60525*  
*708.588.2500*
- The resolution was amended with the verbiage from the "Findings of Responsiveness and Responsibility" document provided to Commissioners incorporated into the resolution.*

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

## NEW BUSINESS

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

*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

Operations Committee Chair Michael A. West moved Items 1-4 for adoption.

- 1     **10-067-5**     Authorizing the Executive Director to Reject all Bids for Contract J04028C01, Jones Island Water Reclamation Facility Landfill Gas Burner Conversion  
**A motion was made by Commissioner West, seconded by Vice Chair White, that this matter be Adopted by a Voice Vote. The motion carried.**
  
- 2     **10-068-5**     Award of Contract J06022D01, Jones Island Water Reclamation Facility Site Settlement Rehabilitation 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.**
  
- 3     **10-069-5**     Award of Contract J03004D01, Jones Island Water Reclamation Facility Effluent Pump Replacement 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.**
  
- 4     **10-070-5**     Award of Contract M03039P02, Evaluation and Preliminary Engineering for a Regional Biosolids Facility at the Jones Island and South Shore Water Reclamation Facilities  
**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

PF&P Committee Chair David Cullen moved adoption of Items 7 and 8. Item 6 was addressed separately.

- 6     **10-058-4**     Approval of the 2010 Milwaukee Metropolitan Sewerage District (MMSD) Affirmative Action Plan  
*By consensus, this Item was held to the next Commission meeting, June 28, 2010.*  
**Held in Commission**
  
- 7     **10-071-5**     Deliberating the Investment of Public Funds for Project W97002, the

Greenseams(sm) Program: Acquisition of Real Property in the Milwaukee River Watershed

**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      10-072-5      Intergovernmental Cooperation Agreement with the Village of Whitefish Bay for the Fairmount Avenue Metropolitan Interceptor Sewer Project C05047
- 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

### 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. Low Flow Toilet Program Update
- E. Special Outreach Report: Headwaters -- Building the Next Water Generation

*The Commission received the following:*

*A. No report.*

*B. The Commission received a report from Commissioner Gramling on the May 17, 2010 Ad Hoc Subcommittee for Strategic Policy Initiatives meeting. In addition, he indicated that the June 23 meeting would be a working meeting in Room 401 @ 10:30 a.m. and invited interested Commissioners to attend.*

*C. The Commission received a presentation from Kevin L. Shafer, P.E., Executive Director, related to the 2011 Budgets, indicating his initial recommendation of 3% on Capital and 3% on O&M.*

*Commission Chair Richards requested input from other Commissioners. The Chair then indicated to staff that due to the economic climate, he would like to challenge staff to prepare for 0% on Capital and 2% on O&M.*

*D. The Commission received Power Point presentations on the Save Water America Program from Rob Zimmerman, Senior Staff Engineer, Kohler Company, and the Low Flow Toilet Rebate Program from Mickie Pearsall, Budget Manager.*

*Commissioner Cullen requested that staff provide the dollar amount saved for the 25,000 gallons of water saved for each household.*

*E. The Commission received a Power Point presentation related to this special outreach program from the following Headwater's Curriculum Group:*

*Van Walling, Executive Director, Engineers and Scientists of Milwaukee  
Lauren Baker, Coordinator, Career and Technical Education, MPS  
Charles Harris, STEM Curriculum Specialist, MPS  
Susan Lunsford, PLTW Classroom Coach, MPS*

*Commissioners were invited to the MPS STEM Partners Spring Showcase Event @ Harley Davidson Museum on Wednesday, June 2, 2010, 11:30 a.m. to 1:00 p.m.*

A motion was made by Commissioner Balistreri, seconded by Commissioner White, to go into Closed Session pursuant to 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 10:15 a.m. to address Item CS 11 related to the Landfill Gas Project and Resident Engineer Services.

At approximately 11:00 a.m., the Commission reconvened in Open Session to vote on Item 5, Authorization to Award Contracts P02001C01, Landfill Gas Pipeline Project and TS-2507, Resident Engineer Services.

After the vote was taken on Item 5., a motion was made by Commissioner West, seconded by Commissioner Balistreri, to reconvene in Closed Session in accordance with statutory authority and for the purposes as stated on the published notice and agenda. The motion carried.

The Commission was in Closed Session again at approximately 11:05 a.m.

## **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.

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|------------|-----------------|---|
| <b>CS1</b> | <b>10-026-1</b> | Deliberating the Investment of Public Funds for Which Competitive and Bargaining Reasons Require a Closed Session for:<br>- Milorganite<br><br><b>Not Discussed in Closed Session</b> |
| <b>CS2</b> | <b>10-027-1</b> | Deliberations and/or Negotiations on Labor Contracts which for Bargaining Reasons Require a Closed Session<br><br><b>Not Discussed in Closed Session</b>                              |
| <b>CS3</b> | <b>10-028-1</b> | WPDES Permit Reissuance<br><br><b>Not Discussed in Closed Session</b>   |
| <b>CS4</b> | <b>10-024-1</b> | Claims Arising from June 18-19, 2009 Rain Event<br><br><b>Not Discussed in Closed Session</b>   |
| <b>CS5</b> | <b>10-029-1</b> | Claims Arising from June 6-9, 2008 Storm Event<br><br><b>Not Discussed in Closed Session</b>  |
| <b>CS6</b> | <b>10-032-1</b> | 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 10-063-4** 2009 Performance Evaluation and Proposed 2010 Accountabilities for the Executive Director  
**Heard in Closed Session and Filed**
- CS8 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**
- CS9 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  
**Not Discussed in Closed Session**
- CS10 10-066-4** Director of Legal Services Report  
- Considering Employment, Compensation and Performance Data: Director of Legal Services  
**Heard in Closed Session**
- CS11 10-064-4** Authorization to Award Contracts P02001C01, Landfill Gas Project and TS-2507, Resident Engineer Services  
**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  
**Heard in Closed Session**

## **ADJOURNMENT**

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

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Marjorie Stahl, Commission Secretary  
Milwaukee Metropolitan Sewerage District