

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

January 3, 2012

Village Hall Board Room

CALL: Chm. Ewert called the meeting to order at 5:30 p.m.

ROLL CALL: Chm. Ewert, Trustee Members Zabel, Vanderheiden, and Kaminski. Also present were Dir. Ludwig, Engr. Bischke, and Secretary Wick.

PREVIOUS MINUTES:

MOTION made by Vanderheiden, seconded by Kaminski to approve the minutes of December 6, 2011.

Under the topic "Authorization to Fill Vacancy – Waste Water Utility" the vote on the Motion should read; Motion carried 3-1 (Zabel). The correction will be made in the official Minutes.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE MINI-EXCAVATOR: Supt. Zimmerman gave a brief description on the potential purchase of a TB-153 FR mini excavator to be used by both utilities for system repairs and maintenance. Available funding in the Capital Budgets for both Utilities was \$50,000. Staff believed a fleet machine used for demonstrations or trade shows would fit within that budget.

Trustee Zabel informed staff and the Committee that funds were not available in the 2012 budget and therefore the purchase could not be made.

AUTORIZATION TO FILL VACANCY – HIGHWAYS, PARKS, BUILDINGS & GROUNDS: Staff requested permission to fill a vacancy in the Highways, Parks, Buildings, and Grounds Dept. Recently a Heavy Equipment Operator transferred to another department. The Highways, Parks, Buildings and Grounds Department merged to create one department in which a promotion from within also created a vacancy. Supt. Olszewski noted qualified full time operators were essential for the Department to continue providing the level of service residents had come to expect. Snow removal operations require the use of every full time employee and could not sustain the loss of two employees in the Department.

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with a positive recommendation authorizing staff to fill a vacancy in the Highways, Parks, Buildings and Grounds Department and to advertise the position in the newspaper for all to apply.

Motion carried 3-1(Zabel)

RATE OF PAY – PART TIME HELP FOR HIGHWAYS, PARKS, BUILDINGS & GROUNDS: Instead of budgeting for a full time position, staff increased the funding for part time help within the Department. A key component was the ability to offer a competitive hourly wage for certain part time positions. Research found the private sector to pay \$10-\$17 an hour for snow shoveling and plowing parking lots. Due to the winter season upon us, staff proposed the Village consider an hourly wage of \$10-\$12 an hour for the same type of work. Committee/staff discussion included:

- Looking at creating a specific job description for winter duties along with a salary range between \$10-\$12/hr pending on qualifications;
- People will work for \$8.74/hr which is the current first year rate for Summer help;
- Only one person would work a maximum of a 40 hour work week;
- Seasonal position would be from December 1st to March 31st;
- Employee can be used for other tasks;
- Snow removal duties is harder work than mowing grass and therefore should be paid at least a \$1 more per hour;
- The maximum rate of pay should be \$10/hr. for one year;

MOTION made by Kaminski, seconded by Vanderheiden to forward to the Village Board with a positive recommendation to create a Part Time Seasonal position and set the pay rate of \$8.74 to \$10.00 an hour for the first year.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – BODY AND ATTACHMENTS FOR SINGLE AXLE PATROL TRUCK: Supt. Olszewski presented three quotes ranging from \$66,413.63 to \$71,450 for the purchase of a body, plow, wing and other attachments to complete the single axle patrol truck.

MOTION made by Kaminski, seconded by Vanderheiden to forward to the Village Board with a positive recommendation authorizing the purchase of a body and attachments from Burke Truck at a cost not to exceed \$66,413.63. Funds to be allocated from Account No. 40-542-570-8520.

Motion carried 3-1(Zabel)

AUTHORIZATION TO PURCHASE – CAB AND CHASSIS FOR SINGLE AXLE PATROL TRUCK: Supt. Olszewski presented three quotes ranging from \$85,475 to \$88,500 for the purchase of a single axle cab and chassis.

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with a positive recommendation to purchase a cab and chassis for a single axle patrol truck from Lakeside International in the amount of \$85,475.00. Funds to be allocated from Acct. #40-542-570-8520.

Motion carried 3-1(Zabel)

AUTHORIZATION TO PURCHASE – BODY AND ATTACHMENTS FOR TANDEM AXLE TRUCK: Supt. Olszewski presented for review three quotes ranging from \$68,531.38 to \$73,450.00 for the purchase of a body, plow, wing and other attachments to complete the Tandem Axle truck.

MOTION made by Kaminski, seconded by Vanderheiden to forward to the Village Board with a positive recommendation authorizing the purchase of body, plow, wing and other attachments for the Tandem Axle Truck from Burke Truck in the amount of \$68,531.38. Funds to be allocated from Acct. #40-542-570-8520.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – TRACTOR MOWER: Three quotes were presented ranging from \$114,730 to \$126,201 for the purchase of a John Deere tractor with boom and flail mowers. This equipment would replace a 1999 Ford New Holland tractor which had transmission issues.

MOTION made by Kaminski, seconded by Vanderheiden to forward to the Village Board with a positive recommendation to purchase a tractor and associated mower from Serwe Implement in the amount of \$114,730. Funds to be allocated from Acct. #40-542-570-8450.

Motion carried 3-1(Zabel)

APPROVAL OF JOB DESCRIPTION FOR SUPERINTENDENT OF HIGHWAY, PARKS, BUILDINGS & GROUNDS: Dir. Ludwig reported the position of the Superintendent of Highways has changed to Superintendent of Highways, Parks, Buildings and Grounds with increased responsibilities. The Committee was provided with the new position description which included the additional responsibilities.

Trustee Kaminski requested a copy of the previous Job Descriptions prior to approval of the new job description.

MOTION made by Kaminski, seconded by Zabel to postpone approval of the job description for the Superintendent of Highways, Parks, Buildings and Grounds until the two previous job descriptions could be reviewed.

Motion carried unanimously.

RELEASE OF RETAINER – 2010 ROAD IMPROVEMENT PROGRAM:

MOTION made by Zabel, seconded by Vanderheiden authorizing the release of the retainer in the amount of \$24,380.10 to Payne & Dolan for work associated with the 2010 Road Improvement Program.

Motion carried unanimously.

RELEASE OF RETAINER – 2010 LAKE PARK WEST WATERMAIN PROJECT:

MOTION made Zabel, seconded by Kaminski authorizing the release of the retainer in the amount of \$5,881.53 to UPI Construction for work associated with the 2010 Lake Park West Watermain Relay.

Motion carried unanimously.

APPROVAL OF PILGRIM ROAD PROJECT ACCOUNT: Dir. Ludwig explained the WDOT began designing Pilgrim Road from Mequon Road to Fond du Lac Avenue after the State/Municipal Agreement was signed in 2011. As this was considered a small project, the WDOT chose to proceed ahead of schedule. Dir. Ludwig recommended creating a project account to track the costs associated with the design and construction. It was suggested using \$26,021 of the Wasaukee Road carry over funds to start the account. It was noted that the Pilgrim Road project was depending on Sylvan Drive/Francese Drive adding storm sewer as the DOT was going to tie in the storm sewer in Pilgrim Road. Discussion followed.

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with a positive recommendation to create a Pilgrim Road Project account and approve transferring \$26,021 of Wasaukee Road funds to the newly created Pilgrim Road account.

Motion carried unanimously.

ACCEPTANCE OF IMPROVEMENTS – WISCONSIN STAMPING WATERMAIN: Engr. Bischke reported the public watermain installation project was completed late August, 2011. Inspection by Staff and Water Utility were satisfied with the installation and as-built drawings. The easement document was received in December, 2011. As the installation was completed in August, the Contractor requested the date of acceptance retroactive to September 6, 2011.

MOTION made by Vanderheiden, seconded by Kaminski to accept the watermain improvements for Wisconsin Stamping watermain project retroactive September 6, 2011.

Trustee Zabel believed the lateral that feeds the building should remain private and noted the WDNR recommendation in NR 811.68(2) states the department "recommends" not "requires" that fire hydrants and watermain to be constructed on private property be installed in permanent easements and owned and maintained by the waterworks owner.

Dir. Ludwig stated the Water Utility was in favor of exercising the valves. That is why the WDNR recommends the municipality take over ownership so the valves can be exercised and hydrants flushed on a regular maintenance schedule.

Trustee Zabel stated the Village could enter into an agreement with the business owner that in the event the Utility found problems when flushing hydrants and exercise valves, the property owner would be notified and held responsible for the repairs.

Trustee Vanderheiden suggested going forward, these types of Agreements be considered prior to the construction of a company.

Dir. Ludwig noted there was an 8" main going to a fire hydrant for fire protection. Most businesses do not need 8" mains for their lateral. If it is considered a public main, it is beyond what the owner needs for his business, but, for the owner's fire protection, an 8" main is needed for additional capacity. That is why the DNR recommends the main be part of the Utility's system. This requirement is usually included within the Developer's Agreement.

Motion carried 3-1 (Zabel)

ACCEPTANCE OF EASEMENT – WISCONSIN STAMPING WATERMAIN:

Engr. Bischke stated the easement overlays the public watermain. The easement document had been reviewed and accepted by staff.

MOTION made by Kaminski, seconded by Vanderheiden to forward to the Village Board with no recommendation to accept the public water main easement from Wisconsin Stamping Development.

Motion carried 3-1(Zabel)

Trustee Vanderheiden vacated his chair at 6:30 p.m.
Returned at 6:34 p.m.

REDUCTION OF LETTER OF CREDIT – WISCONSIN STAMPING (AKA RafRad): The public watermain installation, as-built drawings, and easement documents were accepted by staff.

MOTION made by Kaminski, seconded by Zabel authorizing the reduction of the Wisconsin Stamping's (aka RafRad) Letter of Credit to \$4,115.00 and initiate the one year warranty period.

Motion carried 3-0

ACCEPTANCE OF EASEMENT – BRADLEY CORP. SANITARY: Engr. Bischke reported the public sanitary sewer installation project was completed early July, 2011. Inspection by Staff and Water Utility were satisfied with the installation. The as-built drawings and the easement document were received in December, 2011 and accepted by staff. Comments were;

- Again, this was sanitary sewer to Bradley's building on private property;
- Were the easement requirements included in the Developer's Agreement;
- It was unknown if verbiage on utilities responsibilities was included in the Developer's Agreement;
- Supt. of Wastewater Utility stated this was an 8" main and MMSD prefers the Community to maintain the line. MMSD language was not as descriptive as the DNR;

Supt. Zimmerman stated it was an MMSD rule to enforce maintenance on all private interceptor sewers. The Bradley sewer was constructed at 8" due to the volume of water anticipated coming from their building and therefore built under the DNR Code to a public sewer standard. It gives the Utility the ability go in and clean the 900' and not have to send out letters and follow-up with businesses who don't want to do maintenance on the private interceptor sewers.

- The Village pays for the maintenance costs;
- Costs for inspecting five manholes every five years at \$100/per manhole and \$1.00/ft for cleaning equates to \$1,400 every five years;
- It is easier for the Utility to provide the maintenance as it can be rotated into a standard maintenance schedule;
- The Wastewater Utility finds it almost impossible to get business owners to correct leaks on a private manhole due to the cost to hire a company to complete the repair;
- The MMSD rules were written to include private sewers and require the same standards as the public sewer;

MOTION made by Kaminski, seconded by Vanderheiden to forward to the Village Board with no recommendation to further discuss the acceptance of the public sanitary sewer easement from the private Bradley Corp. development.

MOTION made by Zabel, seconded by Kaminski to *amend* the Motion to include pending further information this item not be on the Consent Agenda.

Motion as amended carried unanimously.

Original Motion carried unanimously.

ACCEPTANCE OF EASEMENT – BRADLEY CORP. WATERMAIN: Engr. Bischke reported the public watermain installation project was completed mid September, 2011. The as-built drawings and the easement document were received in December, 2011 and accepted by staff.

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with no recommendation to accept the water main easement from the private Bradley Corp. development pending further information on the Developer Agreement verbiage.

Motion carried 3-1 (Zabel)

ACCEPTANCE OF IMPROVEMENTS – BRADLEY CORP. UTILITIES:

MOTION made by Vanderheiden, seconded by Kaminski to forward to the Village Board with no recommendation to accept the Bradley Corp. utility improvements pending further information on the Developer Agreement verbiage.

Motion carried unanimously.

ACCEPTANCE OF IMPROVEMENTS – “B” STREET CULVERT:

MOTION made by Kaminski, seconded by Vanderheiden to accept the culvert installation for the “B” Street culvert project.

Motion carried unanimously.

VILLAGE LABOR AND EQUIPMENT RATES – 2012:

MOTION made by Zabel, seconded by Kaminski to forward to the Village Board with a positive recommendation the proposed 2012 Village Labor and Equipment Rates.

Motion carried unanimously.

DISCUSSION OF MMSD SEWER RATE INCREASE: Dir. Ludwig referred to a publication handout in which the MMSD website showed the adopted 2012 Capital Budget. The 2012 tax rate per \$1,000 of equalized value increased 6.9% from year 2011. The \$165,000 increase was unexpected and will put a strain on the April 1st MMSD capital charge payment of \$2,595,700 with only \$2,423,077 in the utilities reserves. The

sewer utility is trying to maintain \$2 million in reserves and will need to compensate for the capital charges if it is to pull out of annual deficits.

Based on Sewer budget numbers, Dir. Ludwig had projected a deficit of approximately \$900,000 in the Village's Sewer Utility for 2011. The Village has a scheduled 15% rate increase set for January 1, 2012 and staff had recommended a 16% increase in the sewer utility rate effective January 1, 2013.

Committee/staff comments were:

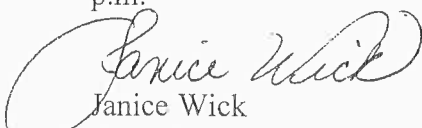
- *T.Kaminski* - What is a typical increase? The Finance Director inputs 4% based on history.
- *Dir. Ludwig* - The Village is not pulling out of the deficit each year; The Finance Director should be able to provide additional information to the General Government and Finance Committee who can then decide where the Village is headed with the budget;
- *T.Vanderheiden* - If MMSD did all of their calculations and the whole Village is figured into being maintained by the capital that's been installed already, and MMSD is doing new projects, why is it always Germantown getting hit with the bill if MMSD has already taken all of Germantown into account? MMSD keeps coming forward with increases and any new development Germantown does. It's getting to be impossible to defend the increase. Where is MMSD going with all of their money?
- *Dir. Ludwig* - Stated some of the portion of the capital charge actually goes to storm sewer. It is another reason the Village should have a storm water utility. The storm water right now is being paid 100% by the sewer users and yet the entire Village is benefiting from the improvements that MMSD is doing to the storm water basin. If we could capture a larger portion of the Village to pay for the storm water improvement improvements that MMSD is doing, it would actually lessen the cost for the current users of the sanitary utility. In theory because you have more people paying for the capital charge. Right now it is a fixed group of people and what ever MMSD wants to do whether it's Capital Improvements at Jones Island or Capital improvements to the drainage ways, just a fixed number of people are paying for those capital improvements. We pay based upon equalized value not flow. MMSD is not doing any other projects in the Village to capitalize other to improving storm water. It may be a hard sell as people not benefiting would wonder why they have to pay. Those residents would still benefit by the storm water improvements MMSD is providing downstream. The increases will continue. The Village is locked in by legislation.
- *T.Kaminski* - What percentage of our fee the Village paid to MMSD would be storm water management related? It was unknown.
- *T.Kaminski* - The residents are currently getting a 15% increase on their sewer bill and was not willing to discuss another increase at this point and time. It would really be helpful at any future meetings if staff would provide the rate increases from the past five years to make a determination on whether increases were warranted.

- *T.Zabel* - The Village is only short on their MMSD payment for a short period of time. We have lessened the burden by \$100,000-\$150,000 with the rate increases over the past couple of years. It is hard to make a decision without seeing the final numbers.
- *T.Kaminski* - Would like this topic back on the Agenda for discussion once the final figures were available by the Public Service Commission. With the economy not improving as swiftly as people think, she could not consider another sewer increase right now.
- *Chm. Ewert* - Did not want to see an increase either but if bills needed to be paid and the Village didn't have the money, we better think about an increase if it is needed.
- *T.Zabel* - Stated there were two sides to the equation. The Village has bills but there are also some expenses that need to be looked at a little closer and maybe gotten rid of.
- *T. Zabel* - Suggested creating a district like a majority of other Communities out there and add the charges to the tax bill. If there is something the Village can do to change the law by which allows them to collect the tax by not calling it a tax anymore, or, put the people that are on the Boards as elected positions rather than appointed positions. If Milwaukee passes their rule, basically all of the Village of Germantown is going to be charged. It's time to put the question to the voters.
- *T.Kaminski* - With the Engineer drafting letters discussing encompassing all of Germantown into the Sewer District, it is also time to look more closely at what can be changed at the State level and who can we talk to i.e. Representatives and Senator and try to make a difference.
- It was a State Supreme Court decision to base the charges on equalized value. Trustee Zabel clarified the State Supreme Court stated it was not an unfair method of collecting tax.
- *Dir. Ludwig* - Calculated the first quarter revenue of \$1.1 million and added that into the reserve which would give the Village \$2.4 million. The MMSD bill is approximately \$2.6 million making the Village shy \$200,000 in reserves and 2012 income. Increased flow from new businesses and development would help and be a plus for the Utility's revenue.

ANNOUNCEMENTS:

The next regular Public Works Committee Meeting will be held Tuesday, February 7, 2012 at 5:30 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:23 p.m.


Janice Wick
Recording Secretary