



Milwaukee Metropolitan Sewerage District

Meeting Proceedings

Commission

260 West
Seeboth Street
Milwaukee, WI
53204

Wallace White, Chair
Dale J. Richards, Vice Chair
Lyle A. Balistreri, Tim Carpenter, Michal Ann Dawson,
Jill Didier, Ben Gramling, John R. Hermes,
Lena C. Taylor, Willie C. Wade, Michael A. West

Monday, October 24, 2011

9:00 AM

Dennis M. Grzezinski Conference Room

CALL TO ORDER

Commission Chair Wallace White called the meeting to order at approximately 9:00 a.m.

RECORD ROLL

Present: Wallace White, Dale Richards, Tim Carpenter, Michal A. Dawson, Jill Didier, Ben Gramling, John R. Hermes, Lena Taylor, Michael A. West
Excused: Lyle A. Balistreri, Willie C. Wade

Approval of Proceedings of Regular Commission Meeting held September 26, 2011

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

Chairperson White stated that there were two things he wanted to address. He informed the Commission that Commissioners Gramling and Richards had requested a tour of South Shore, and asked if any other Commissioners were interested to let the Commission Secretary know. Also, some Commissioners have some concern about the length of meetings and asked if the meetings could be expedited and when discussing a topic or resolution to stick to that item in comments made by Commissioners to help move the meeting along.

NEW BUSINESS

11-003-1 Operations and Maintenance Report for September 2011

The Commission received a Power Point presentation for the September Operations and Maintenance Report from Michael Martin, Director of Technical Services and Bob Hines, Assistant General Manager. Mickie Pearsall, Budget Manager also reported on Natural Gas Hedging.

Received

11-041-2 Economic Development Report for October 2011

The Commission received a Power Point presentation from Peter Coffaro, Procurement & Business Development Manager.

Mr. Coffaro also informed the Commission that at the Annual Marketplace, the Governor's Conference on Minority Business Development, Chairperson White was presented a Special Community Economic Development Award.

Received

OPERATIONS COMMITTEE MEETING REPORT

Operations Committee Chair Michael A. West moved approval of Items 1 and 2 as a block.

- 1 11-128-10 Award of Contract W20017D07, Western Milwaukee Flood Management Environmental Services - Site Investigation and Remedial Action Options Development
A motion was made by Commissioner West, seconded by Commission Vice Chair Richards, that this matter be Adopted by a Voice Vote. The motion carried.
- 2 11-129-10 Award of Contract TS-2530, Management, Operation, Maintenance, and Emergency Response Services for the District's Landfill Gas Pipeline Facilities
A motion was made by Commissioner West, seconded by Commission Vice Chair Richards, that this matter be Adopted by a Voice Vote. The motion carried.

Prior to the Policy, Finance and Personnel Committee Report, Chairperson White stated that Items 9, 11, and 16 had been removed from the agenda and that Dr. Sandra McLellan would be giving a presentation to the Commission.

This presentation is part of the Executive Director's Report and will be taken out of order.

Kevin L. Shafer, P.E., Executive Director introduced Dr. Sandra McLellan, who gave an overview of the work accomplished over the last ten years and the Commission received a Power Point presentation of UWM Great Lakes Water's "Human Fecal Bacteria in the Harbor Study"

POLICY, FINANCE & PERSONNEL COMMITTEE MEETING REPORT

3 11-130-10

Adopting the Operations and Maintenance Budget for the 2012 Fiscal Year

Commissioner Taylor moved to approve Item 3, Commissioner Dawson seconded the motion.

Commissioner Richards made a motion to amend the Budget to reduce the recommended salary increases from 3% to 1%, seconded by Commissioner Didier.

A roll call vote was taken. Commissioners Carpenter, Dawson, Gramling, Hermes, Taylor, West, and White voted yes. Commissioners Didier and Richards voted no. Commissioners Balistreri and Wade were excused. The motion failed.

Mark Kaminski stated that there is also an amendment to authorize the limited term employee position for approximately five to six months.

Commissioner Dawson moved to add a part time position that is limited term to the budget, seconded by Commissioner White. The motion carried unanimously by a Voice Vote.

The Commission then voted on the main motion, including the amendment.

A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted as Amended by a Roll Call Vote. The motion carried by the following vote:

Yes: 7 - White, Dawson, Carpenter, Gramling, Hermes, Taylor, West

No: 2 - Richards, Didier

Present: 0 -

Excused: 2 - Balistreri, Wade

Susan Anthony, Director of Legal Services stated the vote required a two thirds vote, therefore this item did not pass. She excused herself to verify the voting requirement. Commissioner Taylor then stated she would like to wait to vote on item 4 until Attorney Anthony returned.

Commissioner Taylor then moved to take Items 5, 6, 7, 8, 10, 12, 13, and 15 as block. Commissioner Dawson seconded the motion.

Commissioner Richards asked to take Item 5, it required a Roll Call vote, and Item 13 separately. Item 14 would be taken separately as well, it had been requested to go into Closed Session prior to voting.

Commissioner Taylor then moved to take items 6,7,8,10,12 and 15 as a block.

- 4 11-131-10 Adopting the Capital Budget for the 2012 Fiscal Year
- Commissioner Richards made a motion to amend the Capital Budget to keep the money in for the Private Property Inflow/Infiltration Program. Commissioner Hermes seconded on discussion.*
- A Roll Call vote was taken on the amendment. Commissioners Carpenter, Dawson, Didier, Gramling, Hermes, Taylor, West, and White voted no. Commissioner Richards voted yes. Commissioners Balistreri and Wade were excused. The motion failed.*
- The Commissioners returned to the main motion.*
- Commissioners Richards and Didier voted no.*
- A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**
- 5 11-132-10 Levying of Taxes for the Milwaukee Metropolitan Sewerage District Capital Purposes for the 2012 Fiscal Year
- This item required a two thirds vote and the motion failed. A poll of the Commissioners will be made to determine a date for a Special Commission Meeting as soon as possible.*
- A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Approved by a Roll Call Vote. The motion failed by the following vote:**
- Yes:** 7 - White, Carpenter, Dawson, Gramling, Hermes, Taylor, West
- No:** 2 - Richards, Didier
- Present:** 0 -
- Excused:** 2 - Balistreri, Wade
- 6 11-133-10 Renewal of Owner's Excess Professional Indemnity Insurance Coverage for the District's Capital Improvement Program
- A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**
- 7 11-134-10 Authorizing the Executive Director to Enter Into a Contract for Life Insurance Benefits Effective January 1, 2012
- A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**
- 8 11-135-10 Authorizing the Executive Director to Enter Into a Contract for Pharmacy Benefit Management Services Effective January 1, 2012
- A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.**

- 10 11-137-10 Declaration of Excess Lands and Authorization to Transfer Seven Greenseams® Purchased Parcels
A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.
- 12 11-139-10 Authorization Request to Enter into an Agreement for the Management of a Heat-Dried Biosolids Land Application Program
A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.
- 13 11-140-10 Adoption of Commission Policy 1 01.17 Banning Commissioners, Employees, Visitors, Vendors, and Other Persons from Carrying Weapons in District-Owned and Occupied Buildings
Commissioners Richards and Taylor voted no on this item.
A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.
- 14 11-141-10 Adoption of District Boundary for City of Franklin
A motion was made by Commission Vice Chair Richards, seconded by Commissioner West, that this matter be Adopted by a Voice Vote. The motion carried.
- 15 11-142-10 Declaration of the Public Necessity and Approval of the Revised Acquisition Plat (Relocation Order) for the Landfill Gas Pipeline from East College Avenue to Jones Island, Project P02001
A motion was made by Commissioner Taylor, seconded by Commissioner Dawson, that this matter be Adopted by a Voice Vote. The motion carried.

The Commission received the Educational Outreach Activities Report from Cora Lee Palmer until Attorney Susan Anthony returned to the meeting. Commissioner White stated we could return to Item 4, Commissioner Taylor asked if we could get clarity on Item 3. Susan Anthony, Director of Legal apologized to Commission for the confusion. She informed the Commission that after reviewing the Commission Policy, the Policy stated that the budget could be approved and adopted on a simple majority vote and Item 3, the motion was carried.

ORGANIZATION & ADMINISTRATION

11-004-1 EXECUTIVE DIRECTOR'S REPORT

- A. Monthly Reports
- B. Follow-up Items from the Previous Committee/Commission Meeting
- C. Educational Outreach Activities Quarterly Report
- D. Private Property Inflow/Infiltration Quarterly Report
- E. Update on Human Resources Policy Integration Efforts
- F. Presentation of Draft MMSD Sustainability Plan
- G. Presentation of UWM Great Lake Water's "Human Fecal Bacteria in the Harbor Study" - Dr. Sandra McLellan

Executive Director Reports were presented at various time throughout the Commission meeting.

A. No Report

B. No Report

C. The Commission received the Educational Outreach Report by Cora Lee Palmer, Community Affairs Coordinator.

D. The Commission received the Quarterly Report from Jerome Flogel, Senior Project Manager for Private Property Inflow/Infiltration

E. The Commission received a presentation from Karen Sands, Manager of Sustainability

G. The Commission received a presentation of UWM Great Lake Water's "Human Fecal Bacteria in the Harbor Study" and an overview of the work accomplished over the last ten years from Dr. Sandra McLellan.

Received

At approximately 10:53 a.m. a motion was made by Commissioner West, seconded by Commissioner Taylor to go into Closed Session in accordance with state statutes and for the purposes 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 will go into 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.

At approximately 11:23 a.m. the Commission reconvened into Open Session to vote on Item 14.

At approximately 11:25 a.m. a motion was made by Commissioner West, seconded by Commissioner Dawson to reconvene into Closed Session. The motion carried.

CS1 11-025-1 WPDES Permit Reissuance

Heard in Closed Session

- CS2 11-026-1 Director of Legal Services Report
Heard in Closed Session
- CS3 11-124-9 Veolia Operations and Maintenance Agreement: Negotiation of Claim
Heard in Closed Session
- CS4 11-144-10 Negotiation of terms of Retirement for Human Resources Manager
Not Discussed in Closed Session
- CS5 11-145-10 Potential Litigation related to Adoption of District Boundary for City of Franklin
Heard in Closed Session

ADJOURNMENT

As there was no further business, the Commission adjourned in Closed Session without reconvening into Open Session at approximately 11:32 a.m.



Sharon Chudy, Commission Secretary
Milwaukee Metropolitan Sewerage District