

**ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF
THE COMMON COUNCIL OF THE CITY OF WHITEWATER, WALWORTH AND
JEFFERSON COUNTIES, WISCONSIN.**

December 15, 2015

The regular meeting of the Common Council was called to order at 6:30 p.m. by Council President Singer. MEMBERS PRESENT: Wellnitz, Langnes, Grady, Binnie, Goetl (Abbott), Singer, Kidd. MEMBERS ABSENT: None. LEGAL COUNSEL PRESENT: McDonell.

It was moved by Binnie and seconded by Goetl to approve the council minutes of 12/1/15 and to acknowledge receipt and filing of the following: Parks and Recreation Board Minutes of November 10, 2015; Birge Fountain Committee Minutes of March, 18, 2015; Financial Reports for November, 2015; Report of Manually-Issued Checks for November, 2015; and Urban Forestry Commission Minutes of October 27, 2015.

PAYMENT OF INVOICES. It was moved by Binnie and seconded by Goetl to approve payment of city invoices in the total sum of \$79,535.32. AYES: Wellnitz, Langnes, Grady, Binnie, Goetl (Abbott), Singer, Kidd. NOES: None. ABSENT: None.

HEARING OF CITIZEN COMMENTS. Carolers entertained the Council by singing a song in celebration of the holiday season.

MUNICIPAL BUILDING RENOVATIONS FOR CONSTRUCTION OF EMERGENCY MEDICAL SERVICE (RESCUE SQUAD) SLEEPING QUARTERS. It was moved by Binnie and seconded by Goetl to authorize an agreement with RR Walton & Company in the sum of \$23,466.27 for renovations in the Municipal building to provide for sleeping quarters for rescue squad members. (Carpeting is not included in the cost and will be done in house. The expected completion date is March 1, 2016). AYES: Wellnitz, Langnes, Grady, Binnie, Goetl, Singer, Kidd. NOES: None. ABSENT: None.

WASTEWATER TREATMENT PLANT BID OPENING RESULTS AND CONSTRUCTION SERVICE CONTRACT. Donohue, consultant for the Wastewater Facility Improvements Project, provided a detailed update for the upgrade of the Wastewater Treatment Plant ("WWTP"). Based on bid results, the consultant and city staff have arrived at a recommended scope for the construction phase of the facility upgrade. It was noted that the rate package was anticipated to be approved at the 1st meeting in January, but retroactive to 12/28/15. Alternate bid items were presented as follows: 1) Main Control Building – Minimal Renovations; 2) Main Control Building – Full Renovation; 3) Storage building and site road; 4) Septage Receiving Station; 5) Main Control Building – Roof Replacement; 6) Sewer Cleaning Dump Station; 7) High Strength Waste Receiving; 8) Digester Mixing System; 9) Preliminary Treatment – Minimal Improvements; 10) Preliminary Treatment – Full Improvements; 11) Contractor Provided Property Insurance. The rates for a typical residential user would increase approximately \$15 per month based on proposals. Discussion regarding splitting the rate increase into two tiers was discussed, allowing for one increase in 2016 and one in 2017. Donohue did note that splitting the rate increase would require a second bond counsel fee of approximately \$15,000 in 2017.

Councilmember Goetl expressed frustration as she has not been convinced that all portions of the project are necessary. Goetl did acknowledge, however, that the plant is definitely in need of work. Goetl indicated that a 50% rate increase was unjustifiable, especially in light of the fact it does not even cover engineering costs. Goetl also noted that each time the project comes up, it becomes more expensive. She believed it would be prudent to determine the bare minimum needs, and proceed from that point. Councilmember Singer agreed it would be beneficial to know the core needs to get the needed updates completed and ensured for the future. Singer said that looking forward, the Council and City have to be

more proactive and have a strategic plan for building maintenance items such as electrical systems and roofs.

WWTP Superintendent Reel indicated there is a misconception about high strength waste, and that a high strength waste station gives the ability to safely receive some materials (food waste, grease trap). Reel indicated that hazardous waste is not being brought into the City. Reel indicated that it is a biological waste that consumes more oxygen and consumes more gas. By adding that tank, it allows the City to safely feed into digesters to make more gas, which would offset natural gas costs as well as increase tipping fees. Reel indicated there is a six-year payback period. Mike Gerber of Donohue stated that 30 years ago the City invested in digesters, but since then, has been using only a small portion of the available capacity. Gerber indicated that Sheboygan has been doing this for 10 years and has been bringing in 20 million gallons per year, much in the form of dairy waste. Comparables Milwaukee, Fond du Lac, Stevens Point, and St. Cloud, Minnesota were mentioned.

Councilmember Goettl reminded the Council that Donohue is a consultant, benefitting financially should the project proceed. Goettl noted that the consultant does not answer to the taxpayers, but the Council does. Councilmember Binnie asked about the difference in the construction cost opinion previously projected vs. the higher bid prices. Cassidy acknowledged that the construction cost was originally projected at \$18 Million, but has come in at \$20.7 Million. Delaying or eliminating certain portions of the project was mentioned. Councilmember Kidd said “if not now, when?”

Resident Kenny Kienbaum spoke in support of the project, citing current low interest rates and the desperate need for repairs at this facility. Resident Jeff Knight indicated he was opposed to the expansion of the anaerobic digester. Knight recommended that the project be scaled back. Knight encouraged preparing and presenting this proposal with a business plan. Resident Larry Kachel indicated that most communities taking on digester projects have at least one high end user. When the WWTP was originally built, the City had Hawthorn-Mellody Dairy as a local business. Kachel indicated concern about potential odor issues and suggested that a market study be developed. Kachel indicated that items such as concrete work could be done by local contractors. WWTP Superintendent Reel indicated that local contractors had every opportunity to bid. Kachel encouraged the Council to reduce the cost of this project.

Discussion regarding the hauling in of waste ensued. Councilmember Grady questioned where current waste is taken. WWTP Superintendent Reel indicated that waste hauling is a volatile market, but that people have expressed interest in bringing waste to Whitewater based on the City’s geographical location. Councilmember Goettl indicated that the digester is generally a bad idea, and if there was a big market for this, someone would already be doing it at the private sector level. Goettl indicated that government should not be in the business of business. She expressed concern over the increased costs, stating that the rate given to the Council in May was a monthly fee going from \$30 to \$41.50. She noted the proposal is now \$45.00 – a 50% increase. Goettl believes approval of this project would be rushing into things. Councilmember Langnes expressed concern over the costs to the University.

Discussions regarding dropping some of the alternate items began. Councilmember Kidd indicated that the digester mixing system, which loses efficiency for two weeks per year, might be a possibility. Councilmember Kidd would appreciate a more formal proforma regarding high strength waste receiving, and would like the City to talk with contractor Miron Construction to see if a price extension could be obtained as we gather more data. Kidd believes that with a \$20 Million project, some leeway may be in order. Councilmember Grady indicated that if the high strength waste was truly a good deal, one should be able to go to any bank and borrow money. That bank would determine whether the return on investment is valid. Grady does not feel the Council is clear on this information. He does not see a reason to push this forward now. Goettl agreed that this is not an urgent matter. Concerns were expressed regarding the effect of changes on the Clean Water Fund loan. Consensus was on a single borrowing.

Councilmember Goettl questioned the need for a women's locker room. She would like to see a break out cost number on that. It was agreed that the high strength waste item needs more discussion.

It was moved by Binnie and seconded by Kidd to proceed with the package, but with removal of the following items: main control building – roof replacement; high strength waste receiving; and digester mixing system (obtain further information and complete further evaluation on high strength waste receiving), and to plan for a single borrowing in 2016. AYES: Wellnitz, Grady, Binnie, Singer, Kidd. NOES: Langnes, Goettl. ABSENT: None.

CONSTRUCTION SERVICES CONTRACT FOR WASTEWATER UTILITY UPGRADES. It was moved by Kidd and seconded by Grady to approve a construction related services agreement with Donohue and Associates of Sheboygan, Wisconsin, in the sum of \$1,474,892 for wastewater treatment plant reconstruction. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl (Abbott), Singer, Kidd. NOES: None. ABSENT: None.

STATE HIGHWAY 59 CONSTRUCTION CONTRACT (NEWCOMB TO SUNRISE LANE). The Wisconsin Department of Transportation is planning to reconstruct Highway 59 from Newcomb Street to Sunrise Lane. This project will begin in 2020. This is a connecting highway project with 100% state funding. The City assists with administration of the property appraisals and acquisition of the right-of-way and easements for the 25 parcels involved. A Nominal Payment Parcel report was prepared by MSA Professional Services and must be approved by the Common Council prior to issuance of offers to purchase to the property owners. It was moved by Binnie and seconded by Goettl to approve the Nominal Payment Parcel Report for the Highway 59 project. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl (Abbott), Singer, Kidd. NOES: None. ABSENT: None.

POLL WORKER APPOINTMENT 2016-2017. Statutes require that Council approve the listing of poll workers for the next two-year period. City Clerk Smith presented a listing of proposed workers, which includes the nominees provided by the Republican party. It was moved by Binnie and seconded by Goettl to appoint the poll workers as presented by the Clerk, for the 2016-2017 election years. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl (Abbott), Singer, Kidd. NOES: None. ABSENT: None.

FUTURE AGENDA ITEMS. Councilmember Kidd announced that he was not seeking re-election.

EXECUTIVE SESSION. It was moved by Singer and seconded by Goettl to adjourn to Closed Session, TO RECONVENE APPROXIMATELY 15 MINUTES AFTER ENTERING INTO CLOSED SESSION, pursuant to Chapter 19.85(1) (e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” Items to be Discussed: Negotiation of Whitewater Aquatic Center Agreement and Consideration of Agreements with Hird Properties and Methodist Church as it relates to the Boone Court reconstruction project. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl (Abbott), Singer, Kidd. NOES: None. ABSENT: None. The regular portion of the meeting adjourned at 9:01 p.m.

RECONVENE INTO OPEN SESSION. At 9:22 p.m., the Common Council reconvened into open session.

AGREEMENTS WITH PROPERTY OWNERS FOR ACQUISITION OF PROPERTY FOR BOONE COURT RECONSTRUCTION. It was moved by Binnie and seconded by Goettl to enter into an agreement with Hird Rental properties, LLC to purchase 1,884 square feet of property so that reconstruction of Boone Court can occur. AYES: Wellnitz, Langnes, Grady, Binnie, Goettl (Abbott), Singer, Kidd. NOES: None. ABSENT: None.

ADJOURNMENT. It was moved by Binnie and seconded by Goettl to adjourn the meeting. Motion carried by unanimous voice vote. The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Michele R. Smith, Clerk