



# City of Racine

City Hall  
730 Washington Ave.  
Racine, WI 53403  
www.cityofracine.org

## Meeting Minutes - Final

### Wastewater Commission

*Mayor John Dickert*  
*Alderman Terry McCarthy*  
*Alderman James Morgenroth*  
*Thomas Friedel*  
*Thomas Bunker*  
*President Robert Lui*  
*Howard Stacey*  
*Anthony Beyer*  
*Vice President Kathy DeMatthew*  
*Ralph Schwarz*  
*James Spangenberg*  
*Secretary Joseph Mandala*  
*Jerry Garski*  
*Jayme Hoffman*  
*Chris Wright*

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Tuesday, August 30, 2016

4:30 PM

City Hall Annex, Room 227

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#### 1. Roll Call

*OTHERS PRESENT: K. Haas, K. Scolaro, N. Sanders, S. Cryer, C. Adamczyk, R. Gilbreath, M. Klimek, A. Wheeler, D. Bowersox, K. Wanggaard*

**PRESENT:** 10 - John Dickert, Terry McCarthy, James Morgenroth, Thomas Bunker, Robert Lui, Kathy DeMatthew, James Spangenberg, Joseph Mandala, Jerry Garski and Chris Wright

**EXCUSED:** 5 - Thomas Friedel, Howard Stacey, Anthony Beyer, Ralph Schwarz and Jayme Hoffman

#### 2. Approval of Minutes for the July 2016 Meeting

A motion was made by Alderman McCarthy, seconded by Spangenberg, that this file be to Approve the Minutes

#### 3. [0693-16](#)

**Subject:** Budget Expenditures for July 2016 Totaling \$1,044,561.68

**Recommendation:** Approve

A motion was made by Secretary Mandala, seconded by Alderman McCarthy, that this file be Approved

#### 4. [0694-16](#)

**Subject:** Project Reports:

- A) Budget Hearing - September 7, 2016
- B) Household Hazardous Waste Event - August 20, 2016
- C) September Commission Meeting - Sept. 20, 2016
- D) Concrete Replacement - Phase 3 Update
- E) Digester Cleaning Update

- F) Roosevelt-Kinzie Update
- G) Metering Discussion Held with Mt. Pleasant
- H) Status of Work on Interceptor Lining
- I) NACWA - Silver Award
- J) Cost of Service Study for Spring Street Basin

**Recommendation:** Receive and file

*Project reports were given by staff.*

**Received and Filed**

5. [0735-16](#) **Subject:** Change Order No. 2 on Contract A-16, Concrete Replacement - Phase 3, Joseph J. Henderson & Son, Inc. (Contractor)

**Recommendation:** Approve

*The General Manager submitted Change Order No. 2 on Contract A-16 for a time extension of 21 days and recommended approval.*

**A motion was made by Spangenberg, seconded by Alderman McCarthy, that this file be Approved**

6. [0695-16](#) **Subject:** Wastewater Commission Directors Insurance Policy Renewal

**Recommendation:** Approve

*The General Manager noted that he received notification from Arthur J. Gallagher & Co. that the Directors and Officers policy needs to be renewed, and that this is done on an annual basis to protect the Wastewater Commission from lawsuits. He noted that the insurance carrier is National Union Fire Insurance Company of Pittsburgh, PA. The renewal premium is \$8,753.00 which includes \$43.00 for TRIA coverage and recommended approval.*

**A motion was made by Mayor Dickert, seconded by Wright, that this file be Approved**

7. [0696-16](#) **Subject:** Submission of the 2017 Proposed Operations & Maintenance Budget and the Proposed 2017-2021 Capital Improvement Plan

**Recommendation:** Receive and file

*The General Manager submitted the 2017 Proposed Operations and Maintenance Budget and the Proposed 2017-2021 Capital Improvement Plan. He noted that this is for informational purposes only and that these will be discussed during the Budget Hearing on September 7, 2016, at the Wastewater Plant.*

**A motion was made by Alderman McCarthy, seconded by Vice President DeMatthew, that this file be Received and Filed**

8. [0697-16](#) **Subject:** Communication from the City of Racine Public Health Administrator Requesting the Use of Storage Space for a Mobile Health Care Unit - Dottie Kay Bowersox Invited to the Meeting

**Recommendation:** Approve

*The General Manager noted that he received a communication from Dottie Kay Bowersox of the City of Racine Health Department requesting to use space at the Wastewater Garage complex to store the Racine Mobile Medical Unit due to the fact they cannot find any other suitable storage facility. They requested a one-year lease with the Utility to give them enough time to find a suitable permanent facility. The General Manager stated that the Wastewater Garage has enough space to accommodate this unit without inconveniencing the Utility and recommended approval to create a one-year lease agreement for this purpose.*

**A motion was made by Mayor Dickert, seconded by Alderman Morgenroth, that this file be Approved**

9. [0698-16](#)

**Subject:** Communication from the General Manager Requesting the City Attorney to Draft an Amendment Resolution Pertaining to Chapter 98 of the Municipal Code, Section IV, Division 3, User Regulations, as a Result of NR211 of the Department of Natural Resources Code

**Recommendation of the Wastewater Commission on 8/30/16:** To approve

FURTHER RECOMMENDS THAT THIS ITEM BE REFERRED TO THE PUBLIC WORKS AND SERVICES COMMITTEE

**Fiscal Note:** N/A

*The General Manager requested to have the City Attorney draft an amendment resolution with regard to Chapter 98 of the Municipal Code for Industrial User (IU) Spill/Slug Control Plan. He noted that a copy of the amendment was sent to the Department of Natural Resources for their review and they responded stating that more changes needed to be made. Changes were made and the General Manager recommended approval.*

**A motion was made by Alderman Morgenroth, seconded by Spangenberg, that this file be Recommended For Approval**

### CLOSED SESSION

It is the intent that the Wastewater Commission convene in closed session pursuant to Section 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. It is also the intent that open session will follow closed session.

*Mandala made a motion, seconded by Alderman McCarthy, to move the meeting into Closed Session at 4:48 p.m. The motion passed unanimously.*

10. [0732-16](#)

**Subject:** Communication from the General Manager Discussing a Waiver of Potential Conflict with the Stafford Rosenbaum LLP Law Firm

**Recommendation:** Receive and file

*Discussion was held with regard to a letter received from Stafford Rosenbaum LLP*

*Law Firm concerning a waiver of potential conflict.*

**A motion was made by Bunker, seconded by Vice President DeMatthew, that this file be Received and Filed**

**OPEN SESSION**

*Spangenberg made a motion, seconded by Alderman McCarthy, to move the meeting into Open Session at 5:00 p.m. The motion passed unanimously.*

**11. [0744-16](#)**

**Subject:** Authorize the General Manager to Sign a Waiver of Potential Conflict with Stafford Rosenbaum LLP

**Recommendation:** Approve

**A motion was made by Bunker, seconded by Vice President DeMatthew, that the General Manager be authorized to sign the waiver agreement regarding a potential conflict of interest with Stafford Rosenbaum LLP as the Village of Mt. Pleasant is engaging this firm to represent them on tax assessment challenges and whereas the Racine Wastewater Commission is using them to represent them in matters of the sewer agreement with a current claim from the Village of Mt. Pleasant. The City of Racine, being an SSR Party of the sewer agreement, requested 72 hours time to confer with their City Attorney on this matter after which the General Manager can sign the waiver agreement.**

**AYES:** 8 - McCarthy  
Bunker  
Lui  
DeMatthew  
Spangenberg  
Mandala  
Garski  
Wright

**EXCUSED:** 7 - Dickert  
Morgenroth  
Friedel  
Stacey  
Beyer  
Schwarz  
Hoffman

**12. Adjournment**

*There being no further business, Wright made a motion, seconded by DeMatthew, to adjourn the meeting at 5:07 p.m. The motion passed unanimously.*

**If you are disabled and have accessibility needs or need information interpreted for you, please contact the office of the General Manager at 636-9181 at least 48 hours prior to this meeting.**