

CITY OF FRANKLIN  
BOARD OF WATER COMMISSIONERS  
NOVEMBER 20, 2012  
MINUTES

TIME AND PLACE  
OF MEETING:

Chairman Grobner called the regular meeting of the Franklin Board of Water Commissioners to order at 5:15 p.m. on November 20, 2012 at Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.

Present at this regular meeting were Commissioners Grobner, Graef, Peterson, Bate and Schubilske Also present were Manager Bennett, Assistant Manager Romeis, Deputy Finance Director Rotzenburg, and City Attorney Wesolowski by tele conference Excused Superintendent Roberts.

CITIZEN COMMENT AND  
CORRESPONDENCE:

Correspondence from customers was reviewed. No action taken. The resident requesting to appear before the Board (Nicholette Reinhardt) did not appear.

MINUTES APPROVED

Commissioner Graef moved, seconded by Commissioner Bate to approve the minutes of the October 16, 2012 meeting. Motion carried.

VOUCHER LIST/FINANCIAL  
STATEMENTS:

Motion made by Commissioner Bate seconded by Commissioner Peterson to approve the Vouchers for November, 2012 in the amount of \$492,688.24. Motion carried.

REPORT ON WATER SYSTEM  
PERFORMANCE

Painting of the Drexel Avenue Water Tower is complete. Little or no consumer complaints while tower was out of operation. Approximately \$80,000 was billed to Cellular Antenna companies for modifications and repairs to the tower prior to the painting.

OLD BUSINESS

STATUS OF OAK CREEK  
WATER RATE INCREASE  
PSC CASE 4310-WR-104  
APPLICATION TO INCREASE  
RATES

Chairman Grobner moved to enter closed session at 5:25 p.m. pursuant to PUBLIC SERVICE COMMISSION OF WISCONSIN CASE NO. 4310-WR-104; APPLICATION OF THE OAK CREEK WATER AND SEWER UTILITY TO INCREASE WATER RATES:OAK CREEK OCTOBER10, 2012 REQUEST FOR HEARING. CITY OF OAK CREEK V. PUBLIC SERVICE

COMMISSION OF WISCONSIN, MILWAUKEE COUNTY  
CIRCUIT COURT CASE NO. 12-cv-011459

The Board may enter closed session pursuant to Wis.Stats.§19.85(1)(g) to deliberate upon and to confer with legal counsel for the Board who is rendering advice concerning strategy to be adopted by the Board with regard to litigation upon the Application of the Oak Creek Water and Sewer Utility, Milwaukee County, Wisconsin, for Authority to Increase Water Rates before the Public Service Commission of Wisconsin, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Commissioner Graef. On roll call, voted Aye; motion carried.

Upon reentering open session at 7:07 p.m. a motion by Commissioner Graef, seconded by Commissioner Bate to direct staff to proceed as was discussed in closed session. Motion Carried.

STATUS OF DREXEL  
AVENUE WATER TOWER  
REHABILITATION

- 1) ANTENNA FEES.
- 2) AVAITION LIGHTS
- 3) OTHER COSTS

Previously reported under Water System Performance.  
No new replacement required at this time; two functioning lights on the tower now.  
Reported under Water System Performance.

ELECTION OF OFFICERS

Commissioner Bate motioned that Chairman Grobner, remain as Chairman. Seconded by Commissioner Schubilske. Motion carried. Commission Bate motioned that Commissioner Peterson remain as Board Secretary. Seconded by Commission Graef. Motion Carried.

NEW BUSINESS

2012 NINE MONTH  
FINANCIAL REPORTS

The first nine months of this year shows an operating loss of (\$144,252) this however includes \$170,000 of professional fees associated with the Oak Creek rate case. If adjusted for that operating income would reflect a \$28,000 profit.

OAK CREEK – WAUKESHA  
AGREEMENT

Chairman Grobner moved to enter closed session at 7:08 p.m. to discuss the AGREEMENT AMONG OAK CREE, WAUKESHA AND FRANKLIN FOLLOWING A LETTER OF INTENT TO PROVIDE CLEAN WATER TO WAUKESHA BETWEEN OAK CREEK AND WAUKESHA. The Board may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for competitive and bargaining reasons, to deliberate and negotiate terms relating to the potential entry into and an agreement with Waukesha and Oak Creek to provide clean water to Waukesha, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Commissioner Graef.

Upon returning to open session at 7:09 p.m. a motion by Commissioner Graef to direct staff to proceed as was understood in closed session. Seconded by Commissioner Bate. Motion carried.

## ADJOURNMENT

A motion by Commissioner Bate seconded by Commissioner Schubilske to adjourn the meeting at 7:17 p.m. Motion carried.

Respectfully submitted,

Leary Peterson,  
Secretary  
Board of Water Commissioners

bwc\minutes 11/27//2012