

CITY OF FRANKLIN
BOARD OF WATER COMMISSIONERS
OCTOBER 17, 2017
MEETING MINUTES

CALL TO ORDER AND
ROLL CALL:

The regular meeting of the Franklin Board of Water Commissioners was held on October 17, 2017 and called to order at 5:30 p.m. by Chairman Grobner in the Hearing Room, Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.

Present at this regular meeting were Commissioners Grobner, Takerian, Graef, and Schubilske. Excused was Commissioner Peterson. Also present were Manager Morrow, Assistant Manager Arnold, Superintendent Roberts, Director of Finance & Treasurer Rotzenberg, City Attorney Wesolowski, Consultant Kaempfer and Mayor Olson.

CITIZEN COMMENT PERIOD AND
CORRESPONDENCE:

None.

MINUTES APPROVED:

Commissioner Graef moved to approve the minutes of the August 15, 2017. Seconded by Commissioner Takerian. All voted Aye; motion carried.

VOUCHER LIST:

Commissioner Schubilske moved to approve the Vouchers for October, 2017, in the amount of \$308,047.13. Seconded by Commissioner Graef. All voted Aye; motion carried.

REPORT ON WATER SYSTEM
PERFORMANCE:

Superintendent Roberts reported water system performing well and reviewed the Distribution & Collection Operations summary report for August & September.

DISTRIBUTION & COLLECTION/
ADMINISTRATIVE OPERATIONS
UPDATE:

UNFINISHED BUSINESS

PUBLIC SERVICE COMMISSION
OF WISCONSIN CASE NO. 4310-
CW-109; APPLICATION OF THE
CITY OF OAK CREEK, AS
A WATER PUBLIC UTILITY, FOR
AUTHORITY TO CONSTRUCT
PUMPING AND WATER STORAGE
IMPROVEMENTS AND NEW
DISINFECTION FACILITIES, IN
THE CITY OF OAK CREEK,
MILWAUKEE COUNTY,
WISCONSIN:

Commissioner Graef moved to enter closed session at 5:38 p.m. pursuant to Wis. Stat § 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 City of Oak Creek, as a Water Public Utility, for Authority to Construct Pumping and Water Storage Improvements and New Disinfection Facilities, in the City of Oak Creek, Milwaukee County, 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 Takerian. On roll call, all voted Aye; motion carried.

Commissioner Takerian moved to reconvene in open session at 6:23 p.m. Seconded by Commissioner Graef. On roll call, all voted Aye. Motion carried.

WHOLESALE PUBLIC WATER
SUPPLY TO FRANKLIN 2024:

Commissioner Takerian moved to enter closed session at 6:24 p.m. pursuant to Wis. Stat § 19.85(1)(e) to deliberate upon information, terms and provisions of the potential provision of public water supply to the City of Franklin as related to the City, the Franklin Municipal Water Utility and its customers in 2024 and beyond; and the potential negotiation of terms in relation thereto, including, but not limited to potential amendments to the Agreement for Oak Creek to Provide Water at Wholesale to Franklin, potential agreement terms with alternate public water supply sources, and the investing of public funds and governmental actions in relation thereto, for competitive and bargaining reasons, 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, all voted Aye; motion carried.

Commissioner Schubilske moved to reconvene in open session at 7:14 p.m. Seconded by Commissioner Takerian. On roll call, all voted Aye. Motion carried.

NEW BUSINESS

DEVELOPMENT AGREEMENTS
PUBLIC IMPROVEMENTS RETURN
ON DEVELOPER INVESTMENT
PROVISIONS, PUBLIC UTILITIES
INFRASTRUCTURE
CONTRIBUTIONS IN AID OF
CONSTRUCTION REFUND
TIMELINES PROVISIONS, PUBLIC
IMPROVEMENT DEDICATION
REQUIREMENTS AND COST
RECOUPMENT PROVISIONS:

Commissioner Takerian moved to enter closed session at 7:15 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to deliberate upon development agreements public improvements return on developer investment provisions, public utilities infrastructure contributions in aid of construction refund timelines provisions, public improvement dedication requirements and cost recoupment provisions, for competitive and bargaining reasons, and also pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Board of Water Commissioners who is rendering oral or written advice concerning strategy to be adopted by the body with respect to in alternative situations potential litigation in which it is likely to become involved, 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, all voted Aye; motion carried.

Commissioner Schubilske moved to reconvene in open session at 7:33 p.m. Seconded by Commissioner Takerian. On roll call, all voted Aye. Motion carried.

AN ORDINANCE TO AMEND §207-
23.C.(2)(B) OF THE MUNICIPAL
CODE TO CHANGE THE
MAXIMUM TIME FOR WATER
EXTENSION POTENTIAL COST
REIMBURSEMENT TO
DEVELOPER FROM 15 YEARS TO
10 YEARS TO BE CONSISTENT
WITH THE PUBLIC SERVICE
COMMISSION OF WISCONSIN
WATER MAIN EXTENSION RULE
AND §207-26.C.(2)(B) OF THE

Commissioner Takerian recommended to amend the ordinance as noted. Seconded by Commissioner Schubilske. On roll call, all voted Aye. Motion carried.

MUNICIPAL CODE TO CHANGE
THE MAXIMUM TIME FOR
SANITARY SEWER SERVICE
EXTENSION POTENTIAL COST
REIMBURSEMENT TO
DEVELOPER FROM 15 YEARS TO
10 YEARS TO BE CONSISTENT
WITH THE WATER EXTENSION
PROVISION:

2017 Q3 WATER BILLING STATS: Tabled until next meeting.

2017 THIRD QUARTER
STATEMENTS: Tabled until next meeting.

2018 WATER UTILITY BUDGET: Tabled until next meeting.

TEN YEAR FORECAST ON
CAPITAL REQUIREMENTS &
POTENTIAL BORROWING
REQUIREMENTS: Tabled until next meeting.

2017 WI-DNR SANITARY SURVEY
INSPECTION REPORT: Tabled until next meeting.

REQUEST FOR COMMON
COUNCIL TO APPROVE
ORDINANCE CHANGE
PERMITTING CHAIR OR
SECRETARY OF BWC TO
APPROVE VOUCHER LIST IN
ABSENCE OF BWC MEETING: Commissioner Graef moved to approve the ordinance change as recommended by Director of Finance & Treasurer Rotzenberg to allow payment of vouchers with either the Chairman or Secretary's approval in absence of a Board of Water Commissioners meeting. Seconded by Commissioner Takerian. On roll call, all voted Aye; motion carried.

ELECTION OF OFFICERS: Commissioner Schubilske nominated Gary Grobner as Board Chairman. Seconded by Commissioner Takerian. On roll call, all voted Aye; motion carried.

Commissioner Grobner nominated Jim Schubilske as Board Secretary. Seconded by Commission Graef. On roll call, all voted Aye; motion carried.

ADJOURNMENT: Commissioner Graef moved to adjourn the meeting at 7:37 p.m. Seconded by Commissioner Takerian. All voted Aye; motion carried.