

CITY OF FRANKLIN
BOARD OF WATER COMMISSIONERS
AUGUST 21, 2018
MEETING MINUTES

CALL TO ORDER AND
ROLL CALL:

The regular meeting of the Franklin Board of Water Commissioners was held on August 21, 2018 and called to order at 5:15 p.m. by Chairman Grobner in the Hearing Room, Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.

On roll call, the following were in attendance: Commissioners Grobner, Schubilske, Peterson, Takerian and Graef. Also present were Manager Morrow, Assistant Manager Arnold, Superintendent Roberts, Director of Finance & Treasurer Rotzenberg and City Attorney Wesolowski.

CITIZEN COMMENT PERIOD AND
CORRESPONDENCE:

None.

MINUTES APPROVED:

Commissioner Takerian moved to approve the minutes of the July 17, 2018 regular meeting. Seconded by Commissioner Graef. All voted Aye; motion carried.

VOUCHER LIST:

Commissioner Graef moved to approve the Vouchers for August, 2018, in the amount of \$849,571.16. Seconded by Commissioner Peterson. All voted Aye; motion carried.

REPORT ON WATER SYSTEM
PERFORMANCE:

Superintendent Roberts reported Utility has been very busy and reviewed the Distribution & Collection Operations summary report for August. Puetz water tower cleaning went very well and cost was \$60,000 below budgeted amount.

DISTRIBUTION & COLLECTION/
ADMINISTRATIVE OPERATIONS
UPDATE:

UNFINISHED BUSINESS

CITY OF OAK CREEK V. PUBLIC SERVICE COMMISSION OF WISCONSIN, MILWAUKEE COUNTY CIRCUIT COURT CASE NO. 2018-CV-005591, PETITION FOR JUDICIAL REVIEW OF THE FINAL DECISION DATED JUNE 7, 2018 AND THE ORDER TO REOPEN AND GRANTING EXTENSION OF TIME DATED OCTOBER 24, 2017 BY THE PUBLIC SERVICE COMMISSION OF WISCONSIN IN DOCKET NO. 4310-CW-109:

Commissioner Schubilske moved to enter closed session at 5:22 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 *City of Oak Creek v. Public Service Commission of Wisconsin*, Milwaukee County Circuit Court Case No. 2018-CV-005591, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Commissioner Peterson. On roll call, all voted Aye; motion carried.

Commissioner Graef moved to reconvene in open session at 5:24 p.m. Seconded by Commissioner Takerian. On roll call, all voted Aye. Motion carried.

WHOLESALE PUBLIC WATER
SUPPLY TO FRANKLIN 2024:

Commissioner Schubilske moved to enter closed session at 5:26 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 Peterson. On roll call, all voted Aye; motion carried.

Commissioner Takerian moved to reconvene in open session at 6:02 p.m. Seconded by Commissioner Graef. On roll call, all voted Aye. Motion carried.

NEW BUSINESS

AMENDMENT TO THE 2018
WATER UTILITY BUDGET FOR
ADDITIONAL PROFESSIONAL
FEES ASSOCIATED WITH
CONTESTING WATER SUPPLIER
CONSTRUCTION
AUTHORIZATION AND
PLANNING FOR WHOLESALE
WATER SUPPLY AFTER THE
CURRENT WHOLESALE WATER
SUPPLY AGREEMENT REACHES
ITS TERMINATION DATE:

Director of Finance & Treasurer Rotzenberg reviewed a resolution amending the professional services budget by an additional \$95,000 for this year.

Commissioner Takerian moved to approve a resolution, subject to minor corrections by City Attorney and City Clerk's Offices, amending the 2018 budget of the Water Utility for the City of Franklin for calendar 2018 to provide additional professional fee appropriations associated with contesting water supplier construction authorization and planning for wholesale water supply after the current wholesale water supply agreement reaches its termination date. Seconded by Commissioner Graef. On roll call, all voted Aye. Motion carried.

PROFESSIONAL SERVICES
AGREEMENT WITH BK
PLANNING STRATEGIES TO
PREPARE AN AFFORDABLE
HOUSING REPORT:

Manager Morrow indicated that as part of our negotiations for water supplier, a question about Franklin's affordable housing had been raised. Manager Morrow met with Bruce Kaniewski from BK Planning Strategies and discussed how to convey this message to potential water suppliers.

Commissioner Graef moved to approve the Professional Services Agreement with BK Planning Strategies to prepare an Affordable Housing Report. Seconded by Commissioner Peterson. On roll call, all voted Aye. Motion carried.

REQUEST PUBLIC SERVICE
COMMISSION TO WAIVE AND
RESCIND ORDER NO. 6 OF 1994
DOCKET 2105-CW-100 RELATED
TO MAINTENANCE OF EXISTING
WELLS:

Manager Morrow informed Board that back in 1994 one of the conditions to get off of our well system and go to another supplier was that we maintain our wells in case of an emergency. There are costs to maintain these wells.

Commissioner Schubilske moved to send the Public Service Commission a request to waive and rescind Order Condition No 6 of the decision in Docket No. 2105-CW-100 related to maintenance of existing wells. Seconded by Commissioner Takerian. On roll call, all voted Aye. Motion carried.

ADJOURNMENT:

Commissioner Takerian moved to adjourn the meeting at 6:12 p.m. Seconded by Commissioner Peterson. All voted Aye; motion carried.