

**MEETING MINUTES OF  
TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 2 (SEWER)  
AND  
TOWN OF SHEBOYGAN SANITARY DISTRICT NO. 3 (WATER)**

**Date: Monday, April 20, 2015**

**Place: Town Hall, 1512 N. 40<sup>th</sup> St., Sheboygan, Wisconsin**

**Time: 4:00 p.m. – Sanitary District No. 3 Water Monthly Meeting**

**Time: 4:15 a.m. Joint Meeting – Sanitary Dist. No. 2 Sewer & Sanitary Dist. No. 3 Water**

**Time: To Follow Joint Meeting – Sanitary District No. 2 Sewer Monthly Meeting**

A monthly meeting of the Town of Sheboygan Sanitary District No. 3 (Water) Commission began at 4:13 p.m. and a joint meeting of Sanitary District No. 2 (Sewer) and Sanitary District No. 3 (Water) Commissions began at 4:35 p.m. The Sanitary District No. 2 (Sewer) Commission continued on with their monthly meeting after the matters in Joint Session had been discussed on Monday, April 20, 2015 in open session at the Town of Sheboygan Town Hall, 1512 N. 40<sup>th</sup> St., Sheboygan, WI 53081, Sheboygan County.

Notice of the meeting was given to the public at least 24 hours prior to the meeting by posting in three (3) different places and forwarding to all news media who have requested the same.

Upon motions duly made and seconded, the following resolutions were unanimously adopted and made a part of these minutes by reference as if fully set forth herein.

**1. Call to Order**

The Town of Sheboygan Sanitary District No. 3 (Water) Commission monthly meeting is called to order by President Mark Flasher at 4:13 p.m. The following were also present at the meeting: Commissioner Jerry Hoepfner, Treasurer; Commissioner Spencer Lutzke, Secretary; Attorney Michael Bauer; Engineer Tom Holtan; Director of Public Works William Blashka; Office Manager Darla Free and those persons on the attached list.

**2. Approval of the April 20, 2015 Monthly Bills**

“The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the April 20, 2015 monthly bills as submitted per a motion by Commissioner Flasher and a second by Commissioner Lutzke.” Motion carried.

**3. Discussion/Action – Water Extension Request for 3702 Lower Falls Rd, David Mohnsam**

Mr. David Mohnsam is in attendance for the meeting. He states that since Mr. Ducharme is building a hotel at the end of Greendale Rd, he'd like to extend water service to his property along with the Ducharme project. Attorney Bauer states that it would be quite a distance for an extension; he asks how far east his property is from the proposed hotel. Mr. Mohnsam states he's about 500' east; the hotel will be about 25' from his lot line; he's seen the proposed drawings. Attorney Bauer asks Engineer Holtan if he has an average per foot cost for water main. Engineer Holtan states that it would cost roughly \$67 per foot, plus hydrants and valves; it could be as much as \$85 per foot. Attorney Bauer asks if we're going straight south, then ending with a hydrant. Commissioner Flasher asks if we'd be going in to the back. DPW Blashka states no, we wouldn't want to do that; we want the hotel to go to their east property line for any future development; or you could allow Mr. Mohnsam to run a 2" service to his property, this would be cheaper. Commissioner Flasher states that we typically make anyone doing an extension run the service to the end of their lot line; then the next person would run it to the end of their property, and so on; this is so the service would be there for the next person to pick up. DPW Blashka states that if we have Mr. Mohnsam do this, then we're at the City boundary. Commissioner Flasher states that we could consider a lateral extension. DPW Blashka states that an extension would have to be 2" to get the pressure. Commissioner Flasher asks if we'd need to have an easement. DPW Blashka states that we'd have to ask the County, it's their right-of-way; or we could ask Mr. Ducharme if he can run his service in the back side of his property. Attorney Bauer asks what the cost of a 2" service would be. DPW Blashka states that he doesn't know, but they could directional bore. Engineer Holtan states that he would estimate about \$15-\$20 per foot. Commissioner Flasher asks how many feet will the service be on Lower Falls Rd. Mr. Mohnsam states that it would be about 200'. Commissioner Flasher states that maybe Mr. Mohnsam could work something out

with the developer and that he'd be okay with a 2" lateral extension; he could work out the easement issue with the developer or the County. DPW Blashka states that it would be with either the County or the developer, he's not sure and he's not sure if they'd have to turn it over to the District, either. Commissioner Lutzke asks if there is any concern that the water would be stale which such a long lateral. DPW Blashka states yes, that's why there will be a hydrant at the end of the line for flushing; there'd be a lot of water in a 200', 2" line. Attorney Bauer asks Mr. Mohnsam if he is currently being served by a private well. Mr. Mohnsam states yes. Attorney Bauer asks if he's having problems with his private well. Mr. Mohnsam states no, he's just looking into this because of the proposed hotel. Engineer Holtan states that he's not sure if the DNR would allow a lateral extension, he'd have to look into it. Commissioner Flasher asks what we could ask of the developer. Attorney Bauer states that we could ask for an easement along the edge of his property for the lateral at no cost, it would ensure that the service can go in; it's a quality of water issue; if it's \$15,000 for a 2" lateral, the private citizen is responsible for it. He asks Mr. Mohnsam if he's interested in pursuing the issue. Mr. Mohnsam states that he'll have to look into it; City land is next to him and he's not sure if or when they'll develop it. Commissioner Albright asks if a 2" valve is an issue. DPW Blashka states no. Commissioner Flasher asks if the proposed hotel is close to Mr. Mohnsam's lot line. Mr. Mohnsam states that it's going to be about 25' away from his lot line; the house is further away. Commissioner Flasher states that maybe he could go off of the hotel's service. Attorney Bauer states that in the future, if there's a problem with Mr. Mohnsam's well, he could connect; a new well is probably around \$10,000-\$15,000. Mr. Mohnsam states that the costs aren't that much different, there's just the easement issue. Commissioner Flasher states that the main is already in an easement. Attorney Bauer states that the sewer main is already in an easement; it's the interceptor; the owner has to give us a water easement. He states that you can either 1) work with the developer; you always have to option to approach them, or 2) do nothing; in the future, if you have a problem, you can come back to the District. He states that you'll always need the District's approval for an extension. Supervisor Schwinn asks if this parcel is already in the District. Attorney Bauer states that not all Town boundaries are in the water District. DPW Blashka states that he thought just the northern portion of this area was in the District boundaries. Commissioner Flasher states that he has a file on the District boundaries and he needs to review it. Commissioner Lutzke asks what the status of the hotel project is. Attorney Bauer states that the developer has already come to the Plan Commission; they're going to the Town Board on April 28<sup>th</sup>. Commissioner Flasher states that maybe Mr. Mohnsam could run a service southeast, working with the developer. DPW Blashka states that this wouldn't be a good idea; it would be difficult for access, there would be a lot of problems; there are hills, the railroad tracks. Commissioner Flasher says that the options are to talk to the developer and maybe go off of his service. DPW Blashka states that it wouldn't work to go off of the developer's service because his service will be on the west side of the hotel; it probably wouldn't be allowed; there's nothing going in on the east side of the development; the hydrants will be on the west and south. Mr. Mohnsam states that all of this information lets him know what's going on; he is already on Town sewer. DPW Blashka states that Mr. Mohnsam is in Sanitary No. 2 Sewer's District; you have different areas that are in the water District. Commissioner Flasher tells Mr. Mohnsam that he'll check to see if his parcel is in the water District and suggests that Mr. Mohnsam talk to the developer; this isn't a normal situation. Mr. Mohnsam states that his parcel is an island; there might be a small strip of land to the east or west side. Commissioner Flasher recommends that Mr. Mohnsam comes back to the District if he decides to pursue a water extension. Mr. Mohnsam thanks the District for their time and all of the information.

#### **4. Update - Comprehensive Water System Master Plan**

Attorney Bauer states that the contract hasn't been approved yet; we'll talk with both Districts. Commissioner Flasher asks if they'll address another water tower location. Commissioner Lutzke asks if this information isn't already in the existing Master Plan. DPW Blashka states that it is; all of the wells and towers are included; the locations shouldn't change; the highest area of the Town is what's proposed for a new tower site so we don't have to build higher for people to see it. Commissioner Flasher states that he needs to talk to Craig Franzen about a Hwy 42 location. Attorney Bauer states that he spoke with Dane Checolinski of the Sheboygan County Economic Development Corp to find out if there was any grant money available to extend water service to Howards Grove; that project isn't going forward; we could apply for a grant but it wouldn't be in our best interest; it's too far north.

#### **5. Communication & Correspondence Received After Posting of Agenda**

Nothing submitted; no updates.

## **Sanitary District No. 2 (Sewer) and Sanitary District No. 3 (Water) 4:15 p.m. Joint Agenda**

### **6. Call to Order - Sanitary District No. 2 (Sewer)**

The Town of Sheboygan Sanitary District No. 3 (Water) and Sanitary District No. 2 (Sewer) Commissions monthly joint meeting is called to order at 4:35 p.m. by Commissioner Flasher and Commissioner Griffin. Commissioner Ken Katte, Treasurer and Commissioner Dave Albright, Secretary, are also in attendance.

### **7. Approval of the March 16, 2015 Monthly Meeting Minutes**

"The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves the March 16, 2015 monthly meeting minutes per a motion by Commissioner Flasher and a second by Commissioner Hoepfner." Motion carried.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the March 16, 2015 monthly meeting minutes per a motion by Commissioner Albright and a second by Commissioner Katte." Motion carried.

### **8. Discussion/Action – Parcel 352871, Premier Alliance/Tom Ducharme**

Commissioner Griffin asks if there's been any further discussion or updates. DPW Blashka states that there won't be anything until the developer gets further approvals from the State. Commissioner Griffin states that he ran some calculations for the sewer connection fee; estimating 80 units as hotel = bed and space x 60% occupancy it would be eight UCE's at \$2,000, or \$16,000.00; it would have been higher calculating in laundry. He states that it's similar to the Sheboygan Senior Community's connection fee rate; this seems reasonable, there could be a bar and/or restaurant. He states that we'll have to think about it before they're here for their final plans.

### **9. Discussion/Action – Water & Sewer Extension, Parcel 349132/Woodland Rd, Jonathan Bemis**

Commissioner Griffin states that, since Mr. Bemis didn't show up, this item should remain on the agenda for next month.

### **10. Discussion/Action – Development of Parcel 344560/Windridge Ln, Hillcrest Homes**

DPW Blashka states that this land used to be the Loersch property; Warren Vandoske is the engineer for the project; Mr. Vandoske said he didn't have anything new, so he wouldn't be attending today's meeting. Commissioner Griffin states that sewer isn't there. DPW Blashka states that the sewer ends in manholes across the street, to the east; we'll need an easement or it has to go in the road right-of-way; the water is under the street, so we'll have to cut; we'll need to make 13 cuts; the developer should have to do an overlay because of all of the cuts. Supervisor Schwinn asks how much of the road is being disturbed. DPW Blashka states that there is 1,200' of road; it's not only one side of the road, it's the whole road; the sewer would end in the bottom of the ditch and there's already standing water there; we'll need special covers for the manholes. Attorney Bauer asks if there's been any talk of connecting the Glen Garee Subd road. Commissioner Griffin states that they're going to survey the residents to see if they're interested; they'll get a letter. Attorney Bauer states that originally those residents didn't want the road to go through. Supervisor Schwinn states that they didn't want the extra traffic; now there are some new owners and some of them may have changed their minds. Commissioner Flasher asks if nothing has come to us on this parcel since the Yangs. Commissioner Griffin states no, but Hillcrest is now the owner and they came to the Plan Commission; they wanted to see if they could get an early connection made to lot 59; we told them that there are lots of drainage problems there. DPW Blashka states that Mr. Vandoske said they don't have to worry about drainage because it comes from BIB Subdivision; they have culverts across the road but they didn't factor in any future development. He states that he told Mr. Vandoske that they could eliminate one parcel and put in a pond, like Windmor Subd has; there's a drainage easement across the top and center of the land, too; we will need to do something at the south end; we've got recorded easements and they've been sent out to everyone; there are a lot of issues. He states that he found the Storm Water Drainage Plan for Mueller Field Subd, the original and the revised copy; Engineer Holtan has both of them now. Commissioner Flasher asks if we have water easements that aren't filed with the County. Attorney Bauer states no, everything's recorded at the County. DPW Blashka states that we have all the documents and they're all scanned and in public and they'll all be filed in one box in the basement.

### **11. Discussion/Action – Holidays & Tom's Drive-In, 5533 Superior Ave**

DPW Blashka states that he and John Witters have installed the second meter; there was a lot of water on

the floor; they called the plumber; all of the roof drains were going into the crotch; they didn't have the discharge hooked up yet, so it was filling up the pits; by mid-morning the problem was fixed; they are now pumping the water into an inlet on their property. Commissioner Albright asks when they plan to close the existing building. Supervisor Schwinn states that he believes it is scheduled to close May 1<sup>st</sup>. DPW Blashka states that there's still a lot of work to be done in the Tom's Restaurant portion of the building; the Holiday's portion is pretty far along; there's a lot of kitchen work to be done. Supervisor Schwinn states that they want to take the building down by May 1<sup>st</sup> and get the parking lot in. DPW Blashka states that they have a flat roof on the new building. Commissioner Flasher asks what's keeping it from draining into the sewer. DPW Blashka states that we have covers, we just weren't using them. Attorney Bauer states that he's wondering if they got permission from the County to use their storm sewers. DPW Blashka states that they probably didn't. Commissioner Griffin states that he wants the DPW to keep an eye on the situation, to make sure they don't take the covers off.

#### **12. Discussion/Action - Springtime Ridge Condominium Development Update**

DPW Blashka states that he doesn't have any updates. Engineer Holtan states that he doesn't have any updates. DPW Blashka states that it looks like someone's living in the condos. Attorney Bauer asks if they've gotten the occupancy permits. Supervisor Schwinn states that they haven't. Attorney Bauer asks if there's been a title request. Ms. Free states no; it didn't sell, they're renters. DPW Blashka states that the storm sewer inlet is done but he didn't check the pond; they still need to do seeding and some ditching to keep the water off of the road. He states that he'll get the meter reads and see if there's any activity.

#### **13. Discussion/Action - 3505 Cth Y, Sheboygan Senior Community Development**

DPW Blashka states that we still don't have the easements; the meter's been installed and they're hooking up the sprinkler system. He states that last Wednesday they asked if we could shut off the water; he didn't have to after all, but he had a chance to walk around. He states that they poured the concrete in late November and it started to mist so they had to cover the floors with plastic and then it was walked on; there are foot prints all over; the contractor ground some of it out but it's a couple of inches deep in some spots; they said they'll have to add leveling material. Commissioner Griffin states that if there is no action on the easements on or before next month's meeting, we should call them. Attorney Bauer states that he will add the easement information to his letter to them regarding the Pilot Payment information. Commissioner Griffin states that they plan to start moving people in this August. DPW Blashka states that the facility has a lot of security cameras.

#### **14. Discussion/Action – AECOM Consulting Services Agreement/Standard Terms and Conditions**

Attorney Bauer states that he got AECOM's comments today; the redline version is his marked-up copy; they're accepting those terms except page 4 of 4, 9.4 and 9.5 because we are a municipality; we have to comply with open records law. He states that this was because a few years ago realtors wanted access to the program that assessors used; at the Court of Appeals, the realtors won; it was appealed to the Wisconsin State Court and they overturned the ruling; it says if we have the records, we have to comply. He states that in 9.5, if we don't provide documents or we fight the request, we are responsible for litigation costs, liability, they said they won't indemnify; AECOM changed 9.4, saying they don't have to comply. He states that if AECOM approves 9.4, they can take out 9.5; if the Commissioners say it all has to stay in, that's fine; it's hyper-technical. Engineer Holtan states that they retain conversations; whether they are reports, calculations; generally, we keep the working information. He states that they recently ran into a situation with another engineering firm; they had the client sign off. Attorney Bauer states that if we are forced to turn over records, they'd have to indemnify us. Commissioner Griffin states that this seems logical; we don't want to have to keep track of e-mails, etc. He states that he'd like better language for "what records". Commissioner Flasher asks that technically, if they're open records, but we don't have them, does it apply. Attorney Bauer states yes, you hired AECOM for a project; both have to comply; if AECOM says "no", you are saying "no"; they can sue. Commissioner Flasher states that if we have reports, drawings, etc., it makes sense, but how can they go further if we don't. Attorney Bauer states that the Court says we are responsible to comply; not for a program, but pdf's are enough; you have to be compliant with open records law. Engineer Holtan states that they'd just give pdf's for any request. Attorney Bauer states that we won't get everything we want in the agreement; if we can at least get AECOM to comply, to work with us on open records laws. Commissioner Flasher states that they have to work with us, there's nothing we can do if we don't have the records. Commissioner Griffin states that in the interpretation, we have to make sure that somehow we are covered. Attorney Bauer states that the agreement says "deliverable"; that they would cooperate with us. Commissioner Flasher states that if we had a scope of work and asked for calculations,

then he could check the proof of design; we wouldn't have that, correct? Engineer Holtan states that it would be in report form. Commissioner Griffin states that we're not turning over the model. Engineer Holtan states that he could review, but it's not the working model. Attorney Bauer asks if he's saying that we'd have no problem releasing. Engineer Holtan states no, you would have it. Attorney Bauer states that if AECOM says we can't have the documents, this is the situation we are trying to project. He states that he'll talk with Engineer Holtan and their attorney to work on the language. Commissioner Griffin states that we don't want to get sued for something that we don't have. Attorney Bauer states that at the bottom of page five and the top of page six, he took out language; the concept was if they have liability, it's equal to fees paid on a project; we want to leave this out but if we have to compromise, then number 15 is insignificant; by striking it out, if you have a big mistake, your entire policy is on the hook; it's a significant paragraph. Commissioner Flasher states that it's different if the contractor's wrong. Attorney Bauer states that this is if they designed it wrong. Commissioner Griffin says that it's if they sent a surveyor to check a ditch and he gets hit by a car while working for the Town. Attorney Bauer states that he would be covered by AECOM's workers comp. Commissioner Flasher asks what the professional liability of \$2 million is. Attorney Bauer states that you are responsible for anything directed at you; why should they get a limit. Commissioner Flasher asks if it should be higher or do we get rid of it. Engineer Holtan states that they don't want to put a limit on it. Commissioner Flasher states that it's probably standard. Engineer Holtan states that it is. Attorney Bauer asks if it's staying out then. Commissioner Flasher states that he thinks so, unless they give a huge number. Commissioner Katte states that last time, if we paid for the report and then don't get it, what's our leverage; I think we put in a 20% hold back; they asked for a 10% retainage. Attorney Bauer states that AECOM's always finished, you've worked with them forever. Commissioner Flasher states that he doesn't think it's an issue; we have to protect ourselves if they make a mistake. Attorney Bauer states that it's not planned, but they should be accountable and asks if the Commissioners are happy with 10%. Commissioner Flasher states yes. Commissioner Katte asks what happens if AECOM is bought out or goes out of business. Attorney Bauer states that you have a contract with AECOM or their predecessor and that they would have to comply. He asks if everyone's comfortable with 10%. Engineer Holtan states that he'll get something set up to discuss these questions. Attorney Bauer asks for final approvals for next month. Commissioner Flasher states that if he gets something ahead of time, he should e-mail it to the Commissioners so they can review it before the meeting; it will make the meeting go quicker. Attorney Bauer asks if Rick Mass is okay using our old ground water information. Engineer Holtan states that he's not sure if he has the authority.

#### **15. Discussion/Action – SCADA System Update**

DPW Blashka states that he doesn't have any updates; he sent out an e-mail for a status update. Commissioner Griffin asks how much Sanitary No. 2 will owe, \$80,000.00. DPW Blashka states yes, but maybe not by the end of the year, they're behind with the project. Commissioner Katte asks if Sanitary No. 3 is paying first. DPW Blashka states yes, and their payment will be behind, too.

#### **16. Discussion/Action – Purchase of Additional Filing Cabinets for As-Builts**

DPW Blashka states that now that AECOM is moving, we got a bunch of as-builts that we need to store; our current drawers are from Mayline; he would like to stay with the same kind; he would like three more file cabinets, five drawers each at a cost of about \$1,300 plus a base, approximately \$4,300.00 total. He states that it would be split between the Districts; he's ordered them before from C&H, they're the cheapest; he checked e-bay. Commissioner Lutzke asks if he can get the drawings scanned. DPW Blashka states that they are scanned, but we need a hard copy, too; we need cabinets so they don't get destroyed. Commissioner Griffin asks if they're Town drawings, too. DPW Blashka states that they're San 2 and 3's; he saw one drainage easement. He states that what Engineer Holtan's giving him is what AECOM's worked on; he doesn't want to keep just ours; ours are all numbered and filed, but he wants to keep both copies. Commissioner Albright states that what's important is what goes into our files; the drawings don't always get the revisions. DPW Blashka states that some of ours have been updated; some have been sent to Engineer Holtan to update. Commissioner Katte asks where the drawings are kept. DPW Blashka states in the basement of the Town Hall. Commissioner Griffin asks what storage options we have. DPW Blashka states that we could roll them up and put them on top of the existing cabinets or stack them on shelves but it's hard to go through them when you want one. Commissioner Flasher asks if the crew has had problems using them. DPW Blashka states that they use the GIS mapping program, but occasionally they need to use the paper copies. Commissioner Flasher states that for the most part, we have scans and this is what the guys use. DPW Blashka states that it's about 50/50. Commissioner Flasher states that Kohler Co. is getting rid of all of their hard copies. DPW Blashka asks if he could check to see if Kohler Co. is going to get rid of their

cabinets; he'd like to stay with Mayline for the size match. Commissioner Flasher states that he'll check with Kohler Co. and Wisconsin Surplus. DPW Blashka states that he checked with Wisconsin Surplus; they don't have them; would the school District want to get rid of any. Commissioner Albright states that he doesn't know. DPW Blashka states that he can wait until next month, but he needs something; right now there are a lot of drawings just lying on tables in the basement. Ms. Free asks Engineer Holtan what AECOM is going to do with their filing cabinets once they empty them out. Engineer Holtan states that the cabinets belong to the owner of the building. Ms. Free states that she will contact the owner and find out if they'd be willing to sell any of the cabinets to the Districts. Commissioner Flasher states that we'll wait until next month.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves trying to find used map cabinets and paying 50% of the cost and approves purchasing new map cabinets if used one's can't be located by next month's meeting per a motion by Commissioner Griffin and a second by Commissioner Albright." Motion carried.

"The Town of Sheboygan Sanitary District No. 3 (Water) Commission hereby approves trying to find used map cabinets and paying 50% of the cost and approves purchasing new map cabinets if used one's can't be located by next month's meeting per a motion by Commissioner Flasher and a second by Commissioner Hoepfner." Motion carried.

#### **17. Discussion/Action – Monthly District Financial Reports, Investment Options**

Commissioner Flasher states that there's nothing to address; we'll wait until the Districts build up their money markets; Waldo State Bank's money market rate is .70%.

#### **18. Town of Sheboygan Plan Commission Update**

Commissioner Griffin states that Mr. Ducharme was at the meeting regarding his proposed hotel; he'll be coming back to Plan Commission; he was at the Districts meeting last month for a concept review; the Plan Commission has to make a recommendation to the Town Board for their approval. He states that the Blindhorse was on the agenda for a shed; there were some sign permits and a request for a weigh scale at the Vanguard Dr. gas station; Lutheran High School wants a parking lot expansion; Mr. Vandoske was here for the Mueller Field Subd west lots.

#### **19. Operator's Report**

DPW Blashka states that he's submitted the water pumpage report and the City's waste water treatment plant report. He states that last week there was a house fire on N 40<sup>th</sup> St and he got on-line to get all three wells pumping; there was higher pumping from Well 3 and it stirred up debris; there were some complaints from the northeast side of Town; we also got a call on the weekend; we turned Well 3 back down and everything was fine. He states that the house was a total loss and he was on-site day and night; he was called in to pump out the basement; there was 3' of water in it; after the fire we turned the water off; the meter continued to read and flow during the fire; we checked the manholes because of the high flow and foam, but there weren't any problems. Larry's was in last week to extend the hydrant to the end of the cul de sac on Country Meadows Dr; we flushed it today and will test it tomorrow. Commissioner Lutzke asks if there's a cul de sac there. DPW Blashka states yes, it was a hammerhead; now there will be two new homes at the end of the cul de sac; we don't just put in cul de sacs to end the road, we need them for plowing and emergency vehicles; the owner deeded over the land for the cul de sac and the Town paid for the road; they started putting in the laterals today; they had water in the trench and we had to stop them; then they didn't plug the laterals so we had to go back to reprimand them again; Edgewater is the plumbing contractor; they also damaged the AT&T lines, even though everything was marked correctly. Commissioner Flasher asks if we can charge back when the crew has to take extra time. DPW Blashka states that he doesn't know. He states that it is existing sewer and water main; we normally charge for field inspections; these services are going to be over 100'. He states that he's going to keep an eye on this plumbing contractor because he's had problems with him in the past and he had Mr. Witters stay on-site to watch the work; today they're tying into the sewer, tomorrow they're doing the water.

He states that Great Lakes is going to be making some sewer repairs they found during televising; they're finishing up on Cth J and then will be epoxy coating manholes this week; some of the manholes epoxy has blistered and they'll be making these repairs at no cost to us; they're working with who they got the product from; they found one with a separation of the manhole from the main, they found it when they were televising because they couldn't get the camera through. He states that there are rings that need overlays;

we'll get these ordered from the County. He states that the blacktop plants will be open at the end of the month but there are no road overlays until the end of May, so we'll want all of the rings in stock. He states that for N 40<sup>th</sup>, behind the Mall, he ordered solid rings and we will pull covers and then put in the rings; they're easy to pop in.

#### **20. Communication & Correspondence Received After Posting of Agenda**

Commissioner Flasher states that there was some vehicle damage done to the Lakeshore Rd Park; the Sheriff's Department wanted costs to have the repairs made; the quote is high but they wanted to make sure that the costs were covered; the report has been put on Crime Stoppers. DPW Blashka states that the entries were chained off, but the driver went through the ditches; someone has been doing the same thing on Jens Rd.

Commissioner Griffin states that the Town Annual meeting is tomorrow at 6:00 p.m. at the Town Hall.

#### **21. Pending Item List Review**

The pending item list is reviewed and updated accordingly. The list is part of the minute book for review and record retention purposes.

Commissioner Griffin asks if there are any changes from last month. Commissioner Flasher states that we can remove item 22: W&S Lateral Abandonment on Woodland Rd. Commissioner Katte asks if the antenna for the SCADA system was included in the quote. DPW Blashka states that it's something we're still working on; not a lot of people do this kind of work; it's for the Pigeon River lift station because of the gully, we need it for the height.

#### **22. Adjourn – Sanitary District No. 3 (Water)**

"There being no further business, the Town of Sheboygan Sanitary District No. 3 (Water) Commission adjourns the meeting at 5:53 p.m. until Monday, May 18, 2015 at 4:00 p.m. per a motion by Commissioner Hoepfner and a second by Commissioner Flasher." Motion carried.

### **Sanitary District No. 2 (Sewer) Agenda - Immediately Following Completion of Joint Agenda**

#### **23. Approval of the April 20, 2015 Monthly Bills**

Commissioner Katte asks why Sanitary No. 2 is paying Sanitary No. 3 a meter charge. Attorney Bauer states that this is in the PSC's rate schedule. Ms. Free states that next year this charge will go up significantly because the sewer District will be using all residential water meters to calculate their sewer charges. Commissioner Katte asks why Sanitary No. 2 is paying the Town back for taxes. Ms. Free states that the Town's report was supposed be for the month of January but they printed the report going back to December; we had already been paid for the December tax collection.

"The Town of Sheboygan Sanitary District No. 2 (Sewer) Commission hereby approves the April 20, 2015 monthly bills as submitted per a motion by Commissioner Griffin and a second by Commissioner Katte." Motion carried.

#### **24. Grote Rd Sewer Extension Update**

DPW Blashka states that they placed the basin for the pit; Mr. Witters found that because there are two houses, there should be two pumps; it's legal because only one house is connecting now.

#### **25. Discussion/Action – CMOM: Capacity, Management, Operations & Maintenance Plan**

Commissioner Griffin states that we'll start reviewing in May or June; we'll schedule a special meeting; we should start reviewing and marking up what we have. Commissioner Albright asks if we'll be using the same format. DPW Blashka states yes.

#### **26. Discussion/Action – Loan to Town of Sheboygan for Landfill Project**

Commissioner Griffin states that the District is considering loaning funds to the Town for landfill monitoring. Supervisor Schwinn states that there's a methane problem at the landfill and the Town has contacted the State for a loan; the project is expected to cost around \$500,000.00, this is for engineering, the monitors and to monitor the system; bid opening is next Tuesday at 10:00 a.m. at the Town Hall; construction should start sometime in June; a substantial part of it will be done by September and it's supposed to be completed by

October. He states that the first pay request will be in July or August. He states that they did ask the DNR to hold off so that the Town wouldn't have to make any payments until 2016. He states that if the Town borrowed \$500,000.00 from Sanitary No. 2, they could do a resolution like the last time; the highway shed loan they have was for seven years; he'd like nine years this time and would like to pay only interest for the first two years because the Town has some balloon payments during the next two years; one of these balloon payments was from Green Meadow Subd and the other is from other obligations. He states that instead of working with a bank or the State, we could do this loan like last time; this would simplify things. He states that it would be like last time; if there was a disaster, the Town would have 60 days to borrow money from somewhere else to pay back the District. He states that right now the District's money market is paying .25%; the State interest rate is about 3.75%, the Town could pay the District 1.5%; they'd make more money and the Town would save money. Attorney Bauer states that the Town could see if they could add the charge to the recycling fee; debt can be added to the tax roll, but it would benefit Sanitary No. 2 to get the higher interest rate; if they needed the money back, there'd be the 60 day availability; it's your operating capital, but there's no risk. Supervisor Schwinn states that there is a clause that we have to adjust the rate per the market. Commissioner Katte asks why they aren't going to put it on the tax roll. Supervisor Schwinn states that the State has to approve if it qualifies to be part of the recycling fee; it can only go on the eligible lots; if it's added to debt, everyone pays. He states that there will be pipes in the soil, fans on top, cement platform on the entrance way; this draws the gas into the air; it will run two hours in the a.m. and two hours in the p.m.; it will be a little stronger at first; there will be nine wells along the Mapledale area, only where the residents are; there's sand there. Attorney Bauer states that the cap on the interest rate per the market would be 4.25%. Commissioner Albright asks if they expect to get the money from the State. Supervisor Schwinn states that they've been approved to borrow \$750,000.00; they have to tell the State exactly what the funds are being used for; we'll know more on April 28<sup>th</sup>, after bid opening. Commissioner Griffin states that this would be a better rate than a cd. He asks where we are on other projects, are we depleting our money market funds. DPW Blashka states no; SCADA will be around \$80,000.00 and the antenna tower will be around \$15,000.00; \$170,000.00 for the SCADA system; there are only minor repairs for the mains and those funds have already been budgeted; there's nothing else. Commissioner Griffin states that if we need \$500,000.00, we have enough or could use the Community Bank money market; this loan would benefit the Town. Supervisor Schwinn states that it's a win-win for both the Town and District; the Town saves more, the District makes more. Commissioner Griffin states that as long as the District doesn't have any big projects coming up, it shouldn't be a problem; we're here to help the taxpayers and we're not risking a lot. Commissioner Albright states that the State funds are relatively available. Commissioner Griffin states that they also talked that the Town could pay the District back in six months, after they got their State loan. Supervisor Schwinn states that the Town's debt drops off in two years. Commissioner Albright asks if it's a State loan or grant. Supervisor Schwinn states that it's a loan; it has to be a specific amount and they have to know exactly what it's for; there are no grants available for landfills; we haven't talked to the Town Board about borrowing from Sanitary No. 2 yet; there are different loan options they can use. He asks the Commissioners if they prefer nine years. Commissioner Katte asks if he needs a decision right now. Commissioner Albright states that if the District's in a bind, they'd get the money back. Supervisor Schwinn states that they will have a better idea when the bids get back and asks Commissioner Griffin if he'd like to come to the Town Board meeting. Commissioner Albright asks if the bids come in at \$500,000.00, can the Town cover it. Supervisor Schwinn states that they could drag the payments out until the State loan would come through; AECOM thinks that the bids will come in under \$500,000.00; we will make the loan for what the cost is. Commissioner Griffin asks if we have to approve the loan now. Attorney Bauer states no. Supervisor Schwinn states that he just wanted to take the information to the Town Board and talk about the clause, if you want your money back sooner. Commissioner Griffin states that we can work with the Town Board to do a similar contract, like last time; we could approve it at our next monthly meeting. Attorney Bauer states that it could be the June monthly meeting. Supervisor Schwinn states that the first payment might not be due until August, depending on the weather. Commissioner Katte asks what the chances that more problems arise are. DPW Blashka states that we have to cap it per the DNR so it's not hazardous.

## **27. Discussion/Action – Sump Pump Inspection Program**

Utility crew John Witters is in attendance. DPW Blashka states that we were planning on doing sewer inspections inside of homes, but what are we looking for, sump pump or floor drains, too; because then we are actually doing a Clearwater Inspection. He states that if we are going to give the residents notice, then they'll have time to correct the problems; Mr. Witter's is doing clearwaters and seeing piping but then they are disconnected before we get to their homes. Mr. Witters states that if we do full inspections, are the owners going to be required to make the repairs; 99% of the Town doesn't have a typical set-up; they had a

lot of septic; most drain tiles go into a pit; we have the reverse problems, the drains are going right into the sewer; we want to avoid sump pumps going into the floor drain; we're finding piping to do this, but then the property owners are removing the pipe when we come; flexible pipe is illegal. Commissioner Griffin states that he thinks we should keep it as a sump pump inspection. Mr. Witters states that the other side of this is that he's not finding any, only one so far. Commissioner Griffin states that we're trying to raise awareness of the problem, it's as much educational awareness; they can put in a flex pipe and move it anywhere and we can't do much. Mr. Witters states that the cost of going into the homes is there; he's having the owners glue on caps on the t's; the City quit doing this; if we go door-to-door, no one's home or they don't answer; if people are going to do this illegal draining, they're going to do it. Commissioner Griffin states that we can stick with the program so people know. Mr. Witters states that we can't pick on one person, but we can do it by subdivision; we can find more by pulling manholes, and then attack that subdivision by flow. DPW Blashka states that our televising finds and looks for this, too. Mr. Witters states that we can pick and choose over doing everybody. Commissioner Griffin states that you two are the experts; I want to keep doing this, to give teaching tools instead of enforcement. DPW Blashka states that we've got the supplies, but can't get into the properties; it would work best from 4 p.m. to 8 p.m.; otherwise, no one is home. Commissioner Albright asks if we should contract out. Mr. Witters states that when he does explain this to residents, they seem to understand that we are treating clear water; what type of authority do we have to enforce; if they want to do this, they will do it; we want to stop this; they know what they're doing. DPW Blashka states that we can stop a sale if we catch it during a Clearwater inspection; if we find it through an inspection, we go back for a re-inspect and they comply, but they can put the pipe back after we leave. Commissioner Griffin states that he doesn't want to abandon this program completely; we can spot check areas of concern, so they know we're checking. Mr. Witters states that he can tell the Commission which areas to watch. DPW Blashka states that we can tell from our televising report. Commissioner Katte states that we can tell people that we are checking and re-inspecting. DPW Blashka states that the flyer helped. Commissioner Katte states that it will help if people know we're checking. DPW Blashka asks if the Commission wants to send out letters. Commissioner Griffin states that he'd like spot inspections. Mr. Witters states that we could use a letter as a teaching tool, that they know we're checking. Commissioner Griffin states that he wants to continue handing out the brochures at elections. Mr. Witters states that the people that are violating just aren't going to let us in. Commissioner Griffin states that the literature is a learning tool for the people who care. Attorney Bauer states that if we know there are people who are really causing a problem, we can get an inspection warrant; a judge signs it and you can get in. Mr. Witters states that we do a Clearwater when a property is selling; we can take care of issues that are wrong then and they have to fix them. DPW Blashka asks how much time they want spent on this. Commissioner Griffin asks what they'd suggest. Mr. Witters states that we could go off of a tip or manhole inspections. DPW Blashka states that if there aren't problems at a manhole, that's good; if there's infiltration, we could have Ms. Free send a letter. Mr. Witters states that it's like a water leak, we don't check a dry area; if there's water or a puddle, we investigate. DPW Blashka states that if we check the three worse sections, this is a start. Commissioner Griffin states that we could re-evaluate then. Mr. Witters states that he did about 114 Clearwater Inspections in 2014; a lot of problems were fixed then. Commissioner Griffin states that they should start looking in areas of concern. DPW Blashka states that if they're all muddy from being in the field, they can't go into houses. Mr. Witters states that you can hear when the sump pumps are running; that's when you pull the manholes. DPW Blashka states that they don't have a problem doing a few. Commissioner Katte states that the word gets out, people will hear about it.

## **28. Billing of Quarterly Sewer Charge after Water Service is Terminated; Ordinance 2.35**

DPW Blashka states that this issue came up because of the Steve Saunders property/3828 Superior Ave.; he wanted his water disconnected because he didn't want to pay for it but he still has sewer. Attorney Bauer asks if there's a toilet in the building. DPW Blashka states that he has floor drains, but not sure about a toilet; the sewer is not disconnected, but if the water's turned off, you can't flush and he wants clarification as to when we wouldn't bill for sewer. Commissioner Katte asks for how long the water will be turned off. DPW Blashka states that it could be a month, it could be a year. Commissioner Katte states that he could have sewer gas coming up. Commissioner Griffin states that he thinks that if they're connected, they're connected; you get the sewer charge; we have people who go to Florida, they still have to pay because we have to operate the system, take care of the lift stations, there's operation and maintenance; if they want to disconnect, they have to put on a valve and lock it. DPW Blashka states that he and Ms. Free agree with this; we still have to have mains, etc; they should have to dig up the service and disconnect it. Attorney Bauer states that with the water on, that's how the sewer will now be billed; if he's disconnected, will he pay the average sewer charge. Commissioner Griffin states that we could charge the flat fee with no flows, that

would be \$24.00 per quarter. Commissioner Albright states that the quarterly charge will go up to \$40.00 per quarter if he's classified as sewer only, not metered. Attorney Bauer states that the ordinance doesn't make a distinction. Commissioner Griffin states that if you're connected, you pay or it's creating all kinds of problems. DPW Blashka states that the meter is out; it's our property; if the building's not heated, it's not protected, the owner is responsible to take care of the meter. Commissioner Griffin states that if an owner puts in a plug and locks the system, this would be the only situation where we'd release the service; this is the only exception; can you get this kind of lock system. Engineer Holtan states that he doesn't think so. DPW Blashka states that if it's a grinder pump you can turn it off like this. Commissioner Griffin states that he only sees two options: pay the sewer charge or show that it's got a locking system that we control, but I can't see this working. Supervisor Schwinn states that a lot of people work on cars inside their garages, there could be a lot of infiltration.

**29. Communication & Correspondence Received After Posting of Agenda**

Nothing submitted; no updates.

**30. Adjourn – Sanitary District No. 2 (Sewer)**

"There being no further business, the Town of Sheboygan Sanitary District No. 2 (Sewer) Commission adjourns the meeting at 6:56 p.m. until Monday, May 18, 2015 at 4:15 p.m. per a motion by Commissioner Griffin and a second by Commissioner Katte." Motion carried.

**Town of Sheboygan  
Sanitary District No. 2 Sewer**

**David Griffin**, President  
**Ken Katte**, Treasurer  
**David Albright**, Secretary

**Town of Sheboygan  
Sanitary District No. 3 Water**

**Mark Flasher**, President  
**Jerome Hoepfner**, Treasurer  
**Spencer Lutzke**, Secretary

**Minutes approved on May 18, 2015**