

REGULAR MEETING OF THE JEFFERSON UTILITIES COMMISSION, HELD APRIL 8, 2019

Commissioners present were: Brandel, Ganser, Adams, Ristow, Michaelis and Oppermann. Also present: Utility Manager Adler, Office Manager Statz and City Attorney Rogers. Absent was: Horn. The meeting began at 5:30 p.m.

PUBLIC PARTICIPATION

None

MINUTES

Comm. Ristow recommended the following changes:

The closing is dependent upon their request ~~from~~ for FEMA to remove the property from the floodplain.

The property sits in the floodplain, so a ~~levy~~ levee will need to be placed around the property.

The property is currently under contract and, per City Administrator Freitag, the closing is ~~eminent~~ imminent.

Utility Manager Adler asked Mr. Beth if when the utility applies for a construction authorization with the PSC, do we need to have all funds locked in ~~a~~ as laid out.

It was moved by Comm. Ristow and seconded by Comm. Brandel to approve the minutes from the March 18, 2019 meeting with the noted corrections. Motion carried on a voice vote.

EXPENDITURES

It was moved by Comm. Brandel and seconded by Comm. Ristow to approve the payment of March's bills totaling \$1,054,562.41. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Brandel – Aye, Ristow – Aye, Michaelis - Aye)

DISCUSSION AND APPROVAL FOR BUDGET ADJUSTMENT FOR PILOT PAYMENT

Office Manager Statz explained that the information obtained from the City of Jefferson's website caused some confusion on the 2018 mill rates. She has confirmed the correct mill rates with Finance Director Tanya Stewart. After recalculating the PILOT (Payment In Lieu of Taxes) to be paid in 2019, the utility owes about \$17,000 more to the City's general fund.

Office Manager Statz stated the auditors do check this calculation, but because the information given noted the mill rate as 2018, it did not raise concern. She has reached out to the auditors to make them aware of the discrepancy and a journal entry will be included in the audit.

City Attorney Rogers questioned if any other entities contribute a PILOT payment to the City's general fund.

Comm. Ristow explained the statutory reason the electric and water utility make such a payment to the City's general fund.

City Attorney Rogers stated he understood why the electric and water utility made the payment, but questioned if other entities, like Jefferson County, also contributed.

Comm. Ristow and Comm. Brandel stated they did not believe that Jefferson County did so.

It was moved by Comm. Oppermann and seconded by Comm. Michaelis to approve the budget adjustment for \$16,995.76 for additional PILOT due to the City of Jefferson. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Brandel – Aye, Ristow – Aye, Michaelis – Aye)

DISCUSSION AND POSSIBLE ACTION APPROVING PURCHASE OF DUMP TRUCK BOX – CASPER'S TRUCK FOR \$11,744.00

Utility Manager Adler explained that the box on the truck is rusted and in need of replacement. He asked the Public Works mechanics to get him some quotes to replace the box. Out of the three requested, one was returned. The quote from Casper's Truck quote came in at \$11,744. The 2019 budget has \$15,000 set aside for the replacement.

It was moved by Comm. Brandel and seconded by Comm. Ristow to approve the purchase of a dump box from Casper's Truck for an amount of \$11,744.00. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Brandel – Aye, Ristow – Aye, Michaelis – Aye)

DISCUSSION AND POSSIBLE ACTION APPROVING FOREST LANDSCAPING FOR GREENWOOD STREET WATER MAIN RELAY (IF REQUIRED)

Utility Manager Adler explained that the Common Council approved the contract on behalf of the water utility. He was not sure if the Utilities Commission needed to approve the contract as well.

City Attorney Rogers asked who was going to be writing the check for the water project.

Utility Manager Adler stated Jefferson Utilities would be responsible for those costs.

City Attorney Rogers stated Jefferson Utilities needed to approve the contract if they were going to be responsible for payment. He questioned if this project went to a public bid.

Utility Manager Adler stated it did, but only one bid was received.

City Attorney Rogers questioned who was at the bid opening.

Utility Manager Adler indicated that both city officials and he were present for the opening and proper procedures were followed.

City Attorney Rogers questioned who would be signing the contract.

Utility Manager Adler stated he envisioned both the utility and the city signing the contract.

City Attorney Rogers stated if the City is not responsible for the bill, they should not sign the contract on behalf of the water utility.

It was moved by Comm. Oppermann and seconded by Comm. Brandel to approve the contract with Forest Landscaping to replace the water main on Greenwood Street, in the amount of \$248,470. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Brandel – Aye, Ristow – Aye, Michaelis – Aye)

DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION FROM COMMUNITY CONTRIBUTION POLICY COMMITTEE

City Attorney Rogers reviewed the five suggested criteria received from WPPI regarding the Community Contributions program. He expressed his feeling that the program should not fund operating costs, but only capital projects. He questioned if energy conservation should be a stipulation of receiving funds, as well.

Comm. Brandel questioned if the sub-committee met to discuss a policy.

City Attorney Rogers explained they spoke via telephone. He went on to suggest that any donation given should have some recognition given to the utility.

Comm. Ristow stated the five criteria listed would eliminate most of the organizations that the commission has previously funded.

Comm. Adams stated the sub-committee would meet prior to next month's meeting.

Comm. Brandel stated he agreed that the donations should have recognition back to the utility, which could be a picture in the paper handing over the check. He agreed that there should be rules in place for the donations.

Comm. Oppermann agreed with the five criteria laid out by WPPI and that the utility should receive recognition for the donation.

City Attorney Rogers stated if there was a policy in place it would eliminate the argument of favoritism.

Comm. Michaelis stated she would provide an application to the utility that her business uses. The application is helpful in that it cuts out requests that are not eligible right away.

Utility Manager Adler stated Cedarburg Water & Light gives out one lump sum annually for a capital project.

Comm. Oppermann stated he would be in favor of helping more than one organization, not just one.

Comm. Brandel asked the sub-committee if they could have something in writing for next month's meeting.

City Attorney Rogers stated that would be possible. He wanted input from all of the commission members about how they thought the policy should look.

It was moved by Comm. Brandel and seconded by Comm. Ristow to adjourn to closed session pursuant to section 19.85(1)(c) considering compensation and performance evaluation data of the Utility Manager, including overtime pay. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Brandel – Aye, Ristow – Aye, Michaelis - Aye)

It was moved by Comm. Oppermann and seconded by Comm. Ristow to reconvene to open session. Motion carried on a voice vote.

ACTION CONCERNING UTILITY MANAGER EXEMPT STATUS, OVERTIME PAY AND COMPENSATION

Comm. Brandel explained to Utility Manager Adler that the Commission completed his review and provided him with a copy. A decision on his pay would be put on hold pending the results from the Carlson-Dettmann wage study to be completed this year.

Comm. Ristow asked if Utility Manager Adler needed to be in the on-call rotation.

Utility Manager Adler explained the two apprentices on staff can't do much on their own. It has always been his desire to not have to call on other utilities for assistance; therefore, he takes it upon himself to remain available to report if needed. He explained there have been many times when there is an after-hours emergency and he doesn't have any staff able to report because they have plans or have had a few alcoholic drinks.

Comm. Ganser questioned if Utility Manager Adler was in the on-call rotation or if he was just responding to emergencies.

Utility Manager Adler explained that he is still in the rotation and responds to emergencies if no one else is available, even if he is not on call.

City Attorney Rogers questioned if City Hall has any backup personnel files for utility staff.

Office Manager Statz explained that City Hall does house the original applications for benefits and retirement, but she did not send them any other information that is placed in an employee's personnel file.

Comm. Ristow stated Utility Manager Adler would continue to receive pay as he has been. The language in the personnel manual regarding overtime pay would be put on hold for now. The commission will address the language at a later time.

Comm. Brandel informed Utility Manager Adler that no reduction in his pay is being proposed, but the commission would like to wait for the wage study results before making a decision on pay.

Comm. Oppermann asked about the utility's timeframe to have the study completed.

Utility Manager Adler stated he would reach out to Carlson-Dettmann to start the process.

It was moved by Comm. Brandel and seconded by Comm. Ganser to adopt the performance evaluation of Utility Manager Adler and instructed a copy of the evaluation be placed in his personnel file. Motion carried on a voice vote.

It was moved by Comm. Ganser and seconded by Comm. Michaelis to adjourn. Motion carried on a voice vote. The meeting adjourned at 6:21 p.m.