

REGULAR MEETING OF THE JEFFERSON UTILITIES COMMISSION, HELD DECEMBER 17, 2018

On call of the roll, commissioners present were: Brandel, Horn, Ganser, Adams, Michaelis and Oppermann. Also present: Utility Manager Adler, Office Manager Statz, City Attorney Rogers and Meg Vergeront of Stafford Rosenbaum, LLP. Absent was: Ristow. The meeting began at 6:00 p.m.

PUBLIC PARTICIPATION

Utility Manager Adler welcomed new commission member Roger Ganser.

Utility Manager Adler informed the commission that a shaft broke at Well #5. The well has been shut down and needs to be repaired. The goal is that while the well is down, to implement some changes suggested by Andy Jacques.

Utility Manager Adler stated that there was a blink at the substation this past weekend. There was a switchgear that needs to be replaced.

MINUTES

It was moved by Comm. Brandel and seconded by Comm. Michaelis to approve the minutes from the November 19, 2018 meeting. Motion carried on a voice vote. Abstentions: Horn, Ganser and Adams.

EXPENDITURES

It was moved by Comm. Horn and seconded by Comm. Michaelis to approve the payment of November's bills totaling \$1,262,008.51. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Horn – Aye, Brandel – Aye, Michaelis - Aye)

It was moved by Comm. Brandel and seconded by Comm. Horn to adjourn to closed session pursuant to section 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Horn – Aye, Brandel – Aye, Michaelis - Aye)

It was moved by Comm. Brandel and seconded by Comm. Michaelis to reconvene to open session. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Horn – Aye, Brandel – Aye, Michaelis - Aye)

POSSIBLE ACTION TO APPROVE UTILITY MANAGER TO MOVE FORWARD WITH PERSONNEL MATTER

It was moved by Comm. Oppermann and seconded by Comm. Brandel to direct the Utility Manager to approve the settlement of litigation between the Utility and Anthony Haffelder for a total of \$12,000 to be paid by the Utility, not the City of Jefferson. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Horn – Aye, Brandel – Aye, Michaelis - Aye)

Meg Vergeront left the meeting at 6:19 p.m.

RECONSIDERATION AND POSSIBLE ACTION ON 2019 HEALTH INSURANCE OPT-OUT POLICY

Comm. Oppermann stated he spoke with City Administrator Freitag earlier and he would not be able to make the meeting tonight. Comm. Oppermann stated the City would not be offering an opt-out in 2019.

Comm. Brandel stated the Police Department would not be allowed to opt-out in 2019, per their union contract.

Comm. Oppermann stated it will be looked at in future years.

Comm. Michaelis questioned what it meant to reconsider the motion.

City Attorney Rogers explained that the commission would be able to discuss whether or not to offer an opt-out in 2019.

It was moved by Comm. Brandel and seconded by Comm. Horn to reconsider offering an opt-out incentive to utility staff. Motion carried on a voice vote. Comm. Michaelis cast a Nay vote.

Comm. Horn stated he was in favor of not offering an opt-out incentive in 2019 for utility staff, as the goal is to get everyone under the same umbrella.

Comm. Michaelis stated that some city employees are grandfathered in.

Comm. Oppermann stated that City Administrator Tim Freitag and Senior Center Director Sheila Frohmader were grandfathered into the opt-out.

Comm. Michaelis stated that the utility staff was able to opt out years ago. Utility Manager Adler stated that was correct and the utility saved a lot of money.

Comm. Oppermann stated that there was a commitment made with the consortium to not offer the opt-out.

Comm. Michaelis questioned who made the decision to stop offering the opt-out at the utility.

Utility Manager Adler stated that Attorney Susan Love instructed utility staff that they could no longer have the program.

Comm. Oppermann stated that was incorrect and past Utility Manager Folbrecht did not bring it to the commission for discussion.

Comm. Horn stated that if you opt-out of the insurance plan, you will have to go on your spouse's insurance.

Comm. Oppermann stated he favored the opt-out program, but didn't see it as an option in 2019. He stated those options could change in 2020. There has already been significant savings by switching policies.

Comm. Brandel stated next year the city could very likely offer an opt-out program.

Comm. Oppermann stated the decision was made to not offer the opt-out this year due to benchmarks not being met.

It was moved by Comm. Brandel and seconded by Comm. Oppermann to not offer an opt-out incentive to utility employees in 2019. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Horn – Aye, Brandel – Aye, Michaelis - Nay)

DISCUSSION AND ACTION TO APPROVE CHARTER EASEMENT AT THE NORTH WATER TOWER ON OGDEN STREET

Utility Manager Adler stated Charter Communications was requesting an easement to bury cable on Ogden Street. They need to install fiber optic cable to serve the Sheriff's Department.

City Attorney Rogers stated that there should be a fee for the easement and possibly an annual fee as well. He was used to \$5.00 to \$10.00 per foot.

Utility Manager Adler stated the easement was for 353 feet.

City Attorney Rogers questioned who owned the land.

Utility Manager Adler stated ultimately, the City of Jefferson owns all utility land.

Comm. Oppermann questioned if we knew how much it was worth.

Comm. Horn asked what the easement was for.

Utility Manager Adler stated it was to bury fiber optic cable.

Comm. Oppermann stated the Utilities Commission didn't have any right to authorize the easement, as it is owned by the City of Jefferson.

Comm. Adams stated Charter pays to place their lines on our poles.

City Attorney Rogers stated there should be a payment of some sort. He added that the easement should go to the Common Council for approval.

Utility Manager Adler stated the Utilities Commission could make a recommendation to the Common Council to approve the easement. He went on to say that Charter does a lot of work for the utility that is not charged. He asked for that to be taken into consideration when determining a fee for the easement.

It was moved by Comm. Brandel and seconded by Comm. Michaelis to recommend the Common Council consider an easement for Charter Communications at the North Water Tower on Odgen Street and Attorney Rogers to negotiate a reasonable rate. Motion carried on a voice vote.

DISCUSSION AND ACTION ON EMPLOYEE JEFFERSON CHAMBER OF COMMERCE GIFT CERTIFICATES

Comm. Oppermann stated that the City has given employees gift cards for the past couple of years. He stated he would like to see utility staff receive the gift certificates as well, to show appreciation for all of their hard work in 2018.

It was moved by Comm. Oppermann and seconded by Comm. Brandel to approve a \$50.00 Jefferson Chamber of Commerce gift certificate for all Jefferson Utilities employees. On call of the roll, motion carried. (Oppermann – Aye, Adams – Aye, Ganser – Aye, Horn – Aye, Brandel – Aye, Michaelis - Aye)

It was moved by Comm. Horn and seconded by Comm. Michaelis to adjourn. Motion carried on a voice vote. The meeting ended at 6:38 p.m.