



MINUTES - SHOREWOOD BOARD OF TRUSTEES
Committee of the Whole Meeting
January 7, 2019

1. Call to Order

President Rozek called the Committee of the Whole meeting of the Village Board to order at 6:08 p.m. in the Committee Room.

2. Statement of Public Notice

Clerk Bruckman stated that the meeting had been posted and noticed according to law.

3. Roll Call

President Rozek called the roll. Present: Trustees Davida Amenta, Michael Maher, Ann McKaig and Wesley Warren. Trustees Bockhorst and Carpenter were excused

Others Present: Village Manager Rebecca Ewald, Public Works Director Leeann Butschlick, Assistant Public Works Director Joel Kolste, Finance Director/Treasurer Mark Emanuelson

4. Presentation – Automated Meter Infrastructure.

Tom Nanning P.E. with City Water Works presented the slide show included in the January 7, 2019 Village Board packet. In 2013 the Public Service Commission (PSC) ordered municipalities to reduce their non-revenue water (NRW, is purchased water from Milwaukee Water Works and sold to the Village of Shorewood). Meters are required by PSC to be replaced every 20 years because the majority of Wisconsin is ground water; which is high in minerals. Mr. Nanning explained 44% of the meters in the Village of Shorewood are 20 years or older. The replacement of the meters was originally to occur in 2016 and was placed on hold. Mr. Nanning explained if the Village is going to update the meters it should update the meter reading system and marry the two systems together. Also, one of the highest cost to the project is getting into the resident's home. Mr. Nanning explained the difference between AMR and AMI

Automated Meter Reading (AMR) is a one-way communication technology to collect data from meters via walk- or drive-by method. One meter reading per billing cycle.

Advanced Metering Infrastructure (AMI) provides two-way data flow between the meter and the utility for use by the utility and the customer. Hourly readings sent directly to the utility daily.

Mr. Nanning explained the benefits of the Village implementing an AMI system:

Two-way communication, more refined customer usage information, tool for water loss reduction, earlier detection of customer plumbing leaks, reduce vehicle emissions, customer's ability to manage usage.

Some of the Village Board member's questions were as follows:

Is the Village receiving a penalty for being out of compliance? Mr. Nanning explained there is no penalty at this time.

Has the Village of Shorewood considered partnering up with neighboring communities? Mr. Nanning explained Whitefish Bay and Milwaukee are implementing a drive-by network.

Who is currently in charge of collecting the meter reads every 90 days? Mr. Nanning and Ms.

Butschlick explained the Village of Shorewood Public Works Department currently collects the reads and it takes two people a total of 460 hours each billing cycle.

If there is a leak detection on private property, can the Village mandate the homeowner to fix the leak?

Mr. Nanning explained the Village can mandate the homeowner to fix the leak.

Some Village Board members expressed the meter replacement with AMI was approved by a previous Village Board and many of those members are no longer on the Village Board. Some Village Board members inquired if the residents support or are requesting the change to AMI. Mr. Nenning explained the installation cost would be the same regardless if the Village chooses AMR or AMI. The Village is looking - beyond the change out/installation costs to determine what is the most beneficial way of the meters being read and what is most beneficial for our customers. Some Village Board members would like to see both AMI and AMR bid out. Some Village Board member questioned why all three components will be bid together? Mr. Nenning explained if something isn't working right, they won't take ownership; staff would need to act as the general contractor.

The Village Board will also consider a project management contract extension with City Water. Some Village Board members questioned why the need for a project manager? Mr. Nenning explained the project manager would oversee the contract of all vendors, pull residents off the old system and put them on the new system, and conduct balance due billing functions at the same time. Ms. Butschlick explained time management and many of the areas we need their level of engineering and field expertise; there is no one on Village staff that has this level of expertise.

The following items will be brought back and discussed at the February 4, 2019 Village Board meeting.

- Cost per customer with the AMR and AMI systems.
- Decide to contract with City Water or RFP for the second phase with construction implementation of the bid, RFP, and implementation of the system.
- Difference in cost between completing the project in one year versus five years.

5. Tr. Warren moved, seconded by Tr. Maher to adjourn the meeting at 7:46 p.m. Motion passed 5-0.



MINUTES - SHOREWOOD BOARD OF TRUSTEES
Village Board Meeting
January 7, 2019

1. Call to Order
President Rozek called the meeting of the Village Board to order at 8:04 p.m. in the Court Room.
2. Roll Call
President Rozek called the roll. Present: Trustees Davida Amenta, Michael Maher, Ann McKaig and Wesley Warren. Trustees Bockhorst and Carpenter were excused.

Others Present: Village Attorney Nathan Bayer, Village Manager Rebecca Ewald, Director of Public Works Leeann Butschlick, Assistant Public Works Director Joel Kolste, Finance Director/Treasurer Mark Emanuelson
3. Statement of Public Notice
Clerk Bruckman stated that the meeting had been posted and noticed according to law.
4. Special Order of Business - None
5. Consent Agenda Items
 - a. Accept Presentation of Accounts – January 7, 2019
 - b. Consider Village Board Minutes – September 15, 2018 – deferred from 12/17
 - c. Consider Village Board Minutes – September 17, 2018

- d. Consider Village Board Minutes – October 1, 2018
- e. Consider Village Board Minutes – December 17, 2018
- f. Downer Meter Vault Replacement/Rehabilitation engineering RFP

Tr. Maher moved, seconded by Tr. Amenta to approve the consent agenda. Tr. Amenta requested items 5b and 5e to be removed.

Tr. Maher moved, seconded by Tr. Amenta to approve the consent agenda with items 5b and 5e removed. Motion carried 5 – 0.

6. Items Removed from the Consent Agenda

5b, Consider Village Board Minutes – September 15, 2018; Tr. Amenta requested on the second page, third paragraph, the word wall should be added after retaining.

Tr. Amenta moved, seconded by Tr. Maher to approve the Village Board minutes of September 15, 2018 with the suggested changes. Motion carried 5 - 0.

5e, Consider Village Board Minutes – December 17, 2018; Tr. Amenta requested to strike the last paragraph of the Committee of the Whole, the Village Board could not come to a consensus on how to proceed.

Tr. Amenta moved to amend, seconded by Tr. Maher to approve the Village Board minutes of December 17, 2018 with the suggested changes. Motion carried 5 - 0

7. Public Hearing(s) - None

8. Citizens to be heard – This item is for matters not on the agenda. Discussion may follow comment on non-agenda items or discussion and action may come at future meetings. – None

9. New Business

a. Consider referendum on a local wheel tax.

Mr. Emanuelson recapped his memo included in the January 7, 2019 Village Board packet. As part of the 2019 annual budgeting process, staff was asked to present to the Village Board for their consideration, opportunities to diversify the Village's revenue streams so that they are not as dependent on property taxes to support municipal operations. Recently, the City of Wauwatosa began exploring the topic of a wheel tax to help fund transportation related projects. This method of revenue diversification could also be utilized by the Village of Shorewood. The Village of Shorewood has approximately 7,800 registered vehicles. If the Village were to implement an annual wheel tax of \$20.00 per vehicle, this would generate nearly \$156,000 of additional revenues to help offset transportation (road) related costs. While the implementation of a wheel tax can be done with the adoption of a resolution, for purposes of community discussion and engagement, the Village Board may wish to put this topic forward in the form of a referendum on the April election ballot. To do so would require Village Board approval and notification to Milwaukee County with the precise language by January 22.

The Village Board discussed potentially including this topic in the Community Survey instead. The Village Board was in agreement not to move forward with a referendum and would like to do further research on the topic.

Tr. Amenta moved, seconded by Tr. Maher to not place a referendum on the April 2, 2019 ballot and to return to discuss the wheel tax after the transportation and parking study are complete. Motion carried 5 – 0.

b. Consider recycling service at Public Works building

Ms. Butschlick recapped the memo included in the January 7, 2019 packet. The current collections contract with Waste Management includes service of the drop-off, co-mingled recycling containers at the DPW yard. These containers are officially available for public use weekdays from 7:00 a.m. to 3:30 p.m. and the Saturdays which the compactor is open from 8:00 a.m. to 2:00 p.m. In actuality, they are accessible on weekdays from approximately 6:00 a.m. to 4:30 p.m. as the gates are generally open during these times at the open and close of the workday when staff arrives and departs. Additionally, the parking lot area is accessible when DPW staff responds to an after-hours issue (plowing, watermain break, storm damage to tree limbs, etc). The containers are monitored only during the Saturday hours when a DPW employee is stationed nearby to collect the gate fee for compactor use. In the past five years, the average annual material tonnage collected at the drop-off center has been approximately 160 tons. Over the same period the tonnage collected curbside annually averaged 1,050. By contract, a fee of \$413 is invoiced each month to service these containers. On average, the container are changed 12 times per month or approximately 2-3 times each week. The most recent invoice (November 2018), included \$528 in additional disposal fees for contaminated loads in two of the 12 containers. It is staff's understanding that the overseas markets for recyclable materials has dwindled. Domestic processors have more stringent contamination guidelines/requirements and are far more likely to refuse loads which contain non-recyclable items. The load is generally then disposed of as solid waste. The fees relate to either "dig out service" or the equivalent refuse disposal cost. During the week of 12/17/18, the Village received an automated telephone notification from Waste Management that one or more containers emptied the previous week were again contaminated. This has an obvious and significant fiscal impact. The annual budget allocated for the operation of the recycling center is \$4,956 ($\413×12 months). In a single month, if each container were contaminated the Village could be subjected to approximately \$2,400 (12 containers @ \$200 each) in fees.

President Rozek requested this item to be brought back to the January 22, 2019 Village Board meeting and to include the Waste Management contracts and volume of Village recycling in the packet. Members of the Conservation Committee were present and voiced their concerns on the topic.

Josh Liberatore, 4222 N. Larkin Street, Shorewood, 53211; explained the Conservation Committee is trying to come up with solutions for residents to make behavior changes. Ideas included a lidded dumpster for only cardboard, signing a form before depositing, and improving signage.

Donna Pollock, 4395 N. Alpine Drive, Shorewood, 53211; explained she has contacted Wauwatosa and Glendale, both communities explained they use Advanced Disposal and have not received additional assessments for contaminants in their recycling. In Glendale, you are required to sign a form before you deposit. In Wauwatosa recycling drop-off is open Tuesdays and Saturdays, residents must show ID.

c. Final Update on Wilson Drive.

Ms. Butschlick recapped the memo included in the January 7, 2019 Village Board packet. Please recall that the contract value as awarded was \$2,844,972.63. The final value of installed work totaled \$2,999,286.07, a net difference (overage) of \$154,313.44. As previously reported, the most significant value items contributing to the overage were related to the excavation of poor subsurface material throughout the project and increased asphalt pavement tonnage. The project included 137 bid items. Items with quantity variances of 10% or greater and a variance value of greater than \$5,000 are highlighted in the attached. In general, they include:

- Excavation below subgrade to remove poor subgrade and resulting material used to replace excavated poor soils

- Additional drain tile installed to correct poor/wet subgrade
- Extension of project limits at intersections of Congress and Olsen to correct curb radius and pavement grades (this includes tack coat and asphalt)
- Additional sidewalk replacement due to poor condition at match points and pad to accommodate street furniture
- Additional engineered soil resulting from redesign of proposed bioswale profile (not buildable as designed)

Some Village Board members questioned if the Sewer Fund Balance would take care of the overages. Ms. Butschlick explained the bioswale needed to be redesigned because the original plan could not maintain clearance from the gas main. Mr. Emanuelson explained the 4th quarter financial report will address the outstanding bond reconciliation issues. Some Village Board members expressed they do not want to short the alley program. Ms. Butschlick explained the numbers during the alley presentation were very preliminary estimates, now that the engineering is complete, there will be more concrete numbers when the bids come in. If the Village Board wished to transfer funds back from Wilson Drive to alleys; Village Board action would be needed.

d. Consider options regarding The Ruckus' liquor license

Attorney Bayer explained the memo included in the January 7, 2019 Village Board packet. First, the Village Board must determine whether there is "sufficient grounds" for either non-renewal or revocation of a liquor license. This is akin to a preliminary hearing in a criminal matter to determine whether there is probable cause to go forward. At this first stage, if the Village Board determines that there is "sufficient grounds" to revoke, Code Section 335-11 states that "the Village Board shall issue and cause to be served upon the licensee or permittee a summons to be signed by the Clerk notifying the licensee or permittee of a hearing, specifying the date, time, and place, which shall be not less than 10 days after the service of said notice."

Second, the due process hearing at which witnesses are sworn and evidence taken. It is at this time that a final determination will be made on revocation.

The liquor license renewal process starts in the middle of March and concludes around the second week of May, with Village Board approval the first meeting in June. If the Board does not wish to pursue the revocation process *and* The Ruckus does not apply for renewal, the license would become property of the Village after June 30, 2019. If The Ruckus *does* apply for renewal, the Village Board would have the option to not approve their application at that time.

One Village Board member clarified the options are: to take action to seek revocation after the 120 days or we can wait until June 30, 2019 and there's maybe a chance the owner does not apply and the Village would not have to do a hearing process. If the owner does apply, the revocation hearing process would take place.

Some Village Board members expressed they have heard there is potential sale of the current vacant lease, but the business owner seems to be up charging a large amount to take over that space; the concern that the higher fee is because there is a liquor license attached to that property. Ms. Ewald expressed she heard about the potential sale of the lease as well. Some Village Board members expressed they would like to see a thriving business in that space and it is in the Village's interest to take the license back.

Some Village Board members expressed they do not feel comfortable moving forward with the revocation process; it feels like government interceding into a private negotiation. The village would have the grounds if 120 days pass without use of the license. Some Village Board members clarified with Attorney Bayer that if a hearing was held, it would be very clear the license has been unused, if the business stays closed, as the final date of operation was

publicly announced and advertised by the business. Some Village Board members expressed they would like to revisit the discussion after 120 days.

President Rozek moved, seconded by Tr. Amenta to direct staff to reach out to owners of The Ruckus Inc. and setup a meeting to discuss intent on the potential business transaction sale and intent of their current liquor license and to direct staff to place on the agenda immediately following the 120 day of nonuse for the Village Board to decide on initiating revocation. Motion carried 3 – 2 with Trustees Maher and McKaig voting nay.

- e. Consider next steps for 2019 annual planner schedule.

The Village Board questioned how a holiday should be defined. Some Village Board members remarked, if there is an exception made for one, we need to honor requests for other holidays. There was agreement among the Village Board they would like to meet as a group to review existing plans and projects in the long range plan and capital budget before proceeding with prioritization for 2020. The Village Board discussed the possibility of additional Saturday meetings.

The Village Board requested Ms. Ewald to schedule a Special Village Board meeting to discuss existing plans, etc. on either January 26 or February 16, 2019 from 9:30 a.m. – 3 p.m. with lunch included and to verify staff members who need to attend would be available. The Village Board agreed Tr. Amenta would coordinate discussion topics.

Tr. Amenta reminded Ms. Ewald to include the School Crossing Guard Contract on the annual planner.

Tr. Amenta moved, seconded by Tr. Maher to designate the Village Board meeting on July 15, 2019 “as needed” and to reschedule the regular Village Board meeting on September 30, 2019 to October 1, 2019. Motion carried 5 – 0.

Tr. Amenta moved, seconded by Tr. McKaig to move to the next agenda item. Motion carried 5 – 0.

- f. Consider process for Village Manager’s review.

The Village Board shared the opinions on both options for the Village Manager’s review. The Village Board agreed on the new format submitted by Tr. Carpenter. Many Village Board members expressed the importance for the Village Manager’s direct reports to provide feedback in a separate survey modified for them. The Village Board agreed the turnaround time of January 22 for Tr. Carpenter to modify the review surveys, submit, have the Village Board and direct reports respond, and results compiled would not be sufficient.

Tr. Maher moved, seconded by Tr. Warren to use the two sided form and for Tr. Carpenter to proceed with collecting anonymous responses from the Village Board. No Vote was taken

Tr. Warren moved to amend the motion, seconded by Tr. Maher to direct Tr. Carpenter to develop a survey for direct reports, administer both surveys for the Village Board and direct reports and bring the results for a closed session on February 4, 2019. Amendment carried 5 – 0.

Motion as amended: Tr. Maher moved, seconded by Tr. Warren to use the two sided form and for Tr. Carpenter to proceed with collecting anonymous responses from the Village Board and to direct Tr. Carpenter to develop a survey for direct reports, administer both surveys for the Village Board and direct reports and bring the results for a closed session on February 4, 2019. Motion carried 5 – 0.

10. Reports of Village Officials

- a. Village President - None
- b. Village Trustees –
 - Tr. Amenta passed out postcards for the 2019 Environmental Film Festival and informed the Village Board about the group, Shorewood Moving Forward.
 - Tr. Warren mentioned he has attended meetings for the Shorewood Moving Forward group and they are doing great work.
 - Tr. Maher reminded the Village Board John Gurda is doing a presentation at the Shorewood Library called A City Built on Water.
- c. Village Manager - None

11. Items for future consideration

12. Adjournment

Tr. Maher moved and Tr. Warren seconded to adjourn at 10:16 p.m. Motion carried 5 - 0.

Respectfully submitted,

Sara Bruckman, CMC/WCMC
Village Clerk