

**Village of Egg Harbor
Utility Committee Meeting Minutes
May 17, 2022 11:00 AM**

<https://villageofegg Harbor.zoom.us/j/92718840733>

Phone Number: 312 626 6799 Meeting ID: 927 1884 0733

John Heller, Chair
Mack Bonk, Member
Tom Prohl, Member

TC Johnson, Member
Paul Zeller, Member
Bert Sawyer, Operator

1. Call to order and approval of the agenda
 - a. John Heller called the meeting to order at 11:03 AM.
 - b. Committee members present: John Heller, Mack Bonk, Tom Prohl,
 - c. Absent: TC Johnson, Paul Zeller
 - d. Staff members present: Bert Sawyer, Megan Sawyer, Lynn Ohnesorge
 - e. Others present: Tom Kispert, McMahon, Dawn Merlin
 - f. **John Heller moved to approve the agenda.**
 - g. **Tom Prohl second.**
 - h. **Motion unanimously carried.**

2. Approve April 19, 2022 Meeting Minutes
 - a. Corrections: No corrections.
 - b. **John Heller moved to approve the April 19, 2022 minutes as presented.**
 - c. **Tom Prohl second.**
 - d. **Motion unanimously carried.**

3. Open Session (Limited to Ten Minutes)
 - a. John Heller opened the floor for public comment.

4. Wastewater Treatment Plant Improvement Phase I Project Update
 - a. *Tom Kispert: Provided an overview of the project progress as presented in the meeting packet. Since the last committee meeting, the Village received Change Order #10 for execution by the Village. The change order was approved at the May 9th, 2022, Village Board meeting. Change Order #10 extended the project's Final Completion date to May 20th, 2022 and did not include any change to the contract price. The WI DNR required this change order in order for all remaining items to qualify for reimbursement by the Clean Water Fund. As of May 11th, the remaining painting work was scheduled for Thursday May 12th and Friday May 13th and AWS is scheduled to start up the AC Thursday May 12th. Still waiting for American Steel documentation. Everything was submitted to DNR. They sent things that were right and that were wrong. They have to get that done. Bert can you confirm the painting of exterior doors and framers were done and some*

miscellaneous landscaping by the existing building. All the debris was picked up and off site.

- b. Bert Sawyer: The landscaping is not done yet. No one has been here yet this spring. The painting was finished yesterday. The only stuff that is left is a few pieces of pipe, and we will stash that away in case we need it.*
- c. Tom Kispert: I will let them know to get that done before Friday.*
- d. John Heller: What about change order #10 if the paperwork is not completed by May 20th?*
- e. Tom Kispert: Contract has been extended May 20th. Because that's the date they gave us, which means that they would go past their contract and would not have a valid contract. To get them paid off they need to have yet another change order to extend their contract time.*
- f. John Heller: Anything else on phase 1?*
- g. Dawn Merlin: We have not gotten the AIS documentation yet. Kim from the DNR sent an email because the money left in the Clean Water loan account specifically for the Miron contract is \$205,000 and she is looking for input on how to proceed. After talking with Tom, it sounds like we won't have any change orders to adjust the contract amount. I think it is safe to let her know to transfer the remaining amount.*
- h. John Heller: So, you are saying final payment?*
- i. Dawn Marlin: No. The \$205,000 left in the loan account. So, there is still a portion in the ineligible amount, this would not be the final amount.*
- j. Megan Sawyer: We have run into issues. Now that change order #10 is executed, they will file those disbursements?*
- k. Dawn Merlin: She is just looking for confirmation on her end because she doesn't know if there is any deduct change order.*
- l. Megan Sawyer: I know we were running into issues with reimbursement requests with the change in contract dates. So, with change order 10 we won't run into that issue anymore?*
- m. Dawn Merlin: Right. I think change order 9 corrected that as well.*
- n. Megan Sawyer: So just to make sure, we should pay what is left in the clean water fund budget and retain the remaining until we get everything completed.*
- o. John Heller: So, what is the remaining amount?*
- p. Tom Kispert: So, I believe it is \$814 for the application of payment that we are not certifying at this point.*
- q. Dawn Merlin: \$404,000 from the previous certificate of payment was sent out yesterday. If that was already paid, then once the DNR files the \$205,000 will just go to you guys.*
- r. Megan Sawyer: Right. We were going to process that this week.*
- s. Lynn Ohnesorge: I don't feel comfortable paying them until we get the \$205,000 from the DNR. Once that is in the village account, then I think we should pay. Because that has been the stall out.*
- t. Tom Kispert: That is up to you guys to decide how you want to do that. No one has been screaming for those payments. Contractually there is an obligation to pay them once the work has been completed.*
- u. John Heller: So, when do we think when we might get that money?*

- v. *Dawn Merlin: So, if I respond to Kim by Wednesday, she can get it in for next week, which means it would be deposited on May 25th.*
 - w. *John Heller: So, we are looking at a little more than a week. I guess this is something we can talk about internally.*
 - x. *Megan Sawyer: If we wait until next week to pay them, do you think that that works?*
 - y. *Tom Kispert: I can't speak for the contractors. Contractually, you are obligated to pay them.*
 - z. *John Heller: I think we discuss this internally.*
 - aa. *Bert Sawyer: Where are we at with energetics? They are still working on the power issue with the breaker boxes, and we still haven't gotten grit out of the grit washer?*
 - bb. *Tom Kispert: Yeah, work is done. Whatever is being done is warranty stuff. The breaker panel resolution and all that looked OK to us. I know they are working on getting it done. The grit unit, I will follow up with Craig to see what he came up with for a resolution.*
 - cc. *Bert Sawyer: He is actually coming here tomorrow.*
 - dd. *John Heller: Is everything else running smoothly?*
 - ee. *Bert Sawyer: Yes.*
 - ff. *Tom Prohl: How long are they given to drag out the landscaping or do we have this May 20th as a big hammer over their head?*
 - gg. *Tom Kispert: They either get done or don't, and if they don't, we need to have another change order extending the contract time to finish and get all the paperwork done and get them paid. If the work is not done by Friday, and the village decides they want to do it themselves, you can do it yourself and back charge them. They have had plenty of time and I am not sure why it is not done.*
 - hh. *Tom Prohl: I haven't been out there. How serious is this landscaping issue? Is it major?*
 - ii. *Bert Sawyer: Well, it will take half a day if they get the right equipment and a group of guys. Once they get here, it will not take very long.*
 - jj. *John Heller: So, if we pay them, are the only funds we are withholding \$814?*
 - kk. *Tom Kispert: Correct.*
 - ll. *John Heller: Well, can we withhold \$5,000?*
 - mm. *Tom Kispert: You can always decide not to pay them.*
 - nn. *John Heller: Maybe that is something that we do discuss after.*
 - oo. *Tom Kispert: I will reach out to Miron and see what is going on. The American Iron Steel stuff, they have got to get that done. We had these conversations at multiple meetings at the beginning. They wanted to do all the paperwork at the end, and now here we sit.*
 - pp. *Tom Prohl: I recommend that John and Megan take care of that internally.*
 - qq. *John Heller: OK, we will do that.*
5. WWTP Reed Bed Cleanout Project Update
- a. *Tom Kispert: Provided an overview of the Reed Bed Cleanout Project as presented in the meeting packet. The enclosed Advertisement for Bids will be*

published in the Peninsula Pulse on May 20, 2022 and May 27, 2022. Bid opening is scheduled for June 7th, 2022 at 1:00 p.m. The bid and contract approval will take place at the June 13th, 2022 Village Board meeting. Work would begin as early as June 27th, with substantial completion scheduled for July 11th and final completion scheduled for July 18th.

- b. Tom Kispert: A bidders proof of responsibilities form must be submitted at least 5 days before the bid opening. They have to prove that they have everything to get the job done, including the finances, equipment, etc.. We will go through those forms and either they are acceptable or not, and based on that, we do not have to approve bidding to that bidder if they are not acceptable. You have control to pick the lowest, acceptable bidder. Then we make a review, create a bid tabulation and a letter of recommendation, and then you can bring that to the village board meeting. On the 13th, you make an award to the winning bidder. If we can get it signed and into our hands, then we get that award to them on June 14th. He has 10 days to put together his insurance, bonds, paperwork and get it back to us. Goal being he gets the notice to us by June 24th, he then has 7 days to get started on site with the goal being he creates substantial completion by July 11th and final completion by July 18th. It should only take a few days to complete the work, but if it is raining, and he needs time to get in there, so the goal being he is done by the 11th, but he gets an extra week for cleanup, the idea being putting it back into service shortly after. Megan, do you have the account ready with Outagamie Landfill?*
 - c. Megan Sawyer: We have an account with them from last time. I will double check before we start.*
 - d. Tom Kispert: I sent an email after the last meeting, and they were all on board and knew it was coming.*
6. Wastewater Treatment Plant Improvement Phase II Project Update
- a. Tom Kispert: Provided an overview of the Phase II Lift Station planning as presented in the meeting packet. At the last meeting, the committee discussed the lift station design plans as well as the development of plans for the additional beach parking lot. Since the last meeting, Bert and Tom Kispert met to review the lift station design plans and the plans were submitted for review and approval to the WI DNR. Also, since the last meeting, myself and Bert had an opportunity to meet with Mike Simon from McMahan down at the beach to review the new lift station site and potential for parking lot and traffic flow improvements. After our meeting, Mike and other McMahan staff put together some preliminary plans for the parking lot and traffic flow improvements that were shared with the Parks and Public Works Committee at their May 4th meeting. The Parks and Public Works Committee made some modifications to the parking lot design and the updated plan with the Parks and Public Committee's amendments is attached. The Utility Committee should review the proposed plan and provide any comments or suggested changes. The proposed plan will return to the Parks and Public Works Committee for their final review and approval at their June 1st meeting, with the*

Village Board reviewing and approving the plan at their June 13th meeting. To recap, the proposed project schedule is July bidding, August bid opening/award, fall construction start.

- b. *Tom Kispert: We are waiting for the DNR review and approval. We are not expecting comments back for months. The idea is that we are still going to have this thing pushed through in an orderly fashion so we can get the project bid prior to the end of summer so the contractor can get paperwork squared away to get started in September. There are still details on the parking area and how that is going to look and what is included in this project. I discussed with Bert about the information on the odor control system. There is a single stage, which is more inexpensive, or a two stage, which has different chemicals that does a better job at cleaning up the odor, so I am not sure we will have any odor complaints with the single stage. Bert wants the less expensive, single stage canister. Does everyone agree with that?*
- c. *John Heller: What are the relative costs?*
- d. *Tom Kispert: One is in the lower thousands of dollars and the other one is closer to \$10,000. Sizing wise, probably sized for a two-year lifespan. The carbon canisters probably have a smaller life span.*
- e. *Bert Sawyer: The two stage option produces a byproduct that has to be landfilled, so I think we want to stick with the carbon canister.*
- f. *Tom Kispert: Once the carbon canister is spent, those will probably need to be landfilled as well.*
- g. *John Heller: How big is the carbon canister?*
- h. *Bert Sawyer: It is probably the size of a football bolted right onto the pipe. For the scrubber system you need probably a 4x4 pad for it to sit on, it probably looks like an air conditioning unit. It puts off a byproduct polymer stuff that you need to be careful when disposing. I think if we start with the less expensive one and see how it goes, then we can decide if we need to move to the other one.*
- i. *John Heller: I think that is a good idea.*
- j. *Tom Prohl: I would do that.*
- k. *John Heller: In terms of everything else in design of the lift station, are you both in agreement there?*
- l. *Tom Kispert: We are still going over things for quality control and checking specs, so we will be doing that for the next couple of months. We just need to get everything into the DNR. They have a 90-day clock, and they need to get the review and comments within 90 days. If they don't have it in 90 days, they can request a 30-day time extension. If you say yes, they typically get it done. If you say no, then they have to start the whole thing over. So far, it pretty much has taken the full 90 days. Other than that, we need a bullet put into the parking lot area and decide if we are going to include it in the project or if it going to wait. The window to get things paved in the fall becomes short, so they need things lined up ahead of time. Once it gets cold, everyone wants the last-minute work done, and some things get missed.*
- m. *John Heller: We also have to figure out about who pays what. We also talked about the timing for the parking lot. Maybe the new parking area is handled at the same time. That is a discussion we can have.*

- n. *Tom Kispert: There is still some time for that, as long as it is all handled and coordinated. You want to do it all together because you are paying for the mobilization.*
 - o. *John Heller: In terms of the parking lot, does the DNR have to approve?*
 - p. *Tom Kispert: No, there is a parking lot on the documents that they have, and if it changes slightly, that's OK.*
 - q. *John Heller: So, if the configuration of the parking lot changes slightly, the timing doesn't figure into their review.*
 - r. *Tom Kispert: One thing you might want to consider is if you have the lift station contract all part of one contract, and we get it done by the end of spring prior to summer, then everything out there that would be paved could still be gravel. Then close him out and have a different contract for all the parking lot. Quite frankly, it's a different guy.*
 - s. *John Heller: The lift station contractor could do all the grading and lay down stone, and we could use that for the next season, correct?*
 - t. *Tom Kispert: correct.*
 - u. *John Heller: If we need retaining walls, we could do this at this time?*
 - v. *Tom Kispert: The lift station guy does the concrete. In the fall or spring for the parking lot, that guy can do the finish grading and paving and brick replacement.*
 - w. *Bert Sawyer: That sounds alright to me. I agree that it will be two different people.*
 - x. *Tom Prohl: I agree with that scenario also. On the overhead included in today's packet, is that new parking layout in agreement with everyone involved?*
 - y. *Megan Sawyer: We brought a few different ideas to Parks and Public Works, and this is reflective of what they agreed on. So, we will bring this amended version back to them on their June 1st meeting, and then from there it will go to the board on June 13th. Hopefully we have a pin in it, and we are set to go.*
 - z. *Tom Prohl: I presume that those critical weekends, we would leave enough room to get a large truck down there.*
 - aa. *John Heller: Also, the original parking is approximately 55 cars, and the new parking will be an additional approximately 45 cars. Approximately doubling parking.*
 - bb. *Tom Prohl: I am sure the visitors of the beach will be appreciative of that.*
 - cc. *Megan Sawyer: The only other thing that may change is that the driveways of the two parking lots should align. I think there is some benefits to keeping as much of that median as possible.*
7. Wastewater Treatment Plant Manager Report
- a. *Bert Sawyer: Presented an overview of the report as presented in the meeting packet, including packet items Monthly Operations Report April 2022. The haulers are up again this last month compared to last year. Our overall flow was down and was closer to the 2020 daily average. With Covid, more people traveled this spring. There were also some sewer pipe that was replaced that probably had some ground water coming in. The plant is running clean, other than that we are*

in the disinfection season. I am in the process of filling out the annual CMAR report for the DNR. If you count residential home or single condo units, there are currently 32 units under construction right now. That does not include new permits. Part of the CMAR has a section of the flows. Our plant is designed for 430,000 gallons a day. There is a section that asked if we are at 90% capacity, which 33 days last year we were and 9 days, we were over those 430,000 gallons. When does the DNR start dinging you for that?

- b. *Tom Kispert: The DNR is trying to force people to look at their capacity. The CMAR is just to have an annual checkup. I don't think you need to consider expansion yet. Your system is designed to accommodate a maximum monthly sustained load during the summer. As long as you are near those in the summer and not going past those all the time, there should be no concern.*
 - c. *Bert Sawyer: January through April this year, were 5 million gallons below last year January through April, so for us, that is a substantial amount.*
 - d. *John Heller: Do you think with the new plant you are getting a more accurate monitoring of the flows?*
 - e. *Bert Sawyer: We have to calibrate those meters every year. I think it makes a difference that things can flow at a different rate with the upgrades we made.*
 - f. *John Heller: Is the 400,000+ gallons you speak of reflective the old plant or the new plant?*
 - g. *Bert Sawyer: Our capacity is still the same, we are just allowing the surges to get through at a faster rate.*
 - h. *Tom Kispert: It is the old, original 1988 design criteria.*
 - i. *John Heller: When we say the station could pump up to 800 gallons per minute as opposed to 350 gallons, we are talking about doubling. Is the ditch system potentially restricting that?*
 - j. *Tom Kispert: Yeah, 800 gallons a minute is over 1 million gallons a day flow rate. The treatment plant is not set up for that. You only generate as much flow as listed in these tables. It has the ability to process it faster, so we don't worry about the lift station overflowing.*
8. Open Session (Limited to Ten Minutes)
- a. John Heller opened the floor for public comment.
9. Next Meeting Time and Date
- a. Tuesday, June 21, 2022, 11:00 AM on ZOOM or Hybrid.
10. Adjourn
- a. **John Heller moved to adjourn.**
 - b. **Tom Prohl seconded.**
 - c. **Motion unanimously carried.**

Meeting adjourned at 11:55 PM.

Minutes completed by Alysha Pudlo on May 24, 2022. Submitted for approval on June 21, 2022.

Italics – summarized comments

Bold – Committee Action