

**Village of Egg Harbor  
Utility Committee Meeting Minutes  
November 16, 2021, 11:00 AM**

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**Meeting ID: 927 1884 0733**

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**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 11:04 AM.
  - b. Committee members present: John Heller, Mack Bonk, Paul Zeller, Tom Prohl, TC Johnson Absent
  - c. Staff members present: Bert Sawyer, Megan Sawyer, Tom Strong,
  - d. Others present: Tom Kispert, McMahon
  - e. **John Heller moved to approve the agenda.**
  - f. **Mack Bonk seconded.**
  - g. **Motion unanimously carried.**
2. Approve October 19, 2021 Meeting Minutes
  - a. Corrections: No Corrections.
  - b. **John Heller moved to approve the October 19, 2021 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.
  - b. *Tom Prohl: In the Green Bay newspaper, there have been various articles about the Lake Michigan water levels. The communities that are close to the lake have had major issues with storm water and their WWTP systems. My question to Bert is other than the issue on White Cliff, what is the impact of storm water on our WWTP System? Does that go through our system, or does it go right out to the bay?*
  - c. *Bert Sawyer: The Village has done a lot of work on fixing manholes and leaks. Right now, we don't have a lot of issues with that now. If you have the storm water event, that goes right into the bay.*
  - d. *John Heller: Have you seen the size of the storm water pipes they are putting in on Church Street? Those should be able to handle any storm water runoff we encounter.*

## 4. Wastewater Treatment Plant Improvement Project Update

- a. *Tom Kispert: Provided an overview of the project progress as presented in the job site meeting minutes. We started up one of two furnaces yesterday. The second unit start up is scheduled for next Monday. Gas detection system for the headworks building will be enabled the week of November 29. If anything gets out of the normal range, it generates an audible and visual alarm to keep operators safe. We expect to have the remainder of equipment installed by the end of November. All equipment is now on site so there shouldn't be anything preventing the completion of the remaining work. Substantial completion should be achieved by December 8, with final completion by December 22. There will be additional costs incurred by the Village. We are billing those to the Village under a separate phase. The Village will withhold that amount from the payments to Miron. Miron is on board with that method.*
- b. *John Heller: Aren't the sub-contractors also going to incur additional costs?*
- c. *Tom Kispert: I as the engineer on the project don't care so to speak. I am only worried about the contracts that the Village holds. The costs for sub-contractor overruns are up to them to work out with Miron Construction.*
- d. *John Heller: We are responsible for contract and change orders only.*
- e. *Tom Kispert: Correct.*
- f. *John Heller: We expect the start up of the new system by December 8<sup>th</sup>?*
- g. *Tom Kispert: December 2<sup>nd</sup> should be the final day of the equipment startups. At that point the wastewater should be flowing through all the new equipment. Substantial completion date should be done by Dec 8. We have outstanding items we want to add to the project. We have not received proposals yet for a broken actuator arm, for washer and dryer hook ups, for additional work on the braces for the UV system covers. We do have change order #5 in hand which we received yesterday. Change Order #5 is an increase to the Contract in the amount of \$13,545.82. The current Contract Price is \$2,581,362.69. DEDUCT Credit for Owner-Provided LP Piping, ADD Provide New Wiring, Terminals, etc. to Replace Corroded Components Inside the Existing Septage Pump Control Panel ADD Provide New Wiring, Terminals, etc. to Replace Corroded Components Associated with the Scum/Drain Pump Controls ADD Rework High/Low Temperature Switch Wiring and MCP-2500 Wiring ADD Provide Drop Ceiling in Service Building Rooms 100, 100A, 103, and 104 ADD Replace Degraded Components for Electrical Panels HH and HL*
- h. *Tom Prohl: Adding the drop ceiling, is the ceiling above those areas already insulated?*
- i. *Tom Kispert: There are areas that aren't typically occupied other than the hallway. This is the old tongue and groove ceiling from the 1980's with minimal insulation. This would be to finish this area off to help keep those areas warm.*
- j. *John Heller: I thought we are going to put insulation above the drop ceiling as well.*
- k. *Tom Kispert: Other than the hallway, these are areas that are out of sight and out of mind. Do you have to do it? No. Is it needed to make the plant function?*

*No. Is it a good idea? Yes. If you are ever going to do it, now would be the time while everyone is already on site.*

- l. Bert Sawyer: Didn't the price for the drop ceiling include insulation?*
- m. Tom Kispert: Yes, insulation is specified and included. As indicated earlier, I am waiting on proposals for additional work. We need to get these moving so we can wrap up the work by the end of the year.*
- n. Paul Zeller: The work for the drop ceiling has not been started?*
- o. Tom Kispert: No, it has not. They are not authorized to do anything at this point. We need the change order approved to move forward. That is included in the email I sent yesterday.*
- p. John Heller: We should probably approve that so we can move it forward.*
- q. Tom Prohl: Can we approve this even though it isn't a specific agenda item?*
- r. Megan Sawyer: This is a part of the Project update agenda item. My preference would be to approve it by consensus then take it to the Trustees for final approval.*
- s. Utility Committee members agreed by consensus to recommend Change order Number 5.*
- t. John Heller: Tom Kispert, consider it to be approved by the utility committee.*
- u. Tom Kispert: Do you want me to notify Miron that they should start to move forward on it with the signed copy to follow shortly?*
- v. Megan Sawyer: These items need to be approved by December 8<sup>th</sup>. We would have to call a special trustee meeting.*
- w. John Heller: Would this be covered by the funds already approved by the trustees under the contingency amount.*
- x. Megan Sawyer: Only the Village Board is able to approve contract changes even though they have already approved the contingency funds.*
- y. John Heller: I would say let's move ahead with it.*
- z. Mack Bonk: All of these items seem to be safety items. I don't think we can afford to delay it, so I am in favor of moving ahead with it.*
- aa. Megan Sawyer: To move forward now, I would suggest making a formal motion on it.*
- bb. Tom Prohl moved to approve Change Order #5, dated November 15, 2021 for items 5.1-5.7 in the amount of \$13,545.82.**
- cc. Mack Bonk Second**
- dd. Motion unanimously carried.**
- ee. Tom Kispert: I will get this moving. It is currently in the hands of Miron Construction for their signatures.*

## 5. Reed Bed Clean Out Preparation

- a. Tom Kispert: Provided an overview of the Reed Bed Clean Out Preparation work. The Plans and specifications are complete. The lab test results are in from Beds #3 and #6. The material is significantly lower than the limits. There shouldn't be any issue with this material being accepted. We are looking at setting a bid date for later this spring. We will shoot for an early summer to get the work done. Contractors will have a limited time frame to get the work done, somewhere around ten days. There are some additional forms that need to be*

completed yet by Bert. The account with Outagamie Landfill needs to be renewed or opened. Everything is on schedule and looks good.

- b. Tom Prohl: When we clean these out, that includes the sludge and the reeds? How do you replace the reeds?
  - c. Tom Kispert: Bert will do his normal maintenance to burn or harvest the reeds. Beds #3 and #6 will go dormant to let it dry out. I would expect that to reach 40% to 80% ratio of dry solids. That is good so we aren't paying to haul and dispose of water. The volume and weight both go down. The goal is to leave 4-5" of sludge in the bottom. That contains a lot of root material. The reeds will grow out of that material.
6. Wastewater Treatment Plant Improvement Project Phase II Proposal
- a. McMahon has submitted the proposal for the WWTP Phase II Project as presented in the following packet pages. As displayed in Table 5.1 the Preliminary Project Schedule is projected to start with the Design Phase in January 2022 with construction projected to run from September 2022 through May 2023. As displayed in Table 6.1 the proposal is for a total of \$268,200 for all 6 project Phases, Design, Bidding, Basic Construction, Construction Observation, Post-Construction and CWF Assistance.
  - b. John Heller: We are spending a lot of money on construction supervision.
  - c. Tom Kispert: If we don't have people on site, we lose the ability to stive to complete the project as intended. For the Phase I project, we budgeted a certain number of hours for oversight. We have been spending less time at the headworks project than we normally would. The DNR wants a full-time person on site, but they are ok with us not doing that. The Phase I project had an \$83,500 budget but we only billed out about \$40,000 to this point. We are billing that out at time and expense. We estimate the contract price based on conservative projected hours. We are being prudent to try to reduce the cost for oversight. I would picture something similar for Phase II. We understand that we want to keep that cost down, but we will have someone on site for critical points of the construction.
  - d. John Heller: When are we going out to bid?
  - e. Tom Kispert: We would want to go out to Bid in early spring. DNR approval will be the key. We could go out to bid with approval conditioned on DNR approval. This one isn't a complicated project. We would like to get the project awarded as early as possible to order equipment as early as possible. Some of the equipment is going to have long lead times. We are anticipating starting construction next fall. Nothing is etched in stone at this point.
  - f. John Heller: I would think you have some ARPA money coming our way that might be secured for this project.
  - g. Tom Kispert: I don't know how much ARPA money you will be getting.
  - h. Megan Sawyer: Lynn has those numbers. I believe our intent was to put that towards the WWTP project.
  - i. John Heller: We should look into if we would qualify for any of the infrastructure money that was just approved by the Feds.

- j. *Megan Sawyer: These funds are different than the new legislation money that was just passed. We can look into that.*
- k. *Mack Bonk: We are using electric heating for new lift station?*
- l. *Tom Kispert: That is what the plan is now.*
- m. *Bert Sawyer: It is electric heat in the current lift station. For 2020, for the Village beach lift station total bill was \$5,800. We keep that building at 55 degrees in the winter.*
- n. *Paul Zeller: On the fee schedule, the third line is listed as basic construction phase services. How is that different that observation services?*
- o. *Tom Kispert: Observation services is for staff members that are on site. The rest is what we do in the office for execution of the contracts and related items. The Clean Water Fund section is the work that Dawn does.*
- p. *Bert Sawyer: Under items not in scope of services, construction staking is listed as not included? Isn't that usually included?*
- q. *Tom Kispert: Not necessarily. The last few projects, the contractors have staked out the location themselves. We could do it for the contractor, but we are finding that most of the time they want to do that themselves.*
- r. *Mack Bonk: Has the site for this new lift station been finalized yet?*
- s. *Tom Kispert: The general area yes, the exact location, no.*
- t. **Paul Zeller moves to recommend to the board of trustees to approve the WWTP Phase II Lift Station Project proposal from McMahon in the amount of \$268,200.**
- u. **John Heller second.**
- v. **Motion unanimously carried.**

7. Wastewater Treatment Plant Manager Report

- a. *Bert Sawyer: Presented an overview of the report as presented in the meeting packet. Combined hauler waste and influent was up considerably. The plant continues to run smoothly. We had higher BOD numbers for the material coming in. The water going out is very clean.*
- b. *John Heller: It appears our timing on the Phase I and II projects is really good based on the numbers we are seeing.*
- c. *Bert Sawyer: The Dual Septage Pumps serve to move hauler waste from the septage receiving tank into the main treatment processing system. Septage Pump 2 is approximately 24 years old. The pump has been malfunctioning and it is no longer cost effective to repair this pump. We do not need the expedited order at an additional cost of \$1,110. Septage Pump 1 is 3 years old. The pump has worn items that are due to be replaced. The inspection finding these issues took place on Wednesday October 27th, after the most recent Utility Committee meeting. I feel strongly that this can't wait until the November 16 committee meeting and the December 13th Trustee meeting. The Village board approved this on November 8th. The order has been placed. The generator will go on the auction site on November 29th when I am back from vacation. Also, the trustees approved the mutual aid agreement. Regarding the communication from James Vopat at Harbor Bluff Condominium, they are having a private contractor deal with their*

*forced main issue. This was not caused by the recent work on repairing the sewer main.*

## 8. Sewer Main Assessment Policy Discussion

- a. *Bert Sawyer: With all the parcel divisions and lot sales taking place, there is a high probability that we will be installing a sewer main extension to one or more areas of the Village in the next few years. The Village has historically assessed property owners for each 'buildable lot'. Other municipalities assess property owners by the linear feet that fronts their property. State Statutes allow for municipalities to determine how costs are divided in cases where the sewer main is being installed on the second side of a property.*
- b. *John Heller: Points for the Utility Committee to deliberate on: 1. Should the Village establish a policy for assessing by buildable lot vs linear feet. 2. Should the Village establish a policy for how to assess the second side of a property. 3. Should the Village establish a policy for how properties that are already connected to the WWTP are assessed for the second side of a property.*
- c. *Tom Strong: There is no policy I found in place. Historically it has been handled by buildable lots that are being served. That application however has been inconsistent.*
- d. *John Heller: Doing that by linear feet might be a better way to do.*
- e. *Tom Strong: There is a good argument for that. Personally, I would like to see consistency in how the assessments are applied. There are certainly some projects in the past that linear feet would have made more sense.*
- f. *Bert Sawyer: Many of the lots in Point Beach still don't have sewer. If a person wants to build on a corner lot and the sewer line goes on two sides, how do we decide what amount to charge for that second side? Someone has to pay for that frontage. It would head off a lot of headaches down the road if we can establish a policy about how we are going to handle that. In Baileys harbor, one property owner had to pay for a sewer main that went around three sides of his property.*
- g. *John Heller: I don't see that as equitable.*
- h. *Tom Prohl: I agree that we need to have this consistent, and we need to establish a policy. I think it would be fine if we did that by linear feet. If you look at a corner lot, I think the equitable thing to do is to apply the fee to the side with the address on it. A person should never be charged for both sides.*
- i. *John Heller: At the present time though, we only charge for buildable lots?*
- j. *Tom Strong: That is for the primary side charge. Historically how the second side has been charged has been inconsistent. The State Statutes actually allow for municipalities to make a judgement call on assessment for that additional side. I feel how we deal with the second side should be consistent and equitable.*
- k. *John Heller: If a parcel can be divided into multiple parcels, should that be taken into consideration? If someone has a corner lot, and we run sewer main to connect someone else farther down, if that lot is dividable, that is something to consider.*
- l. *Tom Strong: The linear feet route would take care of it. That is another area that has been inconsistently applied over the past 35 years.*

- m. *Paul Zeller: What Tom Strong mentioned is very valid. We first purchased a property in Point Beach in 2001. We were charged as a buildable lot. If we take the stance that we don't charge anything for the second side, someone else then has to pay for that distance for that second side. We can't take a position that we aren't going to charge for the second side.*
- n. *John Heller: I would suggest that we charge for the person down stream if they requested the sewer service.*
- o. *Paul Zeller: I can tell you that wont work in Point Beach.*
- p. *Tom Strong: Paul Zeller, what if someone in that situation is already connected to the sewer main. If they have already paid for the sewer main and to connect, should they be charged for their second side? That is a different wrinkle in this question. This question doesn't have an easy answer. The state has left room for the local municipalities to exercise judgement in these cases.*
- q. *Bert Sawyer: If you have a lot and you request to have the sewer extended, we should have the sewer extended to their property line. The next person down the road would have to do the same to extend the sewer main.*
- r. *Mack Bonk: Isn't that already done when a developer puts a new main in, they pay for the new main?*
- s. *Tom Strong: That is true in cases like the Orchards. He is the owner and developer. In other cases, like Point Beach, the Village executes the project and pays for it then assessed the individual property owners.*
- t. *John Heller: Tom Strong, could you put together a summary for us to deliberate on?*
- u. *Tom Strong: Regarding linear feet, that idea has merit but in a recent extension, the main was only extended 20 feet into a parcel at the end. By using linear feet, then this property would have been charged less than others. I think I have enough information to put something together as a first pass at formulating a policy to let this committee. This isn't an easy question. I will shoot for January's meeting.*
- v. *Tom Prohl: I would be happy to work with you on the initial proposal.*
- w. *John Heller: I think it would be a good idea to do this at an in person meeting so we can draw it up on a white board as we discuss this subject. Team TNT is back in business.*

## 9. Charging Marina for Sewer Service Discussion

- a. *John Heller provided an overview of Charging Marina for Sewer Service ideas as presented in the meeting packet. At the October 27, 2021 Harbor Committee Meeting I brought up the question if the WWTP operations should be charging the Marina for boat pump-outs and for the bathroom and shower facilities that are for the exclusive use of the boaters. John has the opinion that since these are both generating revenue for the Marina, and the restrooms are not available to the public, there should be some compensation for the WWTP for handling the septage from these activities. I will try to dig up some additional information about the amount of material they are pumping out from boats. Last year they only charged about \$800 for the pump out services so there probably isn't much*

*there. The showers and restrooms that are for the exclusive use of the marina renters probably generates most of the material. I was thinking around 2-3 REU's for the Marina.*

- b. *Tom Prohl: Does the Marina charge for the boat pump outs? Does that material go to a holding tank or right into the WWTP collection system?*
- c. *John Heller: The Marina charges for that service but they charged only \$800 for the year. The charge is a flat fee, not based on the amount pumped out. I will get that find out more about that. Both the restrooms and the pump outs go right into the WWTP system.*
- d.

#### 10. Open Session (Limited to Ten Minutes)

- a. John Heller opened the floor for public comment.
- b. *Tom Prohl: On Page 50 of our packet, is there a typo? Is that important since it is an official document?*
- c. *Megan Sawyer: Yes, that is a typo, but it is not significant in that case. It is for informational purposes.*
- d. *Tom Kispert: We will need to get approval for additional change orders well before December 21<sup>st</sup>.*
- e. *Mack Bonk: Phase I start up of the plant is supposed to happen in the first week of December so we would need to approve those if needed.*
- f. *John Heller: We will call a special meeting if needed to approve any additional change orders. I would like to be there when the plant is ready for the switch over.*
- g. *Tom Kispert: We have the start up scheduled for the week of November 30<sup>th</sup>. We want to switch that over when everyone is on site in case something doesn't go according to plan.*

#### 11. Next Meeting Time and Date

- a. Tuesday, December 21, 2021, 11:00 AM. Special meeting as needed.

#### 12. Adjourn

- a. **John Heller moved to adjourn.**
- b. **Tom Prohl seconded.**
- c. **Motion unanimously carried.**

Meeting adjourned at 12:18 PM.

Minutes completed by Tom Strong on November 17, 2021. Submitted for approval on December 21, 2021.

*Italics – summarized comments*

**Bold – Committee Action**