
SPECIAL COMMON COUNCIL MEETING MINUTES
November 10, 2014
CITY OF ELKHORN
COUNCIL CHAMBERS, 9 S. BROAD ST., ELKHORN, WI 53121

The Common Council meeting was called to order at 4:00 p.m. in the Council Chambers followed by the Pledge of Allegiance, followed by Roll Call.

ROLL CALL

Present: Mayor Brian Olson, Aldermen Gary Payson, Sr., Hoss Rehberg, Gregory Huss, Jim D'Alessandro, Scott McClory, Tom Myrin.

Others present: City Administrator Sam Tapson, Attorney Ward Phillips, Finance Director James Heilman, City Clerk Cairie Virrueta, Police Chief Joel Christensen, Utility Director John Murphy, Fire Chief Rod Smith, Rec Director Wendy Meyer, DPW Operations Manager Martin Nuss, City Engineer Gary Welsh, Reporter Kellen Olshefski, Carter Arndt and contractors for Sunset Pool project.

CONTINUED DISCUSSION REGARDING SUNSET POOL CHANGE ORDERS

Carter Arndt with MSA handed out a description of "meeting topics" to discuss. First discussed were change orders regarding poor soils removal. Arndt said that MSA reviewed the contractor's removal costs and they felt the prices were fair. He said the removal didn't affect the schedule, however work has currently stopped. Alderman Payson asked what the AIA contract said regarding change orders. Arndt and City Attorney Phillips said that no change orders were to be done without approval. Change orders #1 and #2 were completed without approvals. Arndt said that communications regarding the change orders were timely, however, MSA should have provided the information to the City sooner. The council discussed the six soil borings done and why the results didn't show a need for extra excavation. A representative from the Geotech firm said the borings showed some poor soils, but not enough for additional excavating. Alderman Payson asked about the work being stopped. A representative from CCI said the schedule has been affected. Arndt asked CCI if change orders #1 and #2 are approved tonight, and #4 in a week, would it still affect the schedule. CCI replied it delays the schedule. Mayor Olson asked why change order #4 is available right now; Arndt said they were still collecting data for it. Mayor Olson said this is a big project for the community and he wants to see information coming to the Common Council in a timely manner. CCI recommended weekly meetings on-site to improve communications. Alderman D'Alessandro felt the soil borings weren't interpreted correctly. The excavating contractor informed the council that he was digging up a lot of garbage in addition to the soil. Administrator Tapson said during Phase I of the project, it was determined that there could be garbage on the site. Alderman Payson recommended giving an oversight committee the ability to approve change orders, up to \$5,000. City Attorney Phillips said it doesn't affect the contract, it just helps to speed the process and they would still need to obtain Common Council approval. **Motion (D'Alessandro/Rehberg) to create a Sunset Pool Oversight Committee consisting of the Mayor, City Administrator and DPW Manager. Roll call vote: Rehberg, yes; Payson, yes; D'Alessandro, yes; McClory, yes; Myrin, yes; Huss, yes. Motion carried.** The committee will meet Mondays at 9 a.m. and provide a report to the council the following day. **Motion (Payson/D'Alessandro) to pay Change Orders #1 for \$14,099.34 (\$673.20 for sink protectors, \$10,625.76 for deep end pool removal, \$2,800.38 for pool room excavation) and #2 for \$24,464.47 for additional excavation and backfill. Roll call vote: Rehberg, yes; Payson, yes; D'Alessandro, yes; McClory, yes; Myrin, no; Huss, yes. Motion carried.** DPW Manager Nuss was asked if installing a permanent pumping system would save the City more than \$800 a year; he replied yes. **Motion to approve Change Order #3 for \$31,807.60 to incorporate a duplex permanent pumping station. Roll call vote: Rehberg, no; Payson, yes; D'Alessandro, yes; McClory, no; Myrin, no; Huss, yes. Mayor Olson voted to break the tie: yes. Motion carried.** Discussion regarding how much to allow the Sunset Pool Oversight Committee to have the authority to approve on change orders ensued. All agreed that it was important to keep the project moving forward. **Motion (D'Alessandro/Rehberg) to authorize the Sunset Pool Oversight Committee to approve up to \$167,000 in Change Orders, with the Change Orders being sent to the Common Council for**

approval immediately after. Roll call vote: Rehberg, yes; Payson, yes; D'Alessandro, yes; McClory, yes; Myrin, yes; Huss, yes. Motion carried.

ADJOURN

Motion (D'Alessandro/Rehberg) to adjourn at 5:04 p.m.

Cairie L. Virrueta
City Clerk

Approved 11/17/14