

PI
12-17-18

18-1307

ORDINANCE

An Ordinance to amend Section 3.100 of the Manitowoc Municipal Code to abolish the Wastewater Treatment Facility Board and vest management authority of the Wastewater Treatment Facility in Manitowoc Public Utilities.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 3.100 is amended to read as follows:

“3.100 Wastewater Treatment Facility Board-Management Authority.

~~(1) Creation. There is hereby created a Wastewater Treatment Facility Board consisting of seven members. The Director of Public Infrastructure, or in the Director’s absence their designee, and a member of the Common Council, shall be ex officio members. There shall also be five citizen members. Two citizen members shall be designated as representing residential users. One member shall be designated as representing commercial users. Two members shall be designated as representing industrial users. Each of the citizen members shall serve a three-year term and be appointed pursuant to MMC 3.270.~~

~~(2) Officers. The Board shall meet and select a chairman prior to July 1st of each year. The Wastewater Treatment Plant Superintendent shall act as secretary of the Board but shall not be a voting member.~~

(1) Duties and Powers of the Board. The Board Manitowoc Public Utilities Commission shall direct and supervise the activities of the Wastewater Treatment Plant Facility and, should there be a vacancy in the position of Superintendent, the Board-Commission shall interview and recommend to the Common Council the name of a Superintendent for approval. The Superintendent shall be responsible for the daily operation of the plant- Facility and shall hire and, ~~subject to any collective bargaining agreement,~~ discharge and discipline all other employees of the Wastewater Treatment Plant Facility.

The Board-Commission shall have the care, custody and control of the Wastewater Treatment Plant Facility and it shall be the duty of the Board-Commission to recommend any improvement to the Plant Facility. The Board-Commission shall be responsible for the operation and maintenance of the Plant Facility and shall submit a budget annually to the Common Council for this purpose. The Board-Commission shall report to the Common Council periodically regarding the status of the Wastewater Treatment Plant Facility. ~~No expenditures other than budgeted and approved expenses shall be permitted unless approved by the Common Council.~~

(a) Wastewater Treatment Facility Reserve Fund. The Wastewater Treatment Facility Reserve Fund is to be used for the replacement and upgrades of the Wastewater Treatment Facility, equipment, buildings, sanitary sewer, lift stations and other related infrastructure for the facility; any other use of the Reserve Fund is subject to a recommendation from the Board-Manitowoc Public Utilities Commission and Common Council approval.

~~(4) (2) Appeals.~~ All appeals regarding the administration, operation, and rate charges of the Wastewater Treatment Plant Facility shall be made to the Wastewater Treatment Plant Board Manitowoc Public Utilities Commission for decision.”

Section 2. This ordinance shall take effect the day after publication.

DEC 17 2018

INTRODUCED _____ ADOPTED _____

JUSTIN M. NICKELS, Mayor

Fiscal Impact: budget neutral
Funding Source: n/a
Finance Director Approval:
Approved as to form:

This resolution was drafted by Kathleen M. McDaniel, City Attorney