



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
**GENERAL GOVERNMENT AND  
FINANCE COMMITTEE MEETING**  
**TUESDAY, NOVEMBER 21, 2023 AT 6:15 P.M.**  
Port Washington City Hall, 100 W. Grand Avenue, Port Washington,  
WI 53074  
**Council Chambers Side Conference Room**

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**MINUTES**

1. **Roll Call-** Members present were Alderpersons Jonathan Pleitner, Dan Benning, and Deborah Postl. Also present was Interim City Administrator/City Clerk Susan Westerbeke, and ACA/HR Director Emily Blakeslee.
2. **Approve Minutes of the Previous Meeting-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO APPROVE THE MINUTES FROM THE PREVIOUS MEETING AS PRESENTED.
3. **Recommendation and Possible Action to Award the Construction Contract for the Water Plant Upgrade Project to CD Smith-** Public Works Director Rob Vanden Noven was present to review the status of the bids for the Water Plant Upgrade Project. Also present were City Engineer Roger Strohm, Water Superintendent Dan Fisher, Tom Nennig from City Water, and SEH Representative Brad Weiss were available to answer questions. This project does not include the emergency generator installation which was separated from the main project. The U.S. Economic Development Agency will review the full project and require the full project to meet their bid requirements if the generator installation is bid with the main project. Separating the project saves significant time for their review of the project. Of the three bids received, the apparent low bid is \$18,198,184 by CD Smith Construction. There was a bid alternate for this project. The alternate requested a bid deduction to allow the contractor to use the playground area located to the north of the plant to stage materials and equipment. CD Smith Construction requested no bid deduction for this bid alternate. The Clearwell is the costliest endeavor in the project. Funding for the Generator will be paid by an EPA grant under a separate contract. The Public Service Commission (PSC) rates established will not need to change. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO RECOMMEND AWARDDING THE CONSTRUCTION CONTRACT FOR THE WATER PLANT UPGRADE PROJECT TO CD SMITH CONSTRUCTION AS PRESENTED. Motion carried unanimously.
4. **Consideration and Possible Action on Remaining in or Opting-Out of Class Action Litigation vs. 3M & DuPont (PFAS Claims)-** The Public Works Director reviewed the 3M and DuPont PFAS Claims. 3M and DuPont are the two largest manufacturers of PFAS substances. Both companies are in the process of settling thousands of lawsuits with all Public Water Systems (PWS). 3M has allocated \$10.5 to \$12.5 billion to resolve the PFAS class action claims. DuPont has allocated \$1.85 billion for the settlements. The 3M settlement would be the largest drinking water contamination settlement in U.S. history. The differences in the settlements, their future impacts, and upcoming timelines were reviewed and future steps in the process were discussed. The city also has the option of opting out of these settlement agreements and pursuing an independent claim. All items were reviewed and discussed. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO RECOMMEND APPROVAL FOR THE CITY OF PORT WASHINGTON TO REMAIN IN THE PENDING LITIGATION AGAINST 3M AND DUPONT AND PARTICIPATE IN SETTLEMENT OF PFAS CLAIMS AS PRESENTED. Motion carried unanimously.
5. **Chairman's Business-** None.
6. **Member's Business-** Ald. Benning requested the building safety analysis from EMC Insurance to be emailed to the elected officials.

**7. Public Comments/Appearances-** None.

**8. Adjournment-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO ADJOURN THE MEETING AT 6:41 PM. Motion carried unanimously.

Respectfully submitted,  
Susan L. Westerbeke, City Clerk