



Minutes of November 7, 2023

A meeting of the Wausau Water Works Commission was called to order at 1:32 p.m. in City Hall on Tuesday, November 7th, 2023. In compliance with Wisconsin Statutes, this meeting was posted and receipted for by the Wausau Daily Herald on November 6th, 2023.

Members Present: President Rosenberg, Commissioners Herbst, Robinson, Force, Gehin
Others Present: Eric Lindman, Scott Boers, Ben Brooks, Tegan Troutner, James Henderson, Anne Jacobson, Doug Diny, Tom Killian, Susan Wojtkiewicz/ Donohue, Joe Kafczyk/ Becher-Hoppe

1) Approve Minutes of October 17th 2023 Meeting.

Herbst motioned to approve minutes. Seconded by Gehin.
Motion Carried 5-0.

2) Director's Report on Utility Operations.

Robinson questioned if there would be need for another ion exchange resin due to the accelerated schedule not taking place and if we were monitoring PFAS levels at individual wells?

Boers replied the accelerated schedule didn't work because there was no guarantee the equipment would be available or delivered on time and there was no reason to keep sampling at individual wells because the numbers were always close between 30-40 parts consistently.

Force questioned if this would delay the construction of the Granular Activated Carbon (GAC) vessels and incur more costs if we required more changeouts of the resin?

Boers replied it took a while to build the plant and there is one more changeout that's already been budgeted for the \$1.1 million but we may not incur costs if we could keep PFAS level low prior to the carbon.

Gehin wanted to recognize Brooks for being selected as the Vice Chair in Wastewater Association.

Herbst questioned if the Wastewater lab technician resigned due to wages?

Brooks replied not in this case, he was leaving for personal reasons and that Human Resources would be reviewing his job position and possible title change before it's posted.

Director's Report Placed on File.

3) Discussion and Possible Action Approving an Ordinance Amendment for Mandatory Lead Service Line Replacement.

Lindman began we brought a draft last month and worked with legal and Horsley Witten and incorporated comments and recommendations received pertinent to city of Wausau.

Robinson questioned the wording changes of Wausau Water Utility and Water Utility System to define the system and then the role of the commission in developing guidance and exemptions? He questioned the roles for Director of Public Works and Director of Water Utility, and appeals coming to the commission as the County has it where appeals go to the administrator,

and if this was consistent with the city policy where things go to the governing body, an arbitrator or assigned person. He questioned the 7-year period with exemptions because there was talk about 5 or 15 years, and lastly the continued concern about the costs. We've got ranges but it would be helpful to know before we vote.

Lindman replied could work on the wording changes and consistency. The 7 years versus 5 years were because of the delay in the funding. If we ask for the 5 years, the last year of funding is not going to be spent until year 6 or 7 and that was the reasoning that it may be longer. As for the commission and its role, some things, as we move forward the commission needs to consider are budget impacts and we don't have a firm value on those. We have a value on the public side estimating 2,500 public side services at \$10,000 each, so an estimated fiscal impact is \$25 million over the course of the 5 years. The private side, we are getting principal forgiveness promised by the State/Federal government but that's not 100%. This year we are anticipating 80/20 on private side so a discussion would have to be made on who's going to pay for that 20%. The utility or city or if there would be a loan program for the residents. That's the next step for 2024. We are working with CIP to try and fill the funding gap with other sources and access additional funding outside our normal channels.

Rosenberg added that if we are using the Bipartisan Infrastructure Law (BIL), the private side, those folks won't be able to cover the costs of this so that's another thing we have to consider when looking at this.

Force questioned the timing of when we need to put this ordinance in place?

Lindman replied we must have this ordinance in place before we submit an application to the PSC for the potential use of utility revenue funds for the private side. Currently, the PSC only allows up to 50% of a private side if you have their approval and part of that is the ordinance. We are working with Horsley Witten to get this application put in place. Financially moving forward, we don't know what impacts would be and we could only make our best assumptions. The Mayor and I've spoken about possible subsidies or other options and we will also have further discussions with CIP as well.

Rosenberg stated it would be worth our time to get public feedback and listen to people, there's still some time for us and we have many people who want them replaced than what we have the funding for so our hair is not on fire but we could engage the public in this.

Lindman questioned if it's the fiscal impact or if there were any other significant concerns the commission may have?

Force replied fiscal impact but it's also the requirement that all homeowners replace their galvanized or lead lines. Public feedback is that if it's mandatory, and they don't want to do it, then what? We've talked about trenchless excavation and that's the default approach but concerns arise from people who have driveways and stonework that would be torn up. The wording in the ordinance itself didn't have language between the homeowner who objects and the utility trying to enforce or the resident who is protesting the mandatory requirement.

Robinson replied that's addressed under 13.66.090 exemptions. Guidelines for consideration is developed by the water commission, we want to have an idea of what those parameters may be before the ordinance is approved. Policy and clear expectation upfront but I support taking this up for hearing. So, by making a mandatory ordinance we qualify for covering cost through our utility rates that creates a funding source for those who can't pay. If we take the BIL dollars, we can't charge for the private side so there is no cost to the property owner. The other issue would be to service the property. If we add another \$25 million to the water rates that's excessive, we have to give thought to what that may mean and leverage a reasonable sum that people could afford.

Lindman replied he wants the commission to be comfortable moving forward but then this won't be ready for the 2024 construction season. There are two reasons to do this mandatory

ordinance, one is for PSC to use utility rates to pay back loans for private replacements, the other one is that it gains additional points for when we apply for lead service line funding from the DNR. That's part of their requirement. We've submitted the intent to apply for the 2025 season.

Robinson questioned the drop-dead date on the ordinance? Is it when the grant application is made and not during the intent to apply (ITA).

Lindman replied yes when they score the projects, I believe the ITA does a tentative score on those.

Boers replied they check for eligibility through the ITA then they look at scoring come June in the application.

Robinson requested a timeline on when we would need to take action understanding that this commission doesn't enact the ordinance and that it's the city council. Then we want to look at what the expectations are for this commission relative to those exemptions, policy and procedures. Then the exposure to the rate payers that have noncomplying public and private side and those that are complying because those costs would shift to them as well.

Force questioned if or when there would be a public session on this document? We should take this document and get the public's input before we start making changes on our own.

Rosenberg replied that's part of the development for this timeline.

Boers stated the ordinance does incentivize non partial replacements. Currently with our street reconstruction projects we are still allowed to do partial replacements but there is a higher chance of lead being released into the water with the disturbance of the lines, so an ordinance would reduce partial replacements.

Rosenberg stated that what she is hearing is establishing a timeline, talking through public engagement sessions, effects on customers both monetarily and their homes and yards.

Killian stated he was glad that the commission brought up the public engagement component as this is so far reaching and it would impact a lot of different segments with different needs. Is it possible to develop a language access plan if the commission doesn't already have one? It would be nice to see that on the commission side not as an elective but a requirement to help with transparency and if we do have partnership with CIP so that the council knows what the expectations are and with the open records requests so the public knows or has an idea of what's going on and participate and sees transparency and accountability.

Rosenberg replied with this partnership we've emphasized specifically with folks who don't speak any English and working with H2N for both Spanish and Hmong speaking folks.

Robinson stated we have the guidance of the ordinance and then we have the contract. As we look at those timelines and the development of CIP with timeline for turnaround if we could incorporate those in there. If we look at 2024 now, when would we know start date for 2025 so there is an understanding for us, council and public. At least 30 days' notice but hopefully we give more than 30 days when dealing with contractor or public.

Rosenberg reiterated that we'll expect a timeline for our next meeting and questioned the commission to continue looking at this draft and decide what else the body needed.

No Action Taken.

4) Adjourn.

Herbst motioned to adjourn. Seconded by Robinson.

Motion Carried 5-0.

Link to view meeting in its entirety: <https://tinyurl.com/wausaucitycouncil>

Gina Vang, Recording Secretary

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