



OFFICIAL NOTICE & AGENDA REGULAR MEETING

MEETING: Wausau Water Works Commission
DATE/TIME: Tuesday, July 14, 2026 at 11:30 AM
LOCATION: Wausau City Hall — Council Chambers
407 Grant Street, Wausau WI, 54403

MEMBERS:
Mayor Doug Diny (P) Deb Hadley
Micheal Martens Aaron Van Krey
Peter Gelhar

1 Consideration of the minutes of the preceding meeting(s).

June 2, 2026 Regular Wausau Water Works Commission Minutes.

2 Director's Reports.

- a. Drinking Water Division- Nitrification Investigation at Municipal Community Water Systems
- b. USEPA 6th Unregulated Contaminant Monitoring Rule (UCMR6).
- c. Wastewater Division- Update on the Headworks Screening Project and Cherry St. Lift Station Project

3 Discussion and Possible Action.

- a. Approving a mandatory Lead Service Line Replacement ordinance.

4 Discussion.

- a. Discussion on selecting an August 2026 meeting date.

5 Adjournment.

**Next meeting is scheduled for August 2026.*

Mayor Doug Diny, President

NOTICE POSTED AT CITY HALL (407 GRANT STREET) AND
TRANSMITTED TO THE OFFICIALLY DESIGNATED NEWSPAPER

DATE: 07/07/2026

TIME: 2:50 PM

POSTED BY: Wausau Water Works



This meeting can be viewed on
YouTube and Channel 981 on Cable TV

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City of Wausau
(715) 261-6500 | clerk@wausauwi.gov
wausauwi.gov





OFFICIAL MINUTES REGULAR MEETING

MEETING: Wausau Water Works Commission
DATE/TIME: Tuesday, June 2, 2026 at 11:30 AM
LOCATION: Wausau City Hall — Council Chambers
407 Grant Street, Wausau WI, 54403

MEMBERS:
Mayor Doug Diny Deb Hadley
(P) Aaron Van Krey
Micheal Martens
Peter Gelhar

Members Present: Doug Diny, Deb Hadley, Michael Martens, Aaron Van Krey
Members Not Present:
Members Excused: Peter Gelhar
Present 4, Not Present 0, Excused 1

Noting the presence of a quorum, the Chairperson called the meeting to order at 11:30 AM.

1 Recognition of Jim Force's Years of Service on the Wausau Water Works Commission.

Diny presented a plaque to Force in recognition of 11 years of service on the Wausau Water Works Commission. Force expressed appreciation for everyone's work/dedication on the water treatment plant revamp, PFAS challenges and efforts to provide safer drinking water. He encouraged future commissioners to remember that their role was to serve the community.

2 Consideration of the minutes of the preceding meeting(s).

May 5, 2026 Regular Wausau Water Works Commission Minutes.

Motion to Approve minutes of May 5, 2026 by Martens. Seconded by Van Krey. Motion carried 4-0.

3 Director's Reports.

Report Placed on file.

a. Update on Cherry St Lift Station Delays and Construction Oversight Costs.

Hadley questioned why the added cost wasn't between Clark Dietz and Integrity. Lindman explained both firms contract directly with the City, and liquidated damages require proof of hardship. After discussions with both parties, the agreed resolution was \$11,742.05. He noted Wisconsin's public bidding laws limit flexibility, and while staff works to control costs within contract parameters, the constraints can be frustrating.

b. Cherry St. Lift Station Project and Headworks Screening Project Updates.

Updates provided via memo in packet- no discussion, placed on file.

4 Discussion and Possible Action.

a. Selecting a Proposal for Drinking Water Treatment Facility PFAS Treatment — Granular Activated Carbon Reactivation.

Boers reviewed the RFPs, which followed AWWA standards and included two options for GAC installation and reactivation. Bid results and scoring were provided, and staff recommended awarding the carbon changeout to Carbon Activated Corporation as the low bidder. Van Krey asked about the half-point variance in their score, and Boers noted it was likely due to minor product density differences. Martens asked whether switching from Calgon to Carbon Activated would result in performance concerns or differences in life expectancy; Boers said slight density and material variations exist but the acid-washed product should prevent startup issues. He explained that due to PFOA levels, reactivated carbon is expected to require changeout roughly every six months, with an estimated cost of about \$480,000 per cycle. Diny noted that \$1,000,000 is budgeted annually for this work. Motion to select and approve Carbon Activated Corporation for Drinking Water Treatment Facility PFAS Treatment- Granular

Activated Carbon Reactivation by Hadley. Seconded by Van Krey. Motion carried 4-0.

b. Approving a Mandatory Lead Service Line Replacement Ordinance.

Diny reviewed the status of the mandatory lead service line replacement ordinance, noting prior Council delays and the need for a decision back to Council by August as funding declines. Lindman explained that current language limits the City's ability to replace private-side lines and affects grant eligibility. Funding tiers are dropping, and unfunded private-side costs are expected by 2027. The ordinance is necessary because replacements are currently voluntary; without it, the utility will fall out of compliance within ten years and face state penalties. The mandate originates from federal EPA requirements, not the City. Diny reiterated that the City has no choice due to these regulations. Members discussed the importance of adopting a mandatory ordinance to maintain compliance, secure grants, and avoid future homeowner burdens. Public engagement was recommended before bringing the ordinance to Council in August. The Commission will revisit the ordinance in July with a recommendation.

c. Approving the Wastewater 2025 Compliance Maintenance Annual Report (CMAR) and Resolution.

Lindman reported that the CMAR is an annual self-evaluation report and will be presented to the council as a resolution demonstrating that both staff and the treatment facility are performing well. Martens agreed, noting that in previous years staffing shortages had negatively impacted the overall score, with staffing levels now improved, the report reflects top ratings in all categories. Motion to approve Wastewater's 2025 CMAR and Resolution by Martens. Seconded by Van Krey. Motion carried 4-0.

d. Approving the scope of services for the completion of the design and construction of the 32nd and Airport Lift Stations from Clark Dietz.

Diny requested approval of Clark Dietz's scope of services for the 32nd and Airport Lift Stations. Martens moved to approve. Seconded by Hadley. Motion carried 4-0.

5 Adjournment.

Diny noted the July 7th meeting will be rescheduled. An email polling July 2026 meeting dates will be sent. Motion to adjourn by Van Krey. Seconded by Hadley. Motion carried 4-0. Meeting adjourned at 12:19 PM.

**The recording of this meeting may be viewed on
YouTube [@CityofWausauMeetings](https://www.youtube.com/@CityofWausauMeetings)**



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wausauwi.gov





June 12, 2026

SCOTT BOERS
WAUSAU WATERWORKS 73701023
407 GRANT STREET
WAUSAU, WI 54403

SUBJECT: Nitrification Investigation at Municipal Community Water Systems

Dear Water System Owner/Sampler:

Ammonia is an inorganic chemical compound that can be present in source water throughout Wisconsin. The presence of ammonia in source water can cause nitrification events within a municipal community water system's distribution system. Nitrification is a chemical process that can result when naturally occurring microorganisms consume and convert ammonia into nitrite and nitrate. As incidents like the one that occurred in the Village of Williams Bay in August of 2025 have shown, nitrification events can result in elevated nitrite and nitrate levels within a distribution system that pose serious public health risks to consumers.

Aside from nitrification events, elevated ammonia in a municipal community water system's source water can also impede a system's disinfection operations and contribute to corrosion control issues. This can lead to harmful bacteria occurring at the tap as well as elevated lead and copper levels.

Ammonia can occur in source water for a variety of reasons, including agricultural fertilizer runoff, municipal sewage discharge, or natural organic decomposition. Ammonia can occur naturally in both surface and groundwater and may also be present in the environment due to anthropogenic activities. Issues with a system's infrastructure, such as deteriorating wells or wells that are not properly constructed, may also contribute to higher levels of ammonia in source water. Testing for ammonia is therefore the only way to know for sure whether ammonia is present in a system's source water, and at what concentrations.

As a result of the identified environmental and human health concerns for ammonia in source water, the Department of Natural Resources (department) is taking steps to investigate nitrification in municipal community water systems statewide. The department has identified your system, WAUSAU WATERWORKS, as a participant in the initiative to test your system's source water during the 4th quarter (October to December) of 2026.

The department is requiring your municipal community water system to test for ammonia in source water during the 4th Quarter of 2026 pursuant to s. NR 809.73, Wis. Adm. Code. This provision allows the department to order chemical testing for constituents in water that are not otherwise regulated under ch. NR 809, Wis. Adm. Code, *Safe Drinking Water*, if the department determines it is required to protect public health, safety, or welfare. The department provided public notice of this order by publication in the Wisconsin State Journal on June 16, 2026.

Drinking water systems must utilize a laboratory certified or registered by EPA or under ch. NR 149, Wis. Adm. Code, for analysis of ammonia (as N) in the aqueous matrix. The department will only accept use of the methods listed in ch. NR 219, Wis. Adm. Code, 40 CFR Part 136, or those methods that have an alternate test procedure approval from the EPA. Vendor methods without an alternate test procedure approval letter will not be acceptable. Methods must be able to achieve a Limit of Quantitation (LOQ) for ammonia of 0.2 mg/L or less. The department will coordinate with you on or about September 16, 2026, to establish your system's specific ammonia source

water testing schedule and to provide the lab slips for this initiative. The department strongly encourages you to communicate with your preferred certified laboratory to ensure that the laboratory will be able to meet these requirements.

The department will review all ammonia testing results in early 2027 and expects to follow up with any system where a source has ammonia concentrations of 0.2 milligrams per liter (mg/L) or greater. The department plans on providing these systems with information on ways to minimize risks associated with ammonia in their source water. The department may also require systems with high ammonia concentrations to conduct additional monitoring for nitrite and nitrate within their distribution system during the summer of 2027 when nitrification is more likely to occur and the public health risk is greatest.

If you believe you have the right to challenge the department's decision to proceed with this initiative, Wisconsin statutes and administrative rules establish time periods within which requests to review department decisions must be filed. To request a contested case hearing pursuant to s. NR 809.73(1), Wis. Adm. Code, and s. 227.42, Wis. Stats., you must serve a petition for hearing on the Secretary of the Department of Natural Resources within 30 days after the date of this letter. The request for hearing must be in writing and follow the format provided in s. NR 2.05(2), Wis. Adm. Code.

Thank you for your continued efforts to provide safe drinking water to your customers and for your efforts to ensure the source water quality for your municipal system. Please contact JESSICA MINICH if you have questions regarding this source water ammonia testing.

Sincerely,

A handwritten signature in black ink, appearing to read 'KB', enclosed within a large, loopy oval shape.

Kyle Burton
Field Operations Director – Bureau of Drinking Water and Groundwater
Wisconsin Department of Natural Resources
Phone: (920)-360-2112
Kyle.Burton@Wisconsin.Gov

Dept. of Public Works & Utilities



Eric Lindman, P.E.
Director of Public Works & Utilities

TO: Wausau Water Works

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: July 14, 2026

SUBJECT: USEPA UCMR 6

USEPA 6th Unregulated Contaminant Monitoring Rule (UCMR6) as been proposed and attached is a summary of the proposed Rule. Staff monitor these types of rules as this gives us an indication of possible new regulations we need to forecast for when planning projects and initiatives. As you can see from the narrative this will require us to perform additional sampling adding to our annual operating budget. Many of these items for regulations are 5+ years into the future but for planning purposes it is critical we keep on top of what we will likely be obligated to do in the future.

Staff look at current regulations in place, projects underway to meet these regulations and proposed regulations that are predicted to affect the utility. The challenge we have had in the past few years was the multitude of regulations being put in place around the same time. These included PFAS, LCRI, phosphorous, biosolids monitoring, etc. Many of these take a lot of resources and money to meet and having these happening at the same time has stressed utility resources and financial capability. We are currently in the middle of addressing the LSL regulations. This has been time intensive on utility resources, disruptive to the public and costly for both the utility and the city.

Staff will continue to keep you up to date on future proposed requirements as well as on our current initiatives to ensure the utility remains compliant with regulations.

Regulatory Advisory

Who: U.S. EPA

What: Proposed Sixth UCMR

When: Friday, June 26

The U.S. Environmental Protection Agency (EPA) on Friday released a pre-publication copy of its [proposed](#) Sixth Unregulated Contaminant Monitoring Rule (UCMR 6), which is expected to be published in the *Federal Register* in the coming days.

The proposed UCMR 6 would require public water systems (PWSs) to collect national occurrence data for seven ultrashort organofluorine compounds (including certain per- and polyfluoroalkyl substances (PFAS)), three pesticide metabolites, 13 semivolatile organic compounds, and seven purgeable organic compounds. All samples in UCMR 6 will be [point of entry to the distribution system](#) samples.

Neither microplastics nor any pharmaceuticals, including mifepristone, are included in proposed UCMR 6 monitoring.

The UCMR is an integral component of the Safe Drinking Water Act (SDWA) regulatory process, and water systems should prepare now to implement UCMR 6. As with UCMR 5, the proposed rule anticipates that all public water systems serving 3,300 persons or more will conduct sampling and that there will be a statistical sample of 800 smaller systems.

This sampling plan is contingent on EPA receiving adequate funding to support sample analysis for systems serving fewer than 10,001 persons, because EPA bears the UCMR 6 analytical costs for small systems and annual federal appropriations can be uncertain.

The rulemaking is more than six months behind schedule. Systems should review the rule requirements and EPA instructions carefully. UCMR 6 monitoring begins in January 2028 and is required of both wholesale and consecutive water systems. Meeting this schedule will

require planning and preparation. EPA is anticipating that all pre-monitoring activities will occur in 2026 and 2027:

1. All systems participating in UCMR 6 must have a [Safe Drinking Water Accession and Review System \(SDWARS\) account and correct information on file](#)
2. Ground water representative monitoring plan submittals
3. Representative entry point monitoring plan submittals
4. Large systems will need to procure laboratory analysis service from an approved laboratory (Note that EPA anticipates the process to approve laboratories will begin based on the proposed rule.)

Monitoring for ultrashort PFAS (perfluoropropanesulfonic acid (PFPrS), perfluoropropanoic acid (PFPrA), perfluoroethanesulfonic acid (PFEtS), perfluoro-2-methoxyacetic acid (PFMOAA), trifluoromethanesulfonic acid (TFMS), bistriflimide (TFSI), and trifluoroacetic acid (TFA)) will employ a new method, U.S. EPA 563. Water systems will recall that 1,2,3-trichloropropane (1,2,3-TCP) was included in UCMR 3 monitoring. In UCMR 6, method modifications will reduce the method reporting limit (MRL) from 0.03 µg/L to 0.009 µg/L. The [UCMR 3 reference concentration](#) was 0.004 / 0.04 µg/L. In the proposed Contaminant Candidate List Six the [health reference level](#) was 0.0005 µg/L.

EPA will hold [identical webinars](#) on Aug. 11 and Aug. 12, to discuss this proposal. The webinars will include information about monitoring requirements, contaminant selection and rationale, drinking water analytical methods and laboratory approval process. EPA asks those interested to register for only one of the [Aug. 11](#) or [Aug. 12](#) webinars.

NOTE: UCMR is implemented directly by EPA. Systems may receive direction and assistance from states in those states where the state primacy agency is assisting with implementation.

AWWA recommends members review the posted data and post local results on their websites to demonstrate transparency, explain the purpose of UCMR, and properly characterize results.

In responding to inquiries, AWWA recommends that utilities:

- Acknowledge the concern all contaminants present to safe drinking water. Emphasize to media and consumers that you are committed to protecting public health.
- Point out that your utility seeks out and monitors for unregulated contaminants under UCMR 6.
- Make clear that your water meets federal and state standards for safety (clearly explaining any SDWA violations).
- Focus on how water risks are assessed and managed, using the rigorous scientific framework of the SDWA and your state (equivalents).
- Invite media and consumers to learn more about your local water quality by providing them with consumer confidence reports and other web-based information or connecting them to the appropriate utility contact.

- If possible, contact your local health department and/or a trusted academic voice to collaborate on a response.

Water systems [must distribute](#) their consumer confidence reports (water quality reports) to customers by July 1. The CCR must include:

- An explanation of unregulated contaminants and their presence in drinking water, if detected, and
- A table summarizing data on detected regulated and unregulated contaminants.

Questions can be directed to [Steve Via](#), AWWA director of federal relations, or [Greg Kail](#), AWWA communications director.



American Water Works Association
6666 W. Quincy Ave. | Denver, Colorado 80235
Telephone: 1-800-926-7337

[Email AWWA](#) | [Unsubscribe](#)

OR reply to this message with the word Remove in the subject line.

This email was sent to eric.lindman@wausauwi.gov, 03100738



Wausau Water Works
Ben Brooks, Wastewater Superintendent

DATE: July 14, 2026
TO: Wausau Water Works Commission
SUBJECT: Wastewater Division- Update on the Headworks Screening Project and Cherry St. Lift Station Project

PURPOSE

Updates for the Headworks Screening and Cherry St. Lift Station Projects

BACKGROUND

Headworks Screening Project Update:

- Ahern & Subcontractors mobilized on site: 06/16/2025
- Substantial Completion Date: 10/15/2026
- Final Completion Date: 11/15/2026
- Painting continues with the final punch list currently being developed.

Cherry St. Lift Station Project Update:

- Integrity mobilized on site: 09/08/2025
- Substantial Completion Date: 01/31/2026 (new lift station operating with demo work completed)
- Final Completion Date: 05/15/2026 (all work complete, with grass actively growing)
- Final punch list items still remain by ECON, but are expected to be taken care of soon so that project can be closed out.

RECOMMENDATION

Dept. of Public Works & Utilities



Eric Lindman, P.E.
Director of Public Works & Utilities

TO: Wausau Water Works

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: July 14, 2026

SUBJECT: LSL Mandatory Replacement Ordinance

I have included the history of meeting memo's and highlighted meeting minutes. The one item I added this month was the city council meeting in July 2024 where they approved the amended language in the ordinance but did not act on approving the resolution, meaning this item remains outstanding and needs to be moved ahead for approval.

A Committee of the Whole was held last night to discuss the future funding of Lead Service Line Replacement and inform the council of this Mandatory LSL Ordinance which is planned to come forward in the coming months for City Council action.

Dept. of Public Works & Utilities



Eric Lindman, P.E.
Director of Public Works & Utilities

TO: Wausau Water Works

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: June 2, 2026

SUBJECT: LSL Mandatory Replacement Ordinance

The new Lead and Copper Rule Improvements (LCRI) from the USEPA requires all lead service lines (LSL's) to be replaced by end of 2037. Over the past 3-4 years the City has been reviewing and considering an LSL mandatory replacement ordinance, this would require all property owners with known LSL to replace their line. Without the ordinance the utility will not be able to enforce the replacement of the private side of the service line.

I have included a history of meeting memo's and meeting minutes to help provide the history of discussions that have taken place prior to this meeting. Please note I included the entire "Minutes" from each of the meetings but highlighted the relevant notes for this item you are all discussing.

I would also like to provide an update on previously discussed criteria with funding and water utility restrictions on use of water rates as established by the WI Public Service Commission (WPSC). WPSC sets water rates for utilities in the state of WI, these rates are not controlled locally. The WPSC sets strict regulations of how the water revenue from these water rates may and may not be used. In the context of the LSLR project, the water service from the water main to the property line or curb stop is owned by the utility (public side); the line from the curb stop to the water meter is owned by the property owner (private side). Water rate revenue can be used to pay for the public side of the water service line but cannot be used to pay for the private side of the water service line. This has created some unique challenges for funding since regulations require all LSL's be removed/replaced by end of 2037.

Some of the challenges we are facing with funding and regulations:

1. Principal Forgiveness may fund up to 100% of the construction of the private side LSL if it is in a disadvantaged census tract that meets the WDNR definition for 100% principal forgiveness funding. If outside of these tracts the principal forgiveness amount is reduced to 75% or 50% leaving a portion of the cost to be paid by the owner or the city, not the utility.
2. Since the City Council has not adopted a mandatory LSL replacement ordinance the utility has no means to force owners to replace their LSL. Meaning this replacement from a property owner perspective is voluntary and the utility has no enforcement powers. It is the intent to bring the mandatory LSL replacement ordinance back to the city council in the coming months.

3. If the city council were to pass the mandatory LSL replacement ordinance there would be further financing options:
 - a. PSC could authorize water utility rates to pay for up to 50% of the private side LSLR.
 - b. The city could set up a 5-year or 10-year low or not interest loan for the owner to pay the cost back to the utility.
 - c. The utility would have enforcement powers to mandate replacement of the lead line to ensure compliance with regulations and place the cost of the replacement on the tax roll if it remains unpaid by the owner.
4. The principal forgiveness loans are expected to be used up by the end of 2028 and the full cost of the remaining replacements will be a local burden, either by the utility, the city or the property owner.

This ordinance last went to the City Council in July 2024. The City Council postponed the implementation of this ordinance and added some additional language to the ordinance. I wanted to bring this back to the WWW Commission to again review the history of what was discussed, look at the current funding landscape, and determine if the Commission had any further recommendations for the city Council based on current funding and current rate of replacements.

OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, July 9, 2024, in Council Chambers, beginning at 6:30 p.m.,
Mayor Doug Diny presiding.

Roll Call

07/09/2024

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Public Comment: Pre-registered citizens for matters on the agenda and other public comment

07/09/2024

1. Tom Kilian, 133 E. Thomas Street – spoke in favor of reducing the PILOT payment.
2. Orlando Alfanzo, 1015 Brown Street – spoke in opposition of the Lead Hazard Reduction Capacity Building grant and the ordinance on lead service lines and in favor of reducing the PILOT payment.
3. Jon Radtke, 703 Franklin Street - spoke in opposition of the ordinance on lead service lines.
4. Sid Ehfard, 302 Bopf Street – spoke in opposition of the ordinance on lead service lines.

Consent Agenda

07/09/2024

Without objection, item 24-0714 was pulled from the agenda for consideration by the Mayor

Motion by Larson, seconded by Lukens, to adopt all the items on the Consent Agenda as follows:

24-0701 from the Common Council Approve Minutes of a previous meeting(s) (06/11/2024).

24-0703 Ordinance from the Planning Commission Rezoning 1011 N 5th St from an MRL-12, Multi-Family Residential-12 to an NMU, Neighborhood Mixed Use.

01-1024 Joint Ordinance from the Infrastructure and Facilities Committee and Plan Commission Amending annexation ordinance no. 497-01L (annexing territory from the Town of Weston to the City of Wausau - Gilbertson - Poplar Lane).

93-0918 Joint Ordinance from the Infrastructure and Facilities Committee and Plan Commission Amending annexation ordinance no. 497-93E (annexing territory from the Town of Weston to the City of Wausau – Greenwood Hills).

24-0406 Final Resolution from the Infrastructure and Facilities Committee and Plan Commission Vacating and discontinuing a portion of right-of-way south of Adams Street abutting 1010 and 1012 Everest Boulevard and 1100 Highland Park Boulevard (that portion known as N. 11th Street on plat H.B. Huntington’s Addition to the City of Wausau, Document No. 167682.)

24-0711 Ordinance from the Infrastructure and Facilities Committee Designating no parking on the north side of Norton Street beginning 135 feet east of N. 1st Avenue extending to 150 east of N. 1st Avenue.

24-0712 Ordinance from the Infrastructure and Facilities Committee Designating no parking on the west side of Stettin Drive from Stewart Avenue to S. 44th Avenue and no parking on the east side of Stettin Drive beginning at the intersection of Stewart Avenue and extending 500 feet north.

24-0715 Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Aspirus Wausau Hospital – 333 Pine Ridge Boulevard).

24-0716 Resolution from the Infrastructure and Facilities Committee Approving State/Municipal Agreement for Transportation Alternatives Program (TAP) Project – 72nd Avenue Trail South Extension, Sunnyvale Park to Stewart Avenue.

24-0717 Resolution from the Infrastructure and Facilities Committee and Plan Commission Accepting dedication of right-of-way, accepting permanent utility easement, and accepting temporary easement for cul-de-sacs at the west end of Old Coach Road and at the west end of Birchwood Drive.

24-0108 Resolution from the Public Health & Safety Committee Approving Various Licenses as Indicated.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0714 **07/09/2024**

Motion by Henke, seconded by Watson, to adopt the Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Wausau School District – 1200 West Wausau Avenue).

Lukens stated concerns with microplastics and crumbed rubber used in the artificial turf at this particular site outlined in the agreement. It was stated the city maintained a strong relationship with the school district and this concern was raised to bring attention to this item of concern.

Rasmussen stated similar environmental concerns and player impacts of artificial turf. It was stated the facility is now in place and that the agreement must be approved to ensure those facilities are maintained for stormwater capacity.

Kilian stated more decisions made by the Common Council should consider environmental impact and thanked Lukens for bringing the concerns forward.

Lukens stated a desire to find a more sustainable and player friendly alternatives for the artificial turf.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASSED

24-0704 **07/09/2024**

Motion by Henke, seconded by Lukens, to adopt the Resolution from the Finance Committee Authorization to Accept Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development.

Kilian stated the upfront amount of levy needed to support this program with an unknowing funding source and that the Economic Development Department did not have the staff capacity to support the program as well.

Martens stated the program was meant to identify lead in homes but did not provide funding for, or the ability to remediate, lead within homes.

Lukens stated opposition based on staff recommendations and statements provided by other alders.

Tierney stated opposition based on the capacity of the program to identify lead but not remediate it from homes.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	NO
3	Kilian, Terry	NO

4	Neal, Tom	YES
5	Gisselman, Gary	NO
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	NO
8	Watson, Sarah	NO
9	Tierney, Vicki	NO
10	Larson, Lou	NO
11	Henke, Chad	NO

Yes Votes: 1 No Votes: 10 Abstain: 0 Not Voting: 0 Result: FAILED

24-0710

07/09/2024

Motion by Lukens, seconded by Henke, to adopt the Resolution from the Economic Development Committee Approving Sale of 1210 N. 3rd Street by the City of Wausau to DNA Taverns, LLC.

Gisselman stated the anticipated use for the lot would be for additional parking and stated the neighborhood and a nearby park should be considered in approving the sale.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

Suspend the Rules

07/09/2024

Motion by Larson, second by Henke, to suspend Rule 6(B) Filing and 12(A) Referral of Resolutions for 24-0705, 24-0706, 24-0707, 24-0708, 24-0709, 92-0623.

Rasmussen made a parliamentary inquiry on if the rules are suspended, does that suspension mean automatic consideration of item 24-0718. It was stated if the motion to suspend the rules was passed, it would include the remainder of the agenda items for consideration.

Without objection, the Chair pulled item 24-0718 to be considered under the suspension of the rules separately and only items 24-0705, 24-0706, 24-0707, 24-0708, 24-0709, 92-0623 would be considered under the suspension of the rules at this time.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0705

07/09/2024

Motion by Watson, seconded by Larson, to adopt the Ordinance from the Wausau Water Works Commission Creating Chapter 13.66 Lead and galvanized water service line replacement, Section 13.66.010 Intent and purpose, Section 13.66.020 Authorization, Section 13.66.030 Rules of construction and definitions, Section 13.66.040 Survey and inspections, Section 13.66.050 Partial or full service line material replacement; public side or customer side, Section 13.66.060 Replacement priority, Section 13.66.070 Application and Scheduling, Section 13.66.080 Financing of replacement, Section 13.66.09 as amended.

Kilian stated constituents had reached out with concerns on public notice and lack of public input. It was stated the main concern with citizens is how the ordinance impacted them and if they would need to pay out of pocket for the cost of lead line replacements. Kilian stated a preference for tabling the ordinance until adequate notice can be given to the public and with more opportunity for public comment in multiple languages.

Rasmussen questioned if the scaling up of the line replacement program would come as funds are available through grants and that if grant funding was not available the cost would not be passed down to individual residents. It was stated the funding is determined upon on a year-by-year basis. Rasmussen stated concerns with not being able to leverage grant funding if there was no ordinance mandating lead line replacements on the public and private side and enforcement pieces for homeowners. It was further stated a goal to scale up the project as grant funding is made available and scale down as grant money is not accessible.

Motion by Rasmussen, seconded by Larson, to amend 24-0705 to add the clause, "Mandated lead service line replacement will only proceed as grant monies are available to fully fund the private side obligation for the full lead service line replacement and all related construction for the property owner."

McElhaney questioned if the grant funding would include driveway and landscaping work as part of the replacements. It was stated this was intended to include property restorations. *Without objection*, a friendly amendment was offered by McElhaney to specify all related construction.

Tierney stated an understanding of the amendment was to use the available grant money to ensure the private lead lines would be replaced without charging the residents. It was stated this was how this solution was presented to the public along with opportunities for public input.

Neal questioned if the amendment should make it clearer that the program would be fully funded for residents. It was questioned if there should be limits to what property restorations are covered. It was stated the disturbance to property is minimum and a limit to restoration costs would not be necessary. *Without objection*, a friendly amendment was offered by Neal to include fully funded.

Lukens stated support for the amendment and questioned if this amendment would be compatible with regulations of the Wisconsin Public Service Commission. It was stated that was only applicable if the utility funded private lead line replacement. Lukens stated this work would only cover lead lines and not the pipes inside homes.

Gisselman questioned the process of developing this ordinance without more public input and stated support for protecting citizens as much as possible while ensuring all citizens are made aware of the ordinance.

Kilian stated the amendment was a positive effort to protect the residents of the city. Kilian also stated the ordinance should not move forward until formal citizen input was provided.

McElhaney stated uncomfortableness with the ordinance without more clarification among the regulating agencies. It was stated that if grant money requires an ordinance it presents an unknown that can not be supported.

Rasmussen stated the goal is protecting residents against baring the burden of paying for lead line replacement and restoration.

Kilian stated there was a concern with this moving forward until there was public input sessions as they felt the city ordinance would leave citizens without a choice.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASSED

Watson questioned if a joint meeting with the Wausau Water Works Commission would be appropriate and asked to get a more layman's understanding of the ordinance and its impact ahead of future meetings out to the public.

Gisselman stated a preference of a Committee of the Whole to discuss this matter more thoroughly.

Watson requested the ordinance be sent to the regulating agencies for their input.

Lukens requested information be provided to the public on this ordinance in multiple languages.

Motion by Gisselman, seconded by Neal, to postpone consideration of the item 24-0705 to the August Common Council meeting.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0706

07/09/2024

Motion by Lukens, seconded by Rasmussen, to adopt the Resolution from the Finance Committee Approving Interlocal Agreement between the City of Wausau and Marathon County for the 2022 Byrne Justice Assistance Grant Program Award.

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASSED

24-0707

07/09/2024

Motion by Lukens, seconded by Watson, to adopt the Resolution from the Finance Committee Approving Interlocal Agreement between the City of Wausau and Marathon County for the 2023 Byrne Justice Assistance Grant Program Award.

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASSED

24-0708

07/09/2024

Motion by Lukens, seconded by Tierney, to adopt the Resolution from the Finance Committee Authorizing the City of Wausau to enter a 3-year (2024-2027) shared services agreement with the Wausau School District for School Resource Officers.

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASSED

24-0709

07/09/2024

Motion by Rasmussen, seconded by Larson, to adopt the Resolution from the Finance Committee Approving United Way impact grant funding for assisting the unhoused with security deposits.

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASSED

92-0623

07/09/2024

Motion by Larson, seconded by Tierney, to adopt the Resolution from the Finance Committee Approving First Amendment to Agreement for Lease to City of Parking Lot-Third and McClellan Streets (Curly Kale LLC).

Yes Votes: 11

No Votes: 0

Abstain: 0

Not Voting: 0

Result: PASSED

Suspend the Rules

07/09/2024

Motion to consider the motion to take up 24-0718 objected by Rasmussen.

Rasmussen stated opposition to this resolution for consideration as it was not brought forward to a standing committee for consideration. It was stated the city's financial planner is going to conduct a meeting with the Finance Committee on the PILOT payment and this resolution is premature. Rasmussen stated the Mayor can propose a budget to the Common Council without direction from the Common Council at the forefront as this resolution does. It was stated the process was not the process of the city.

Point of Order by Watson on debating the suspension of the rules. *Point of Order not well taken by the Chair* as this was on the objection to take up the resolution and not the vote on suspension of the rules. The Chair stated this resolution was meant to provide guidance to the Mayor and President of the Wausau Water Works Commission to move forward.

Point of Order by Neal on why the vote to suspend the rules was not taken up. *Point of Order not well taken by the Chair* as this was on the objection but it was recommended that the vote to suspend the rules should be taken up.

Motion by Larson, seconded by Tierney, to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions for 24-0718.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	NO
3	Kilian, Terry	YES
4	Neal, Tom	NO
5	Gisselman, Gary	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	NO

8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	NO

Yes Votes: 5

No Votes: 6

Abstain: 0

Not Voting: 0

Result: FAILED

Public Comment & Suggestions

07/09/2024

1. Jay Kronenwetter, 310 Sturgeon Eddy Road – spoke on the Wausau School District Citizens Task Force on Elementary School Redistricting
2. Tom Kilian, 133 E. Thomas Street – spoke on low/moderate income linguistic rates, Wyatt Street environmental testing impact on federal funding, the Hmong language meeting the safe harbor threshold for Metro Ride Title XI analysis, lack of translation services, and the Liberation and Freedom Committee.

Adjourn

07/09/2024

Motion by Lukens, second by Henke, to adjourn the meeting. Motion carried. Meeting adjourned at 8:45 p.m.

Doug Diny, Mayor

Kaitlyn Bernarde, City Clerk



TO: Wausau Water Works Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: May 7, 2024

SUBJECT: LSL Replacement Ordinance – Language Revisions and Considerations

Attached is the latest version of the Lead Service Lateral (LSL) Replacement Ordinance. A summary of the questions posed from the Commission during the past several Water Works Commission meetings are as follows:

- Is the ordinance required by the US EPA Lead & Copper Rule (LCR)? *No, an LSL Replacement Ordinance is not required at this time by the (LCR), unless the Commission wants to use user rates to pay any loans related to private side LSL replacement. However, the ordinance would provide us additional points when requesting funding from the State/Feds/DNR for the LSL replacement project. Further, without an ordinance any loans would need to be paid back using “other” funding.*
- What is the benefit and need to having an LSL ordinance? Should the Commission want to use user rates to pay any loans related to private side LSL replacement an ordinance would need to be in place AND the PSC would need to formally approve the ordinance and use of funds. The ordinance would provide additional points through the WDNR SDW loan program for the LSL replacement project. Further, without an ordinance any loans would need to be paid back using “other” funding. In addition, the WDNR SDW program stated that if using their funding no partial replacements may be done, even if the LCR allows an exception. Each entity we are working with is establishing their own criteria.
- What is the City's/Utility's role to pay for the customer side LSL? *There is no requirement for the utility or the city to pay for the private side LSL. From past experience, if the City requires the homeowner to bear the cost of replacement, there will be fewer participants. Some funding options are laid out later in this memo.*
- Who is responsible for setting the policy on how private LSLs are to be paid? *Ultimately, the Common Council would have final approval over any policy the Commission recommends. If the Commission wants to recommend a policy be set, they would send that policy to the Finance Committee and the Finance Committee would provide a recommendation to the Common Council. The policy likely would be an ordinance. The reason both the Finance Committee and the Common Council would need to provide the final recommendation and approval is because the policy involves borrowing/loans.*

- What does funding look like in future years? *This is a difficult question to answer because grant opportunities and loan options may vary from year to year. However, 2025 funding is likely to be a similar percentage split as 2024, 63% principal forgiveness (PF) & 37% loan. Future years are more likely to be 50% PF & 50% loan because we will be working in non-LMI census tracts so the PF calculation is likely to be less. Bids were received with favorable pricing for the next 3-years, so the amount of overall loan/PF has been updated in the ordinance document. I have also included an attachment of the predictions on funding and possible debt payments for a 5-year replacement program and a 10 year replacement program. These are estimates as the amount of funding each year is unknown.*
- Will replacements be required and when? *Currently the Lead and Copper Rule Improvement (LCRI) does “require” the replacement of the public and private side LSL, and no partial replacements are allowed. The only exception is for planned infrastructure work (Street reconstruction) not solely for LSL replacement and emergency repairs of infrastructure. But because the SDW loan program does not allow partial replacement with DNR funding, this exception will not be allowed on our street reconstruction projects. The LCRI also reduces the lead action level from 15ppb to 10ppb and requires both 1st & 5th liter sampling. The LCRI establishes that a Community Water System needs to establish a 10-year replacement plan.*

Funding options for Private side LSL Replacement. **(Possible options for 13.66.080)**

1. City may use general obligation to pay back the loan portion of the funding.
2. City approves an ordinance, receives PSC approval, and uses user rates to pay 50% of the cost. Remaining 50% paid by other fund source.
3. City may set up special assessments/loans for the homeowner to pay back. There are many options to consider with this type of structure:
 - a. City sets homeowner obligation amount (percentage or fixed amount) and uses a special assessment for homeowner to pay all or portion of their replacement.
 - b. City may determine time frame to have the loan paid back or may defer the payment to a future year.
 - c. City may decide to have payment due upon sale of home, or payment to begin in 3-years with a pay back time of 5-years. There are many options to consider.
4. A provision regarding rental property may want to be considered. Rental properties are businesses and not owner-occupied properties. Thus, it may be appropriate to separate these properties out and require the landlord pay their portion of the LSL replacement.
5. All known day cares and schools to date do not have LSL's on the public or the private side. If new day cares are formed, then this could change. So it may be a good idea to have a requirement that a property may not be a day care until the LSL is replaced.

Goals/Plans for future years of LSL Replacement.

- 2025 – 1500 LSL's and focus on full lead line locations, both public/private still in place.
- 2026 – 1500 LSL's and focus on full lead line locations, both public/private still in place. This should complete all public side LSL's in the city.
- 2027 – 2000 LSLs and anticipate less PF given starting this year and will focus on remaining private side LSL's.
- 2028 – 2000 LSL's and complete remaining private LSL's.

Once we complete the public side LSL's then the only remaining private side LSL's would be on the property owner to agree to replace. As long as there are LSL's in the system, the utility would be required to complete bi-annual testing, reporting and maintaining all other requirements related to the LCR.



Minutes of May 7, 2024

A meeting of the Wausau Water Works Commission was called to order at 1:30 p.m. in City Hall on Tuesday, May 7, 2024. In compliance with Wisconsin Statutes, this meeting was posted and receipted for by the Wausau Daily Herald on May 3, 2024.

Members Present: President Diny, Commissioners Robinson, Force, Gehin

Others Present: Scott Boers, Eric Lindman, Ben Brooks, Anne Jacobson, Tegan Troutner, Sean Agid/CIP, Eric Jones/CIP, Chad Henke/Solar Array Task Force Chair, Paul Svetlik/ Solar Array Task Force Vice Chair, Susan Woods, Jay Coldwell

1) Approve Minutes of April 10th, 2024 Meetings.

*Robinson motioned to approve minutes as corrected. Seconded by Gehin.

Motion Carried 4-0.

2) Director's Report on Utility Operations.

Lindman highlighted the resin disposal scheduled next week costing about \$124,000. We sold around 300 rain barrels, pick up is tonight and tomorrow night. We grabbed couple extra pallets because there were customers late in ordering so we'll sell them a la carte.

Force questioned status of the Granular Activate Carbon (GAC) construction and if another resin disposal would be needed before the GAC was up and operating?

Boers replied PFAS sampling was completed April 17th- PFOA 4.3ng/L and 4.6ng/L, no other PFAS detects. We were at low numbers and don't believe we have to have another exchange for another 6 months; GAC should be up and running by October. We tested effluent (post anion treatment) going into distribution, we haven't tested the wells which are the raw water.

Gehin requested a copy of the article that Wastewater included in the packet.

Brooks replied he had some magazines and would be happy to give Gehin a copy.

Robinson requested the article be presented in in layman's term for the public as it was highly technical.

Brooks questioned if he wanted that at the next commission meeting?

Diny replied maybe at the next commission meeting.

Director's Report Placed on File.

3) Update on the Lead Service Line (LSL) Replacement Project from Community Infrastructure Partners (CIP).

Presentation by Sean Agid/CIP. View [Presentation](#) at 7 minutes, 45 seconds.

Gehin questioned how many of the 440 verified would be full replacements and difference between projected observations in the field vs in our inventory?

Agid replied they were all partial replacements. Full replacement cost \$6,000 and partial replacements are \$4,820. This seem less than CDM Smith's 2021 estimation of 8,000 private side and 4,400 public lines. We are seeing about 35% lead. It's hard to know about other tracts but there are whole blocks in Wausau we are not finding any lead at all.

Force requested a map with the tracts identified next time.

Agid replied the map is not zoomed in (refer to slide 3 page 30 of packet), gray- unverified, green- not lead or galvanized, red- lead, yellow- galvanized. We could share the maps of the 5 census tracts that were eligible and can share it via email if you'd like. The 2025 construction application is due end of June, we need to identify which areas to expand beyond the 5 census tracts and overlay that with the principal forgiveness priority areas based on Department of Natural Resources (DNR) criteria.

Gehin questioned percentage of galvanized?

Jones replied less than the lead, the 35% included the galvanized but we do have something separate I could give you because it would be easy to pull out.

Force questioned the connection inside the home with the copper to lead inside of home?

Agid replied that was the role of the third-party inspector (Clark-Dietz), they verify that everything is replaced correctly because they would need to sign off on that.

Jones reiterated we are doing copper into the home and we stop at the meter, water department connects from the meter to the internal plumbing.

Lindman replied that if we connect to something inside the home, there would be a dielectric fitting to mitigate galvanic reaction preventing corrosion by separating two different metals in the plumbing system.

Robinson questioned next year's financial impact if there were less of an impact this year as far as planning, capital improvement budget project perspective?

Agid replied overall to replace the LSL would cost less because there is less lead but what we don't know is the amount of money DNR would award Wausau. We submitted an intent to apply (ITA) for \$15 million and intention was 1500 lines at \$10,000/line. We know pricing is much better with the bid we received and are locked in for 2025. The option was to reduce that number below \$15 million or increase 1500 replacement number to 2000 or above. We don't know the percentage of principal forgiveness awarded vs loans as certain census tracts and blocks qualify for a percentage. We don't know the principal forgiveness at the State level because we don't know how many other municipalities would be applying for it. We would overlay the map based on the 6 criteria and maximize the principal forgiveness but it's up to the city to determine the amount it is asking.

Robinson questioned if it paid to reevaluate that number in this 5-year window as we are in year 2 and have 3 years left only? How do we position ourselves to maximize principal forgiveness and put ourselves in the best terms?

Agid replied the best way was to include your disadvantage communities into every application and weigh the average of how many you expect to include in the application of the disadvantage to the non-disadvantage communities. There're ways to do the calculations based on how many replacements you want to do. We know what each census tract qualifies for in terms of principal forgiveness but we don't know if that would be awarded with the new numbers, we could calculate debt service over a 5-year period. We did that calculation before the award and bids; we could revise the projected 5-year schedule. It was 55% grant 45% principal forgiveness under \$60 million that would go down and that could be revised but that principal forgiveness could go down or stay the same. We could revise that in terms of debt service and potential impacts associated with that debt service.

Diny questioned if there were enough homes in phase 1 census tract to get the 700 needed and if we didn't expend that, could it be rolled over to next year? How would that affect our application if we only used 3/4?

Agid replied there's about 700 homes we haven't been into yet that are unknown. Of the 700 if 35% are lead, you're looking at another 250, your right around that 700. If we don't spend that \$5.7 million you have 2 years so it could be used in 2025.

No Action Needed.

4) Discussion and Possible Action Approving 2025- 2029 Capital Projects.

Lindman referred to the 11x17 sheets included in the packet for the proposed 5-year capital plan and total capital borrowing each year. You requested, for understanding, the annual capability of accepting debt and annual payments is shown in the beginning of the packet. If the utility accepted LSL proposed loan amounts and what the cumulative annual debt payment would be over 10 years and 20 years. The second not only included the LSL but included proposed capital plan and cost of adding staff over the next several years along with the annual expenditures. The rate structure we are in right now is good for the Wastewater and Drinking Water Utility but adding that proposed loan payments is a heavy strain on the drinking water division. For 2024, utility rates could not be used for that loan portion, that's included, the borrowing and loan service would be on a (Tax Increment District) TID or other funding options. Would there be anything from this information packet that this commission needs specifics on, understanding or clarification on something that doesn't make sense to you, there's a lot in here.

Robinson questioned the later presentation relative to the solar array panel's impact?

Lindman replied it was included in the debt service with all the other projects. That debt service would be about \$1.7 million. Throughout the year, we are managing our conflicting priorities. We set a plan in June for our capital for the following year but we end up having projects that come to the forefront because of emergent situations or failures that we must address and then defer other projects. Our intent is to establish a capital plan moving forward and stay within those budgets that's approved/accepted by the Commission so whether we defer certain projects and equipment to fit in other projects or if bids come in high, we defer that project. We do that every year.

Diny reiterated the LSL is shown over 5 years and over 10 years. The thought process is if we could stay on this 5-year pace while the grant money is still high relative to the loan portion, we are at a 2/3 vs 1/3 and if we had to shift based on debt load to a 10 year, we could go to that but let's maximize grant money. It would make sense to target the lines on both city side and private side that would give us the most efficient use out of contractors and cost savings for the city. We are requesting action on this plan.

Lindman replied yes, the general capital plan for the drinking and wastewater. The LSL plan is evaluated annually and would come back this fall for further conversations and application to the DNR for where that potential funding might be that goes into our other items such as the LSL ordinance for user rates, there's a lot that must happen before the utility could take on that project from a financial standpoint.

Robinson questioned LSL factored into capital plan on the public side but sees zero for borrowing. You haven't factored that into the plan but you have it for the financing plan, it would be beneficial to see in both. I don't see the Solar Array in the capital plan if it's built in the finance, that leads to confusion. If we could wrap all those costs?

Lindman replied for the capital plan, it wasn't an intent to have the utility pay for the solar, we don't have approvals to pay, we would have a different path to take with the Public Service Commission (PSC) to use water rates. If that's what you want to see, we could do that but the Solar array would come out of the general obligation and other funding but if you want to see in the capital plan, we could put it in there.

Robinson replied his preference would be to include it and you could look at the funding source and footnote it or deal with it from a funding source. If we are incurring those capital associated with the operations of the utility related activities, it'd be nice to capture them. There was a discussion using American Rescue Plan Act (ARPA) funds and others to

supplement solar array. For transparency, it'd be nice to see what we're doing from a utility perspective if it relies on safe drinking water loans, revenue bonds or GO bonds, those could be footnoted or clarified.

Lindman replied he could certainly add those.

Gehin questioned the excess revenue from Ehler's report as it may be for the benefit of everybody else.

Lindman explained that the excess revenue is at the end of our operational budget and our capital projects. That is the revenue under the current rate structure that the utility would have to do capital projects. Pay down debt service on an annual basis. For 2023, drinking water shows excess of \$826,000 that's half going into 2024 because the new rates went in July 2023 and we didn't get a full half year of rates, so those are kind of the numbers we're comparing as we run into our capital debt service every year. Wastewater side is about \$1.8 million that would be steady going through 2024 as well. Moving forward, the Drinking Water and Wastewater Utility's excess revenue is going to be close \$1.6 million to \$1.8 million a year available for capital project. That shows us our rate structure is good, we want to maintain that and do anything to prevent future rate cases and rate increases.

*Gehin motioned to accept the capital project plan but add the language to demonstrate the solar panel footnoted and LSL replacement showing but not part of the debt remembering that it's a plan and not firm so it's subject to change.

Robinson stated his experience with the county included all the projects in the CIP then it's broken down to funding source but you're listing all the projects whether it was ARPA, highway fund, federal grant. For transparency in communicating to the public and council, it's important that we show those.

Lindman replied he is happy to bring it back next month with updated sheets and if the commission was ok with what we were presenting.

*Robinson seconded Gehin's motion to accept 2025-2029 Capital Projects.

Force requested if there were better ways to improve this as it was very confusing. He recalled several years ago of receiving statements from accounting showing revenue and expenditures month by month vertical bar compared to prior years and that was helpful in determining the financial health of the utility. He would appreciate simplifying with summary sheets or graphic presentation. He also questioned user rates as money in hand that could be used for projects and that we were not talking about new user rates.

Lindman replied he would work on that for next month both narrative and graphic if it's done beforehand, he would share it with Force to see if that's the right path.

Diny reiterated this is treated as our CIP process, if the funding is not there, the list shrinks or it could grow.

Motion carried 4-0.

5) Discussion and Update on a Lead Service Line (LSL) Replacement Ordinance.

Diny explained this ordinance would have a major impact on funding, so we're going to need to give this a good kick today because we owe it to the utility and citizens to understand that we need a plan moving forward, this has been languishing here and we need to move on it.

Lindman brought some of the questions highlighted from the last meeting. One piece is the funding, there were questions if there's going to be a special assessment to the homeowners, and if there was, was it a percentage or flat rate if it was paid back over 5 years, or does it defer to other options. The city and utility have different options, we could detail those out in this ordinance or keep it more general to where private sides mandated as funding is available and structure the funding outside of the ordinance so if it changes from time to time the entire ordinance doesn't. I'm not sure where the commission is on the decision to move that forward.

Robinson questioned the proposed ordinance and CIP's work process, there seems to be disconnects relative to processes and timelines. As we go through 500, 700, 1500, 2000 a year, we build in there on the customer side, some process where we notify, they have 30 days to take two bids, we take the lower bids which is not the process that we are using. How will we reconcile the difference between our current plan and the ordinance? Do we need to somehow build some opportunities to move ahead with the ordinance that is not in its current form? Is there an off ramp?

Lindman replied we could put in either or. We could leave it more general. We could leave it like how we used to where the homeowner hired their own plumber, they are on their own or how we are doing it now and contract that work through the city and administer that and work with the homeowner. CIP is taking on the risk and all the responsibilities of the homeowner in making sure all that work is being done. We set an ordinance in place, if we get in too many details, we may have to come back year to year and constantly change it, we may want to generalize that and how the project is going to be delivered keeping in mind that the lead service line ordinance has evolved over the years and we've pulled in other municipalities and how they are doing it and we are on a path that no one else is doing. We want to try to do this more general if the city moves in one direction or another that the lead service line ordinance stays in place.

Robinson questioned the right of entrance as we've had three refusals, how do we deal with those, obviously there's a provision but we're moving down a different path and hope we have a tiered approach within the ordinance. If we go with a public and customer side city sponsored plan the following sections are not applicable, if we don't then you would have that there. I don't want to open us up to a potential criticism lawsuit or private party saying they have the right to 2 contracts and was imposed on or potential conflicts, maybe legal could work on that? The ordinance gives you a 7-year period to do the connection but we are in a 5-year plan, there's some reconciliation between the two. You got 3 years additional funding and the intent to apply (ITA) opportunities but you don't know what will happen, when planning just be aware of that 3-year window. I'm comfortable with that ordinance if we have that on/off ramp.

Lindman replied if Robinson was requesting provisions for both types of installation incorporated into the ordinance. We could work on that. How detailed do you want to get on the funding, it could be very general, as funding is available, there is already some language in the ordinance. We'll keep the funding piece general because that decision will be made year to year because we won't know the amount that would be awarded from DNR after submitting the Intent to Apply (ITA).

Diny stated if you looked at what our cost is going to be in the next 5 years and stay on that same trajectory, 1/3 of the installation for a homeowner could be \$1,500 over 5 years. On a total \$6,000 replacement, that's a pretty good deal. 300 a year if it's 5 years. The residents are going to want to know if that's the route we are going or if it's going to be funded. We can't keep them in the dark and if we keep this in the plan next year that we hit more city sides, we are not allowed to do partial replacements so how do we handle that. We are going to have more city side that we're going to have to complete line replaced.

Lindman questioned if Troutner had anything else to share as they've gone over this draft multiple times.

Troutner questioned bullet point three, we need an answer on who's responsible for setting the policy on how LSLs are to be paid. We talked about the council making the final decision on the ordinance but how the commission wanted this structured. Do you want a paragraph starting off with the history of funding, types of available funding as there were multiple different options and scenarios and requested direction.

Robinson stated he didn't know what he was looking for but will know when he saw it. Requesting a process, the ordinance lays down the framework under which we'd operate from a legal perspective but making sure we could deal with CIP's plan and our proposed mandatory ordinance. For the financing, maybe we say subject to the availability of funding and expand that to include special assessments as a tool for when we must deal with this on an annual basis. We'll need to look at CIP's plan for the year and see where that fits the funding based on resources available. We run risk of being inconsistent with application because 1 year we may have safe drinking water funds and loan forgiveness and other years we may not which will impact the cost. The question behind the ordinance is if we adopt it, will we put the customer's side on the rates? The only way to do that is if we had an ordinance and that may be for a different discussion but I don't know the deadline date on the provision but to address those as we encounter them?

Troutner stated the language Robinson wanted in the statute wasn't going to cover all the basis and was concerned that what he was requesting resulted in a super vague section in the ordinance about financing because that's all up in the air. She suggested sending multiple copies of what other jurisdictions were doing to Robinson to provide guidance on what he preferred and why. The one in here was similar to what Sheboygan and other municipalities that have this ordinance in place.

Robinson questioned if there could be a provision for a financing plan to be developed on an annual basis by the council subject to implementation under the ordinance and then look at the funding source as the trigger and have the plan be a perspective planning document that would be built into the ordinance to drive it so you wouldn't have to revisit the ordinance annually but through adoption of the plan.

Troutner replied we could make that work.

Diny questioned if we would be doing something different with the ordinance depending on the funding other than speeding up or slowing down the process or do something different mandate vs nonmandated? This needs to be done by October.

Robinson replied we would still have the mandatory connection ordinance; the question is when is it applicable? If we're doing the public side replacement, you have to do the private side within 5 years. The trigger mechanism would have that two-tier track and leave the current language in because there's no certainty of funding going forward but if we go with the capital improvement plan, it could be possible there's not impact financially to the customer. We could have that track where we could proceed down that CIP vs non-CIP process. If we could have the financing plan that can drive the ordinances and then within those have the available resources and have the plan be approved by the commission and council.

Agid replied 2026 ITA is due October this year for funds next year.

Force questioned if dispute resolution was covered adequately in this document? He didn't see anything related to an obstinate customer and wanted guidance.

Troutner replied the Public Service Commission (PSC) is going to require a section regarding discontinuation of water services if we are going to use rate paying funds. This was a starting point based on information received from previous meetings and discussions and this was like a soft discontinuation as opposed to a hard discontinuation. Giving the city an alternative to get compliance which is required by the PSC. I think its adequate but if you want something different, you can give me direction on what language to say.

Diny questioned if the wording could be done by the next meeting.

Troutner replied she would get it done by the next meeting.

No Action Needed.

6) Discussion and Possible Action Approving Next Steps of a Proposed Solar Array for the Drinking Water Treatment Facility.

Henke presented. View Discussion and [Presentation](#) beginning at 1 hour, 10 minutes, 8 seconds.

Henke presented that recommendation would be to go with slide 7, page 77 of the packet of the 720 kilowatts with the installation cost of \$2.57 million stating that it uses the property for a green, ecofriendly purpose, uses the property to build resiliency into the water plant, that gives best return on our investment, leaves room for future expansion, and meets the surrounding community's concerns.

Lindman stated the next steps would be pursuing funding and working with WPS on interconnect agreements, designs, and layouts. Even with ARPA funding that would need to be obligated before end of 2024 maybe do a contract this year and do a late 2025-2026 timeframe. That would give us time to pursue Department of Energy (DOE) grants and inflation reduction act grants to help fund the project. This is more a long-term cost savings project for the utility and rate payers. We are not just looking at short term, this would help mitigate future rate increases as we move forward. We look at the payback but if this could be net neutral and over time it helps reduce our operation costs that's a win for all the users in the city.

Force reiterated the importance of demonstrating not only using the payback as a factor in determining this project but that it also demonstrated an ecologically and environmentally friendly project that puts this city on the map as supporting green energy.

*Robinson motioned to accept the recommendation of the solar array task force and direct appropriate staff to prepare the necessary presentations relative to the next steps of implementing the plan. Seconded by Gehin.

Motion carried 4-0.

7) Discussion and Possible Action Approving a Budget for Additional Staffing as Recommended.

Lindman outlined the budget item, what the impact would be as well as Ehler's information. Both the Water and Wastewater Utility have capacity to add staff and would like support from the commission on a budgetary standpoint and move this along to HR Committee for consideration and council. We are proposing adding 2 staff at Wastewater and 1 at Drinking Water facility this year.

Robinson stated this added about \$700,000 annual cost adding all recommended staff at both water and wastewater. We're playing the excess revenue for capital projects and operations. We're factoring in all costs and impacts, in 2025, when you have that add on, can we absorb that without rate increases? Is this just for the 3 positions?

Lindman replied we are not adding all the staff recommended at once, this will be evaluated annually as operations continue. One of the biggest concerns were our user rates but after what Ehler's put together, I'm comfortable with moving this forward. We looked and based this as an absolute need to add additional staff. Brooks and Boers put together what hours we have available from staff and what hours we need and we don't have enough hours to complete our required work, not taking into account emergent situations that arise. A critical priority is to begin adding staff on a slow basis and evaluating how that effects our operations and improvements with efficiencies. The final approval goes to HR and Council, there's plenty of information here to support the request and the utility could support the 3 staff.

*Robinson motioned to approve this recommendation and move it to HR adding 1 staff for Water and 2 for Wastewater staff division. Seconded by Gehin.

Gehin stated adding these 3 employees puts us at 35 employees combined from both Water and Wastewater. He recalled there were over 50 employees.

Diny stated budget would be the driver here and we don't have an appetite for raising rates. The additional staff would be helpful to the utility as we have an increase in locates. Motion carried 4-0.

Force questioned if it was worth our time to raise this issue of locates to legislature. Maybe drafting a letter to the legislature and pointing out the cost factor?

Boers replied it would help if we get some type of relief but it would take an act of legislature to appeal that. As a utility, we are required to maintain our items and make other companies aware of where our items are at while they are working around it. We don't have to do the work but we would be responsible if there were any damages.

Lindman stated next time he saw Snyder or any other legislature, he'd speak with them in trying to figure out how to generate revenue to cover costs with locating utilities. Force stated he was thinking that a formal request from a governing body may be beneficial.

8) Discussion on Wastewater PFAS Sampling Results from March 2024.

Brooks began that with March's testing, it concluded the 6 months the commission was requesting. The proposed effluent limits were highlighted at the top of the sheet. The bio solids are also below the limits of 16ng/g. The combination of PFOA/PFAS is 6.91ug/kg.

Diny advised this will roll into the Director's Report.

Robinson questioned the requirements for sampling with the new WPDES permits?

Brooks replied 1x a month for 2 years. We are not sure if there would be a Total Maximum Daily Limit (TMDL), meaning we discharge into the river or not because there hasn't been any firm talk on that yet.

No Action Needed.

9) Discussion and Possible Action Approving the Purchase of a Truck Chassis That Will be Converted into Tanker Truck Used for Collection System Flushing Maintenance.

Brooks began their flushing truck failed. We received Boer's old tanker and would like to purchase a truck chassis that would be used as a tanker truck with accessories to make this project complete. We are looking at around \$27,000 for the truck and accessories.

*Force motioned to approve the expenditures for this truck. Seconded by Robinson who amended the motion to approve the purchase of a truck chassis not to exceed \$27,000.

Motion carried 4-0.

10) Adjourn.

Gehin motioned to adjourn. Seconded by Robinson.

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

Gina Vang, Recording Secretary

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TO: Wausau Waterworks Commission

FROM: Eric Lindman, P.E.
Director of Public Works & Utilities

DATE: June 25, 2024

SUBJECT: Updated Lead Service Line (LSL) Replacement Ordinance

Based on previous discussions related to the LSL ordinance there are sections of the ordinance that were simplified in order to allow the Commission/Council to determine financial and timelines for replacement of lead water service lines.

Each year the replacement of lead water service lines will be evaluated, for both a schedule of replacements and financial obligations. The ordinance, as proposed now, does not try to define either of these items but outlines the requirement and priority for replacement as well as who is responsible for which portion of the lead service line and allows the city to adopt a financing plan as needed on a year-to-year basis. Keeping the ordinance more general allows wide flexibility based on annual funding and prevents the need for continuous amendments of the ordinance.



Minutes of June 25, 2024

A meeting of the Wausau Water Works Commission was called to order at 10:00 a.m. in City Hall on Tuesday, June 25, 2024. In compliance with Wisconsin Statutes, this meeting was posted and receipted for by the Wausau Daily Herald on June 21, 2024.

Members Present: President Diny, Commissioners Robinson, Gehin, Watson

Excused Member: Force

Others Present: Scott Boers, Eric Lindman, Ben Brooks, Anne Jacobson, Tegan Troutner, MaryAnne Groat

1) Approve Minutes of June 4, 2024 Meetings.

Watson motioned to approve minutes. Seconded by Robinson.

Motion Carried 4-0.

2) Director's Report on Utility Operations.

Lindman highlighted the updates on the Lead Service Line Replacement with the current project and the funding application for 2025 and for the loan closing this year. Department of Natural Resources (DNR) wasn't ready to close on the loan earlier so we went through with CIP and started uploading our documents. We are up to the point now where we only need our financials uploaded. The quickest we could close might be in August but it may get pushed to September. Goal is to make the August City Council meeting with the financial assistance agreement for approval. Installations for the lead service line replacements began this week starting on the southeast side then will proceed to the other 2 census tracks with the plan to replace about 700 this year. Anyone have any questions?

Director's Report Placed on File.

3) Discussion and Possible Action Approving a Lead Service Line Replacement Ordinance.

Diny advised this had several iterations and the approach is to keep it as general as possible to give us flexibility moving forward not knowing all the details on grants, or timelines for funding moving forward. We are required as part of the grant application process and given points that allow us these grants to make it easier for the city to complete this task. I'd like to see us move this to council for consideration.

Gehin questioned if we could amend the draft to state meter instead of customer's meter? it was in the previous draft but didn't see it in this one. There should be verbiage explaining the lead service line to be replaced is from the curb box to the water meter and not the internal plumbing of the home, this should be made clear.

Robinson questioned if we wanted to have verbiage subject to council approval if we don't have funds on the private side and need to do special assessment, does the commission have permission to enforce special assessments? Looking at financing 13.66.080- page 6- Financing replacement, is there opportunities or special assessments?

Lindman replied, that's a special charge because it's the private side but the next paragraph says the city may establish a program to provide financial assistance to the property owners

which leaves that ability open and would need to be approved by council to set up a loan repayment or special charge. That would be a recommendation by the commission to council who would make the decision when it comes to financials just like other assessments and projects. If there's a program in place, the council will establish that program that includes the payback and terms associated with the cost.

Troutner reiterated that it would be the council who made the final decision if the city establishes a program to apply for financial assistance so it's not set in place right now because the city may or may not establish it.

Diny replied, it is the homeowner's responsibility. If you look at this year, we are looking at 2/3, 1/3, if we were charging, it would be \$1,500 over 5 years pay back, roughly \$300 year. But because we can't predict the next 3-5 years and funding availability and variables, this is the best language.

Lindman reiterated that the commission sets the priority for the projects but the council establishes the funding for it, if the commission wanted to do a project, like in our capital projects, and the council is not supportive for funding it, those projects don't happen, so ultimately the council determines the financial decisions during the budget process and any special projects.

Robinson stated he didn't see that in the ordinance.

Troutner advised while its not written in the statutes, that's how the procedures go. If you keep reading, ordinance refers to the council. Do you want subject to public funding added to the 2nd paragraph, city may establish a program to provide financial assistance?

Lindman replied, the language we chose saying the city may establish a program refers this back to the Council. The council is the decision maker for the financial portion. From legal standpoint, the city council makes the decision and changes for the special assessments. I have spoken with CIP at length and there will be the start of a broader public outreach campaign for the lead service lines to include health risks and education about the equiflow program and its association with the city. We were on tight deadlines so we focused on the first couple of census tracks but we need to reach out to the rest of the city. From year to year there will be potential complaints that some residences get their replacement for free and others may have to pay, this is in part to how the federal funding is being dispersed.

Gehin moved to approve lead service line replacement ordinance amending the customer's meter to generic water meter if that's still in this draft and a statement that this doesn't apply to internal plumbing, just the line from the curb to the water meter and not beyond that. Seconded by Watson.

Motion carried 4-0.

4) Discussion and Possible Action on the 2023 Public Service Commission (PSC) Report.

Lindman began Groat is here in case of any financial questions but over the last few years there have been items added by the PSC such as age of our water mains and inventory of service lines. The inventory continues to be a living document and will be updated as we go through the lead service line replacement projects. We have return on rate computation in the report and outline sale of water and calculated water loss. There is a lot of information in here.

Groat highlighted this is the first year of workday so there were many challenges to complete the report in the order the PSC wants to see it, next year will be better. Every year PSC adds additional information they want. Revenues were \$10.1 million vs the \$7.5 million the previous year so \$2.6 million increase in revenues. Operating expenses \$1.2 million increase, chemicals were a big part of that. Net income \$2.9 million vs \$1.4 million. You could see down on the report, misc. non-operating income \$1.1 million; this is contributions from the city for the projects so its not real cash. Page F7 is the balance sheet, cash continues to be a

struggle for the water utility. Operating cash was a deficit of \$147k, compared to \$923k at end of 2022. Investment in assets about \$800k worth of meters. Debt increased as the utility took out interim financing of \$17.5 million for GAC with loan closing this Thursday. There is a rate of return in here, page F23- 4.23% vs 3.02% of last year, hopefully, a full year this year of rate will help us gain our cash position back to a positive rate. We postponed payment back to the sewer utility to help with cash. The sewer's income is based on water usage so they need to pay for meter costs as well. The PSC governs the process to allocate meter costs to the sewer utility, they are paying a depreciation rate over a 20-year period and not looking at those upfront costs.

Lindman stated in 2018, we changed over meters from Neptune to Sensus, our goal was to increase meter exchanges throughout the city, we had old meters not reading so meter readings and usage are not accurate, we are losing revenue on an annual basis. When we started ordering those meters, they became hard to get, manufacturers shut down. We had about 8,000 meters on order and those orders just carried over year to year. Last year and going into this year we started getting those meters and that is why there is such a large cash outlay instead of over 5–6-year period.

Groat referred to W-07 for tax equivalent that the water utility pays the city based on an average plant and tax rates, the calculation came out to \$1.8 million, the city defrayed and allocated \$1.5 million. In August, Ehler's will go through financial projections to look at ways we could decrease that. I have my hands in both the Utility and City's pockets, if you take from one the other pocket is lighter. All parts of government are being affected by inflation.

Gehin questioned if there was a typo on the number of employees. Page1 of Schedule F06 says 31 employees. This report should not include the sewer.

Groat replied it could include sewer utility and the front counter.

Lindman replied 21 is not accurate either. Dvorak advised she had made a correction but not sure which part she corrected.

Gehin questioned the 17% water loss. Last year was under 10%.

Lindman replied that a lot of it had to do with the meters. One was just changed out from 1968. We have a lot of meters in the 2000s that are no longer reading. This year is the first year we are shutting off water to force residents to allow us to make meter changes. When the new meters go in, we'll start getting complaints because they haven't really been paying their appropriate water bills.

Boers stated, we've been working on trying to be more accurate in our water facility. Water meters at the new plant was tested after the first year and remain accurate. We started using more metering at our process water, so if we had running water line for freezing, we are putting a meter and getting more accurate reading. Our reporting has gotten better, there are only a couple of variables left and water meters were one of them. We have a lot of meters that were put in 2012-2013 that are reaching that 10-year lifespan. Last couple of months, we've been looking at the failure rates, there's a large failure rate meters that we are going through. We couldn't get meters for a couple of years, then we had the switch of meters, then covid, so we couldn't get into the homes. 2 years ago, we ordered 8,000 meters and last year and first part this year we finally got 2,500. We are holding onto those too because we don't want to go into people's homes for the lead service lines and not replace those meters. If they are getting a new service, we are changing out their meters at that time. Couplings and elbows are getting hard to find and we have those ordered too but just haven't received them. We are suspecting more loss through the meters and residence/homeowners than the distribution lines.

Robinson questioned if we should put the rain barrels under the water conservation program.

Boers referred to Lindman as he asked the PSC and they advised not to put it in the report.

Gehin questioned what the standard was and if it were 15% water loss?

Diny stated we'll have to weigh those out for the replacements, because if we asked the homeowners to bring their meters out of a pit, then later we go in and change their water service lines they may be paying twice, we want to make this as equitable as possible for the homeowners. We need to make every effort to get our water loss under 15%.

No Action Needed.

5) Update from Regulatory Affairs Seminar and Upcoming Regulations.

Lindman stated he attended the seminar and this year they focused on lead service line replacements. There's a lot of agencies we don't hear from that speak and attend this conference. Like the Association of State Drinking Water Administrators (ASDWA), they tell the DNR what to do. Hearing about what regulations might be coming down. There's going to be no shortage of additional regulations coming down which all deals with economics. The big push right now is Cyber Security and that would be additional costs to the utility both Water and Wastewater, those are happening and will be coming in the next 12-18 months, there could be requirements. The DNR/EPA is going to continue to look at the regulations whether it's the lead and copper rule, disinfection byproducts rule, or other emerging contaminants, all the municipalities that were there were pushing back stating this continued push is inundating users with costs that we can't keep up with.

Robinson questioned the pinch points relative to cyber security because we are automated.

Lindman replied, it's the remote access. The operators on call could remote access in with a tablet, some consultants provide updates remotely to our SCADA system and programming. A Cyber Security assessment will eventually be required, then a cyber security plan. The DNR says the EPA wants to regulate cyber security directly to utilities and they are not happy with that because the DNR regulates the utilities, there's friction there with the Feds and the State. DNR says they don't want to house these documents and it's an open record, so they don't want them to be accessed. They are not sure how they are going to regulate it, that's one of the holdups. As we know more, I will provide updates.

No Action Needed.

6) Discussion and Possible Action Establishing a Day and Time for the Monthly Wausau Water Works Commission Meeting.

Diny questioned what the commissioner's thoughts on dates/times were after sharing the availability of the Council Chambers and could do like 11 to 12:30 to be more accommodating.

Gehin preferred earlier in the week. Watson preferred around lunch hour.

Consensus reached to schedule meetings in the AM starting with August 6th to move from 1:30pm to 11:00am. 1st Tuesdays 11:00AM to 12:30PM.

All present agrees, no formal Action Taken.

7) Adjourn.

Watson motioned to adjourn. Seconded by Gehin.

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

Gina Vang, Recording Secretary

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OFFICIAL PROCEEDINGS OF THE WAUSAU COMMON COUNCIL

held on Tuesday, July 9, 2024, in Council Chambers, beginning at 6:30 p.m.,
Mayor Doug Diny presiding.

Roll Call

07/09/2024

Roll Call indicated 11 members present.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	YES

Public Comment: Pre-registered citizens for matters on the agenda and other public comment

07/09/2024

1. Tom Kilian, 133 E. Thomas Street – spoke in favor of reducing the PILOT payment.
2. Orlando Alfanzo, 1015 Brown Street – spoke in opposition of the Lead Hazard Reduction Capacity Building grant and the ordinance on lead service lines and in favor of reducing the PILOT payment.
3. Jon Radtke, 703 Franklin Street - spoke in opposition of the ordinance on lead service lines.
4. Sid Ehfard, 302 Bopf Street – spoke in opposition of the ordinance on lead service lines.

Consent Agenda

07/09/2024

Without objection, item 24-0714 was pulled from the agenda for consideration by the Mayor

Motion by Larson, seconded by Lukens, to adopt all the items on the Consent Agenda as follows:

24-0701 from the Common Council Approve Minutes of a previous meeting(s) (06/11/2024).

24-0703 Ordinance from the Planning Commission Rezoning 1011 N 5th St from an MRL-12, Multi-Family Residential-12 to an NMU, Neighborhood Mixed Use.

01-1024 Joint Ordinance from the Infrastructure and Facilities Committee and Plan Commission Amending annexation ordinance no. 497-01L (annexing territory from the Town of Weston to the City of Wausau - Gilbertson - Poplar Lane).

93-0918 Joint Ordinance from the Infrastructure and Facilities Committee and Plan Commission Amending annexation ordinance no. 497-93E (annexing territory from the Town of Weston to the City of Wausau – Greenwood Hills).

24-0406 Final Resolution from the Infrastructure and Facilities Committee and Plan Commission Vacating and discontinuing a portion of right-of-way south of Adams Street abutting 1010 and 1012 Everest Boulevard and 1100 Highland Park Boulevard (that portion known as N. 11th Street on plat H.B. Huntington’s Addition to the City of Wausau, Document No. 167682.)

24-0711 Ordinance from the Infrastructure and Facilities Committee Designating no parking on the north side of Norton Street beginning 135 feet east of N. 1st Avenue extending to 150 east of N. 1st Avenue.

24-0712 Ordinance from the Infrastructure and Facilities Committee Designating no parking on the west side of Stettin Drive from Stewart Avenue to S. 44th Avenue and no parking on the east side of Stettin Drive beginning at the intersection of Stewart Avenue and extending 500 feet north.

24-0715 Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Aspirus Wausau Hospital – 333 Pine Ridge Boulevard).

24-0716 Resolution from the Infrastructure and Facilities Committee Approving State/Municipal Agreement for Transportation Alternatives Program (TAP) Project – 72nd Avenue Trail South Extension, Sunnyvale Park to Stewart Avenue.

24-0717 Resolution from the Infrastructure and Facilities Committee and Plan Commission Accepting dedication of right-of-way, accepting permanent utility easement, and accepting temporary easement for cul-de-sacs at the west end of Old Coach Road and at the west end of Birchwood Drive.

24-0108 Resolution from the Public Health & Safety Committee Approving Various Licenses as Indicated.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0714 **07/09/2024**

Motion by Henke, seconded by Watson, to adopt the Resolution from the Infrastructure and Facilities Committee Approving Agreement for the Management and Maintenance of a Stormwater Facility (Wausau School District – 1200 West Wausau Avenue).

Lukens stated concerns with microplastics and crumbed rubber used in the artificial turf at this particular site outlined in the agreement. It was stated the city maintained a strong relationship with the school district and this concern was raised to bring attention to this item of concern.

Rasmussen stated similar environmental concerns and player impacts of artificial turf. It was stated the facility is now in place and that the agreement must be approved to ensure those facilities are maintained for stormwater capacity.

Kilian stated more decisions made by the Common Council should consider environmental impact and thanked Lukens for bringing the concerns forward.

Lukens stated a desire to find a more sustainable and player friendly alternatives for the artificial turf.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 9 No Votes: 2 Abstain: 0 Not Voting: 0 Result: PASSED

24-0704 **07/09/2024**

Motion by Henke, seconded by Lukens, to adopt the Resolution from the Finance Committee Authorization to Accept Lead Hazard Reduction Capacity Building grant through the Office of Lead Hazard Control and Health Homes through the U.S. Department of Housing and Urban Development.

Kilian stated the upfront amount of levy needed to support this program with an unknowing funding source and that the Economic Development Department did not have the staff capacity to support the program as well.

Martens stated the program was meant to identify lead in homes but did not provide funding for, or the ability to remediate, lead within homes.

Lukens stated opposition based on staff recommendations and statements provided by other alders.

Tierney stated opposition based on the capacity of the program to identify lead but not remediate it from homes.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	NO
3	Kilian, Terry	NO

4	Neal, Tom	YES
5	Gisselman, Gary	NO
6	McElhaney, Becky	NO
7	Rasmussen, Lisa	NO
8	Watson, Sarah	NO
9	Tierney, Vicki	NO
10	Larson, Lou	NO
11	Henke, Chad	NO

Yes Votes: 1 No Votes: 10 Abstain: 0 Not Voting: 0 Result: FAILED

24-0710

07/09/2024

Motion by Lukens, seconded by Henke, to adopt the Resolution from the Economic Development Committee Approving Sale of 1210 N. 3rd Street by the City of Wausau to DNA Taverns, LLC.

Gisselman stated the anticipated use for the lot would be for additional parking and stated the neighborhood and a nearby park should be considered in approving the sale.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

Suspend the Rules

07/09/2024

Motion by Larson, second by Henke, to suspend Rule 6(B) Filing and 12(A) Referral of Resolutions for 24-0705, 24-0706, 24-0707, 24-0708, 24-0709, 92-0623.

Rasmussen made a parliamentary inquiry on if the rules are suspended, does that suspension mean automatic consideration of item 24-0718. It was stated if the motion to suspend the rules was passed, it would include the remainder of the agenda items for consideration.

Without objection, the Chair pulled item 24-0718 to be considered under the suspension of the rules separately and only items 24-0705, 24-0706, 24-0707, 24-0708, 24-0709, 92-0623 would be considered under the suspension of the rules at this time.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0705

07/09/2024

Motion by Watson, seconded by Larson, to adopt the Ordinance from the Wausau Water Works Commission Creating Chapter 13.66 Lead and galvanized water service line replacement, Section 13.66.010 Intent and purpose, Section 13.66.020 Authorization, Section 13.66.030 Rules of construction and definitions, Section 13.66.040 Survey and inspections, Section 13.66.050 Partial or full service line material replacement; public side or customer side, Section 13.66.060 Replacement priority, Section 13.66.070 Application and Scheduling, Section 13.66.080 Financing of replacement, Section 13.66.09 as amended.

Kilian stated constituents had reached out with concerns on public notice and lack of public input. It was stated the main concern with citizens is how the ordinance impacted them and if they would need to pay out of pocket for the cost of lead line replacements. Kilian stated a preference for tabling the ordinance until adequate notice can be given to the public and with more opportunity for public comment in multiple languages.

Rasmussen questioned if the scaling up of the line replacement program would come as funds are available through grants and that if grant funding was not available the cost would not be passed down to individual residents. It was stated the funding is determined upon on a year-by-year basis. Rasmussen stated concerns with not being able to leverage grant funding if there was no ordinance mandating lead line replacements on the public and private side and enforcement pieces for homeowners. It was further stated a goal to scale up the project as grant funding is made available and scale down as grant money is not accessible.

Motion by Rasmussen, seconded by Larson, to amend 24-0705 to add the clause, "Mandated lead service line replacement will only proceed as grant monies are available to fully fund the private side obligation for the full lead service line replacement and all related construction for the property owner."

McElhaney questioned if the grant funding would include driveway and landscaping work as part of the replacements. It was stated this was intended to include property restorations. *Without objection*, a friendly amendment was offered by McElhaney to specify all related construction.

Tierney stated an understanding of the amendment was to use the available grant money to ensure the private lead lines would be replaced without charging the residents. It was stated this was how this solution was presented to the public along with opportunities for public input.

Neal questioned if the amendment should make it clearer that the program would be fully funded for residents. It was questioned if there should be limits to what property restorations are covered. It was stated the disturbance to property is minimum and a limit to restoration costs would not be necessary. *Without objection*, a friendly amendment was offered by Neal to include fully funded.

Lukens stated support for the amendment and questioned if this amendment would be compatible with regulations of the Wisconsin Public Service Commission. It was stated that was only applicable if the utility funded private lead line replacement. Lukens stated this work would only cover lead lines and not the pipes inside homes.

Gisselman questioned the process of developing this ordinance without more public input and stated support for protecting citizens as much as possible while ensuring all citizens are made aware of the ordinance.

Kilian stated the amendment was a positive effort to protect the residents of the city. Kilian also stated the ordinance should not move forward until formal citizen input was provided.

McElhaney stated uncomfortableness with the ordinance without more clarification among the regulating agencies. It was stated that if grant money requires an ordinance it presents an unknown that can not be supported.

Rasmussen stated the goal is protecting residents against baring the burden of paying for lead line replacement and restoration.

Kilian stated there was a concern with this moving forward until there was public input sessions as they felt the city ordinance would leave citizens without a choice.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	YES
2	Martens, Michael	YES
3	Kilian, Terry	YES
4	Neal, Tom	YES
5	Gisselman, Gary	YES
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	YES
8	Watson, Sarah	YES
9	Tierney, Vicki	NO
10	Larson, Lou	YES
11	Henke, Chad	YES

Yes Votes: 10 No Votes: 1 Abstain: 0 Not Voting: 0 Result: PASSED

Watson questioned if a joint meeting with the Wausau Water Works Commission would be appropriate and asked to get a more layman's understanding of the ordinance and its impact ahead of future meetings out to the public.

Gisselman stated a preference of a Committee of the Whole to discuss this matter more thoroughly.

Watson requested the ordinance be sent to the regulating agencies for their input.

Lukens requested information be provided to the public on this ordinance in multiple languages.

Motion by Gisselman, seconded by Neal, to postpone consideration of the item 24-0705 to the August Common Council meeting.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0706 **07/09/2024**
Motion by Lukens, seconded by Rasmussen, to adopt the Resolution from the Finance Committee Approving Interlocal Agreement between the City of Wausau and Marathon County for the 2022 Byrne Justice Assistance Grant Program Award.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0707 **07/09/2024**

Motion by Lukens, seconded by Watson, to adopt the Resolution from the Finance Committee Approving Interlocal Agreement between the City of Wausau and Marathon County for the 2023 Byrne Justice Assistance Grant Program Award.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0708 **07/09/2024**

Motion by Lukens, seconded by Tierney, to adopt the Resolution from the Finance Committee Authorizing the City of Wausau to enter a 3-year (2024-2027) shared services agreement with the Wausau School District for School Resource Officers.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

24-0709 **07/09/2024**

Motion by Rasmussen, seconded by Larson, to adopt the Resolution from the Finance Committee Approving United Way impact grant funding for assisting the unhoused with security deposits.

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

92-0623 **07/09/2024**

Motion by Larson, seconded by Tierney, to adopt the Resolution from the Finance Committee Approving First Amendment to Agreement for Lease to City of Parking Lot-Third and McClellan Streets (Curly Kale LLC).

Yes Votes: 11 No Votes: 0 Abstain: 0 Not Voting: 0 Result: PASSED

Suspend the Rules **07/09/2024**

Motion to consider the motion to take up 24-0718 objected by Rasmussen.

Rasmussen stated opposition to this resolution for consideration as it was not brought forward to a standing committee for consideration. It was stated the city's financial planner is going to conduct a meeting with the Finance Committee on the PILOT payment and this resolution is premature. Rasmussen stated the Mayor can propose a budget to the Common Council without direction from the Common Council at the forefront as this resolution does. It was stated the process was not the process of the city.

Point of Order by Watson on debating the suspension of the rules. *Point of Order not well taken by the Chair* as this was on the objection to take up the resolution and not the vote on suspension of the rules. The Chair stated this resolution was meant to provide guidance to the Mayor and President of the Wausau Water Works Commission to move forward.

Point of Order by Neal on why the vote to suspend the rules was not taken up. *Point of Order not well taken by the Chair* as this was on the objection but it was recommended that the vote to suspend the rules should be taken up.

Motion by Larson, seconded by Tierney, to Suspend Rule 6(B) Filing and 12(A) Referral of Resolutions for 24-0718.

<u>District</u>	<u>Aldersperson</u>	<u>Vote</u>
1	Lukens, Carol	NO
2	Martens, Michael	NO
3	Kilian, Terry	YES
4	Neal, Tom	NO
5	Gisselman, Gary	NO
6	McElhaney, Becky	YES
7	Rasmussen, Lisa	NO

8	Watson, Sarah	YES
9	Tierney, Vicki	YES
10	Larson, Lou	YES
11	Henke, Chad	NO

Yes Votes: 5

No Votes: 6

Abstain: 0

Not Voting: 0

Result: FAILED

Public Comment & Suggestions

07/09/2024

1. Jay Kronenwetter, 310 Sturgeon Eddy Road – spoke on the Wausau School District Citizens Task Force on Elementary School Redistricting
2. Tom Kilian, 133 E. Thomas Street – spoke on low/moderate income linguistic rates, Wyatt Street environmental testing impact on federal funding, the Hmong language meeting the safe harbor threshold for Metro Ride Title XI analysis, lack of translation services, and the Liberation and Freedom Committee.

Adjourn

07/09/2024

Motion by Lukens, second by Henke, to adjourn the meeting. Motion carried. Meeting adjourned at 8:45 p.m.

Doug Diny, Mayor

Kaitlyn Bernarde, City Clerk

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

ORDINANCE OF THE WAUSAU WATER WORKS COMMISSION	
Creating Chapter 13.66 Lead and galvanized water service line replacement, Section 13.66.010 Intent and purpose, Section 13.66.020 Authorization, Section 13.66.030 Rules of construction and definitions, Section 13.66.040 Survey and inspections, Section 13.66.050 Partial or full service line material replacement; public side or customer side, Section 13.66.060 Replacement priority, Section 13.66.070 Application and Scheduling, Section 13.66.080 Financing of replacement, Section 13.66.090 Exceptions, Section 13.66.100 Prohibitions, Section 13.66.110 Severability, Section 13.66.120 Penalties.	
Committee Action:	Ordinance Number:
Fiscal Impact:	2024: Total Allocation- \$5,790,028 (Principle Forgiveness - \$3,641,078; Loan Amount - \$2,148,950 (this should be at a rate of 0.5%)) Potential for up to \$60,000,000 out-of-pocket in the following four years depending on availability of funding
File Number:	Date Introduced:

The Common Council of the City of Wausau do ordain as follows:

Section 1. That Chapter 13.66 Lead and galvanized water service line replacement is hereby created and made up of the following Sections outlined below.

Section 2. That Section 13.66.010 Intent and purpose is hereby created to read as follows:

13.66.010 Intent and purpose.

Lead in drinking water poses a threat to the public health. Leaching of lead from lead service lines or from galvanized lines, that are or were downstream of lead, are sources of lead in drinking water. Additionally, aged water services including lead and galvanized lines can be a source of water loss and potential contamination. The Common Council of the City of Wausau therefore finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead and galvanized service lines in use within the Wausau Water Utility distribution system, and to that end, declares the purposes of this Chapter to be as follows:

- (1) Continue to ensure that the water quality at every tap of Wausau Water Utility customers meets the water quality standards specified under the Federal Safe Drinking Water Act;
- (2) Continue to reduce the level of lead in the City's drinking water to meet EPA standards in City drinking water for the health of City residents;
- (3) Continue to meet the Wisconsin Department of Natural Resources requirements for local compliance with the EPA's Lead and Copper Rule, as revised and amended;
- (4) Continue to replace all high-risk lead water service lines and all remaining lead water service lines in use in the City; and
- (5) Limit costs by setting a service replacement schedule when federal, state, or local funding is available.

Section 3. That Section 13.66.020 Authorization is hereby created to read as follows:

13.66.020 Authorization.

This Chapter is enacted pursuant to Wis. Stats. §§ 62.11(5), 281.12(5), 66.0627(8), and 196.372, and as mandated by 42 USC 300g of the Federal Safe Drinking Water Act, as amended, enforced by the EPA and the WDNR.

Section 4. That Section 13.66.030 Rules of construction and definitions is hereby created to read as follows:

13.66.030 Rules of construction and definitions.

This section and all rules and orders promulgated under this section shall be liberally construed so that the purposes enumerated in Section 13.66.010 may be accomplished. Words and phrases shall be construed and understood according to their common and usual meaning unless the contrary is clearly indicated. Within this chapter:

Childcare facility means any state-licensed or county-certified childcare facility including, but not limited to, licensed family childcare, licensed group centers, licensed day camps, certified school-age programs and Head State programs.

City means City of Wausau.

Confirmed water sample test means a tap water analysis, completed after a prior analysis that indicated lead levels at or above the EPA action level, and conducted in accordance with the Lead and Copper Rule, as revised and amended, with Wis. Admin. Code § N 809.547, and with instructions provided by the Wausau Water Utility.

Customer-side water service line means the water conduit pipe running from the water meter to the curb stop which is the Water Utility shut-off valve usually located behind the curb on public property.

Distribution system means the network of water pipes, including water mains and water service lines, owned and operated by the City of Wausau Water Utility.

EPA means the U.S. Environmental Protection Agency.

EPA action level means a measure of the effectiveness of the corrosion control treatment in water systems, as established by the Safe Drinking Water Acts Lead and Copper Rule, as revised and amended.

Federal Safe Drinking Water Act as codified as 42 USC §§ 300f - 300j-26.

Director means the Director of Public Works and Utilities.

High risk lead service means a lead and/or galvanized customer-side water service line identified in Section 13.66.050 and any lead and/or galvanized customer-side water service line where a confirmed water sample test of a customer's tap water reveals a lead concentration at or above the EPA action level.

Lead and Copper Rule means the rules created by the EPA, as revised and amended, and adopted by the WDNR in response to the passage of the Safe Drinking Water Act, which provides maximum containment level goals and national primary drinking water regulations (NPDWR) for controlling lead and copper in drinking water. NPDWR regarding approved treatment techniques include corrosion control treatment, source water treatment, lead and galvanized water service line replacement and public education. The rules may be found in 56 FR 26460, 40 CFR 141.80—141.90, and Wis. Admin. Code §§ NR 809.541 through 809.55.

Lead water service line means a water service line made of lead and/or galvanized steel, and any lead pigtail, gooseneck or other fitting which is connected to such a line. The term can apply to the customer-side water service line and/or the public-side water service line.

Licensed plumber means a person, firm, corporation or other entity licensed to perform plumbing work in the City by the State of Wisconsin.

Tenant means person or persons in actual possession of and living at a property.

PPB means parts per billion.

Property means any possessory interest, legal or equitable, in real property, including an estate, trust, or lien, and any buildings, structures and improvements thereon.

Property owner means a person or legal entity having a possessory interest, legal or equitable, in property, which defined term includes an estate, trust, or lien.

Service replacement schedule means the schedule adopted by the Wausau Waterworks Commission for the replacement of lead customer-side water service lines based on community resources; on availability of licensed plumbers and Water Utility resources to complete service line replacements; on physical location of properties with lead customer-side water service lines; and on availability of federal, state, or local funding.

Public-side water service line means the utility-owned portion of the water service line from the water main to the curb stop.

WDNR means the Wisconsin Department of Natural Resources.

Water Utility means the City of Wausau public water utility and its distribution system, also known as Wausau Water Works.

Section 5. That Section 13.66.040 Survey and inspections is hereby created to read as follows:

13.66.040 Survey and inspections.

Upon notice from the Water Utility, any person who owns, manages or otherwise exercises control over a property within the Water Utility distribution system shall allow the Water Utility to inspect the customer-side water service line or have the customer-side water service line inspected by a licensed plumber or other representative as authorized by the Director to determine whether the service line is lead, copper, cast iron, galvanized steel, plastic or other material.

Section 6. That Section 13.66.050 Partial or full-service line material replacement; public-side or customer side is hereby created to read as follows:

13.66.050 Partial or full-service line material replacement; public-side or customer-side.

- (a) All of the following service line material combinations are subject to partial or full replacement with copper, and/or plastic service lines under this division as identified:

SERVICE LINE MATERIAL REPLACEMENT

Public-Side	Customer-Side	Side Requiring Replacement
Lead	Lead	Both
Lead	Galvanized	Both
Lead	Copper	Public-side only
Lead	Plastic	Public-side only
Copper	Lead	Customer-side only
Copper	Galvanized	Customer-side only

Copper	Copper	Neither
Copper	Plastic	Neither
Plastic	Lead	Customer-side only
Plastic	Galvanized	Customer-side only
Plastic	Copper	Neither
Plastic	Plastic	Neither
Galvanized	Galvanized	Both
Galvanized	Copper	Public-side only
Galvanized	Plastic	Public-side only
Galvanized	Lead	Both

No other service line material combinations have been identified which require replacement under this division.

- (b) All lead water service lines (as defined in section 13.66.030) must be replaced regardless of location. Where both the customer-side and public-side water service lines are lead, the customer-side lead water service line shall be replaced at the same time as the public-side lead water service line and in accordance with any applicable state and federal requirements, as revised and amended and per section 13.66.070. If a customer-side lead water service line is connected to a public-side water service line that is not a lead water service line, the replacement of the customer-side lead water service line shall be completed under a schedule determined by the Water Utility, in compliance with all local, state, and federal requirements, as revised and amended. As of the effective date of the ordinance from which this Chapter is derived, no lead water service line will be allowed to connect to a Water Utility line once replaced.

Section 7. That Section 13.66.060 Replacement priority is hereby created to read as follows:

13.66.060 Replacement priority.

- (a) Owners, managers or persons otherwise exercising control over properties within the Water Utility distribution system with customer-side lead water service lines shall be required to replace the customer-side lead water service lines according to the order of priority and replacement schedule, that are established by the Wausau Water Works Commission.
- (b) Notwithstanding the schedules set forth herein and any limitations on funding sources which may be made available to either the Water Utility or the customer, all customer-side water service lines identified herein shall be replaced at a schedule in accordance with local, state, and federal law.

Section 8. That Section 13.66.070 Application and Scheduling is hereby created to read as follows:

13.66.070 Application and Scheduling.

All existing customer-side lead water service lines that connect to a public-side water service line must be replaced. The replacement schedule will be determined by the Water Utility.

Existing customer-side lead water service lines that are connected to a public-side water service line that is scheduled to be replaced or reconstructed as part of a Water Utility or City construction project shall be replaced in conjunction with the planned construction project. The Water Utility shall give written notice to the owner of their duty to replace the customer-side lead water service line. Scheduling of customer-side lead water service line replacements shall be coordinated with the Water Utility within 30 days of service of the written notice. Additional time to schedule the customer-side lead water service line replacement may be granted by the Director for good cause. Noncompliance with the Water Utility replacement schedule may result in enforcement pursuant to Section 13.66.120.

Section 9. That Section 13.66.080 Financing of replacement is hereby created to read as follows:

13.66.080 Financing of replacement.

Mandated lead service line replacement will only proceed as grant monies are available to fully fund the private side obligation for the full lead service line replacement and all related construction for the property owner.

~~A property owner shall be responsible for the cost of replacing the portion of a lead water service line that is a customer-side water service line that serves their property. The Water Utility shall be responsible for the cost of replacing all lead service lines that are public-side lead water service lines.~~

~~The City may establish a program to provide financial assistance to property owners replacing customer-side lead water service lines. If the financial assistance does not cover the complete cost of replacing the customer-side water lead service line, the property owner shall be responsible for the remaining balance.~~

Section 10. That Section 13.66.090 Exceptions is hereby created to read as follows:

13.66.090 Exceptions.

- (a) The Water Utility may modify the inspection requirement set forth under 13.66.040 if the customer so requests and demonstrates a compelling need.
- (b) Upon the demonstration of a compelling need, the owner of a single-family dwelling or a business to which the public has no access to tap water and with no

more than five employees, may request a change of schedule or an extension of time for compliance with Sections 13.66.050 through 13.66.070.

- (c) Guidelines for the consideration of requests under subsections (a) and (b) of this section will be established by the Wausau Water Works Commission.
- (d) Compliance deadlines will be calculated on a calendar year basis but may be deferred during the months of December through March on the basis of weather constraints.

Section 11. That Section 13.66.100 Prohibitions is hereby created to read as follows:

13.66.100 Prohibitions.

It shall be unlawful for any person to fail to comply with the applicable customer-side lead water service line replacement requirements as set forth herein or to violate any other provision of this Chapter.

Section 12. That Section 13.66.110 Severability is hereby created to read as follows:

13.66.110 Severability.

If any section or portion of this chapter is for any reason determined to be invalid or unconstitutional by the decision of a court of competent jurisdiction, that section or portion shall be deemed severable and shall not affect the validity of the remaining sections or portions of this Chapter.

Section 13. That Section 13.66.120 Penalties is hereby created to read as follows:

13.66.120 Penalties.

Any person who violates any provision of this Chapter may be subject to a forfeiture of no less than \$50.00 and no more than \$1,000.00. Each day a violation continues may be considered a separate offense.

Section 14. That Section 13.66.130 Authority to Discontinue Service is hereby created to read as follow:

13.66.130 Authority to Discontinue Service.

As an alternative to any other methods provided for obtaining compliance with this Chapter regarding replacement of a customer-side lead water service line, if it is determined by the Water Utility that an illegal customer-side lead water service line endangers public health, safety, or welfare, and requires immediate action, the Water Utility may discontinue water service to such

property after reasonable opportunity has been given to make the appropriate replacement. The customer shall have an opportunity for a hearing pursuant to Wis. Stat. Ch. 68 before the Wausau Water Works Commission, within ten days of such emergency discontinuation of services. Water service to such property shall not be restored until the illegal customer-side lead water service line has been removed, and its replacement has been installed in compliance with the provisions of this section and approved by the Water Utility.

Section 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 15. This ordinance shall be in full force and effect from and after its date of publication.

Adopted:

Approved:

Approved:

Published:

Attest:

Doug Diny, Mayor

Attest:

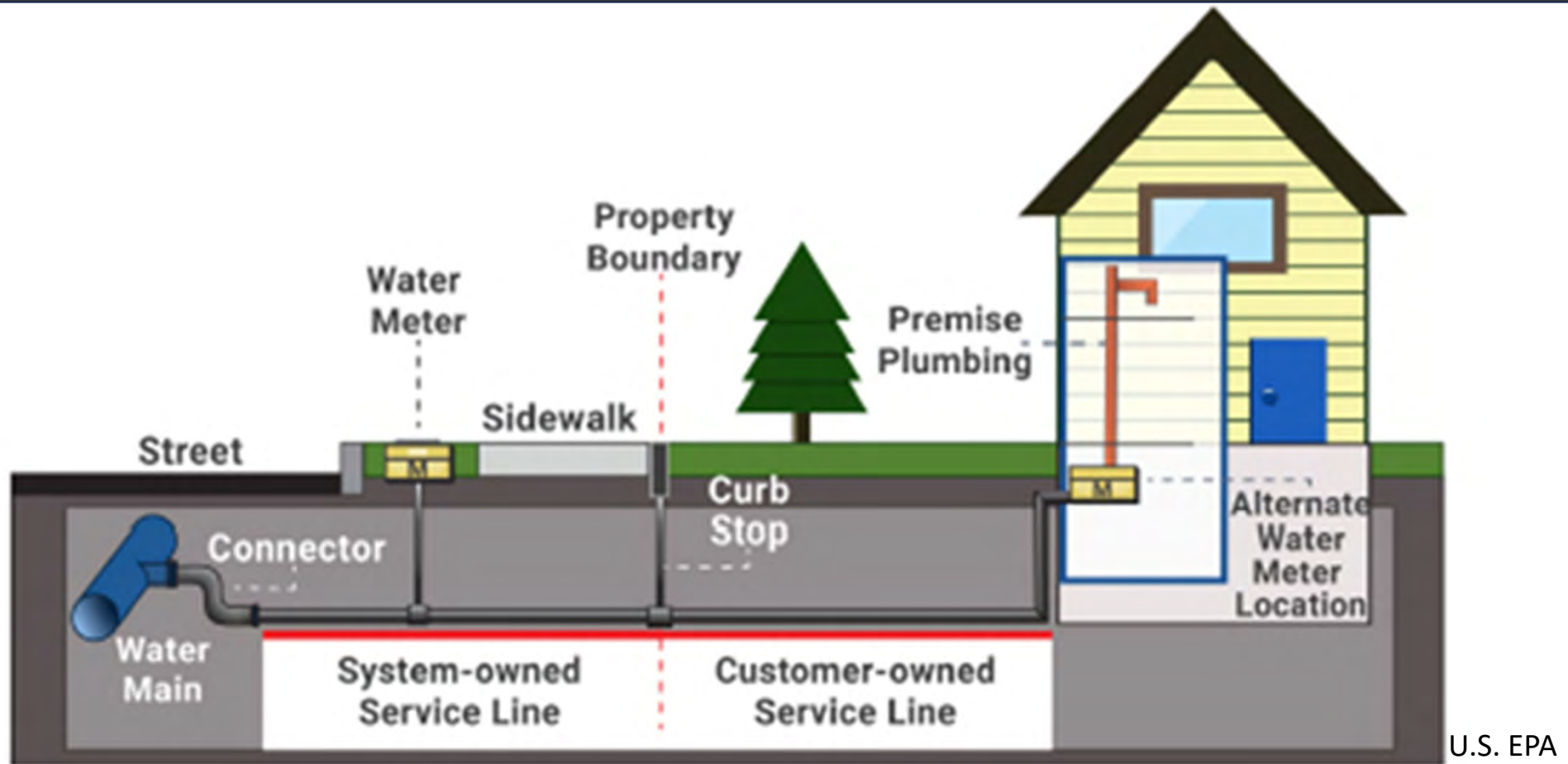
Rachel Brown, City Clerk

A close-up photograph of a hand holding three cross-sections of pipes. The pipes are arranged horizontally. The leftmost pipe has a dark, smooth interior. The middle pipe is heavily corroded, showing a thick, orange-brown rust layer. The rightmost pipe has a smooth, yellowish interior. The background is blurred, showing a person's arm and a blue object.

Mandatory Lead Service Line Replacement Ordinance

Committee of the Whole Meeting
July 13, 2026

What are lead service lines?



What is a mandatory LSL replacement ordinance?



- DRAFT ordinance is included in the packet information along with the council minutes from the last council meeting the ordinance was presented.
- A mandatory lead service line replacement ordinance requires each **owner** of a property that is serviced by a customer-side water service line containing lead to replace that customer-side water service line under certain conditions.^{GK1}
- Without an ordinance in place homeowners can decide NOT to replace their lead line.

Regulatory Requirements



Federal Regulations

- 2025 Lead and Copper Rule Improvements (LCRI) requires all Lead Service Lines to be removed from distribution systems by end of 2037. Added sampling requirements and lower action level thresholds creates a higher probability of lead exceedances requiring action by the utility.
- 2021 Lead and Copper Rule Revisions (LCRR) require water systems to prepare and maintain a service line inventory for both public and private side laterals.



State Regulations

- Wisconsin follows federal drinking water regulations and has some of its own state requirements related to reporting LSLs and replacements, including through the Public Service Commission (PSC).

PSC and DNR Funding



- Wisconsin Act 137 permits utilities and municipalities to provide financial assistance, through loans and grants, to private consumers for the express purpose of replacing private LSLs.
- Participation in Wisconsin Act 137 requires all LSLs to be replaced, both utility-side and customer-side.
- **In order to receive state approval from the Wisconsin Public Service Commission (PSC) to provide financial assistance to help customers replace customer-side LSLs, using ratepayer funds, municipalities must pass a municipal ordinance that outlines their general approach to implementing Wisconsin Act 137.**
- DNR LSL replacement funding program(s) provide more favorable scoring for applications from municipalities that have mandatory replacement ordinances.

Additional PSC, DNR, and EPA Requirements



- Per PSC: “The ordinance must require each owner of a premise located in the city, town, or village that is serviced by a customer-side water service line containing lead to replace that customer-side service line.”
- PSC requires all customers in the same customer class to be treated equally.
- There are various detailed state and federal requirements that water systems should consider in their ordinances, such as:
 - Notification to customers prior to system-side LSL replacement (e.g., 45 days)
 - Timing of customer-side LSL replacements, once the public-side LSL has been replaced (e.g., 90 days)
 - Provision of mitigation measures (e.g., filters) following LSL replacements
 - Customer-side LSL replacements within a certain timeframe after notification by the water system (e.g., 12, 24, or 36 months) and timing of customer-side LSL replacement scheduling following notification (e.g., 30, 45 or 60 days).

Have other WI communities adopted mandatory LSL replacement ordinances?



- YES, many!
- Municipalities can tailor their ordinances to local needs, for example, with additional stipulations related to:
 - Deadlines for required replacement
 - Subsidies towards replacement
 - Financial assistance program
 - Triggers for mandatory replacement (e.g., leak, emergency repair, damaged line)
 - Right of entry to property
 - Potential penalties for non-compliance, up to and including disconnection

Timeline Considerations: PSC Approval

If a community is seeking PSC approval to use ratepayer funds to pay for LSL replacement, it will need the following:

- Ordinance must be drafted prior to PSC application submittal, and
- Ordinance must be enacted prior to commencement of utilities' financial assistance program.

PSC Approval Timeline



What are the cost implications of a mandatory LSL replacement ordinance?



- Municipalities typically include varying cost and funding information in their ordinances, such as information about responsibilities for payment.
- Potential funding sources for LSL replacements may include:
 - DNR SDWLP BIL LSL funding
 - **An LSL replacement ordinance helps with application scoring.**
 - PSC approval for use of ratepayer funds
 - **An LSL replacement ordinance is required.**
- Outside funding (e.g., Community Development Block Grant (CDBG) funding) may also be available for LSL replacements.

Questions?



July
2026

EquiFlow Lead-Free Program

Progress Update & 2026 Outlook

City of Wausau | Wausau Water Works



Program Summary

LSL Replacements	2024	2025	2026	Total
Partial Replacements	600	253	1,010	1,863
Full Replacements	5	1,281	404	1,690
Total	605	1,534	1,414	3,553
<i>Rock Homes</i>	8	17	250	275

Funding Awards	2024	2025	2026	Total
Principal Forgiveness	\$2,749,435	\$9,949,435	\$7,738,036	\$20,436,906
Loans	\$2,172,756	\$4,908,074	\$6,693,548	\$13,774,378
Total	\$4,922,191	\$14,857,509	\$14,431,584	\$34,211,284

**Awarded 75% PF for private side replacements in 2024*

**Awarded 100% PF for private side replacements in 2025*

**Awarded 75% PF for private side replacements in 2026*

Program Highlights:

- Awarded approximately \$20M in principal forgiveness grants
- More than 2,600 LSL replacements completed with 2-years of construction commencement
- Maintaining a greater than 96% consent rate with homeowners
- More than 8,000 verification completed

Key Highlights

Successes:

- As a first mover, Wausau saved millions with favorable construction pricing
- High production volume has led to more funding for Wausau
- Award winning & nationally recognized program
 - “Best Utilities Project” by the North American P3 Awards in 2024
 - “Outstanding Leadership in LSL Replacement” by the LSLR Collaborative in 2026

Challenges:

- Heavy rock areas throughout the city
- DNR has been a challenge in terms of what they deem as an eligible cost
- Recent challenges with accessing a few dozen homes for LSL replacement in key areas that qualify for high principal forgiveness

2026 Progress

- Heavier focus on more complex & expensive “rock homes” while Wausau is awarded a high percentage of principal forgiveness
 - Bid out specific package for rock homes and awarded to low-bidder, A-1 Excavating
- Approximately 500 LSL replacements and 500 hydro-excavations completed YTD
- In addition to \$14M+ in LSL funding, DNR awarded Wausau a \$328,571 outreach grant to be used throughout Nov 2025 – May 2028.



Example rock home

2027 Projections & Beyond

- Submitted a funding application for \$18.6M to replace 1,310 LSLs throughout the City. We expect Wausau to be awarded much of this funding, however in 2026 the City was awarded \$2.8M less than it applied for.
- Application has two components, a specific census tract plan where approximately \$11M of the project scope will qualify for 75% private side PF while the remainder will be 50% private side PF across the entire city.
- Three-year bids received in 2024 expire in 2026, meaning the entire 2027 scope will need to be rebid, with prices expected to rise.
- According to DNR, 2027 will be the last year municipalities can use the subsidized 0.25% for public side replacements. Base SRF can still be used for public side costs.
- DNR expects there to be one more large funding year available for 2028, with a possibility of limited funding available for a few years to follow. We expect most of Wausau's LSLs can be removed by 2028, with less than 2,200 homes having an LSL after the 2027 scope is completed.

2027 Financial Projections

Construction	14,278,040
Contingency	713,902
Total Construction	14,991,942
Professional Services	3,484,364
Total Cost	18,476,306

Principal Forgiveness	7,916,470
Loans	10,559,836



Wausau Water Works
Gina Vang, Administrative Assistant II

DATE: July 14, 2026
TO: Wausau Water Works Commission
SUBJECT: Discussion on selecting an August 2026 meeting date.

PURPOSE

Deliberate to determine an alternative date for our Wausau Water Works Commission Meeting based on the next availability of the Council Chambers:

- Wednesday, August 12, 2026 (11:30am- 1:00pm)
- Thursday, August 13, 2026 (12:15pm- 1:45pm). Please be advised of the time difference, as the schedule reflects the interval between pre-trials and trials, we must ensure all activities are completed within this allotted timeframe.

BACKGROUND

Council Chambers will be utilized for in-person absentee voting during 08/03/2026-08/07/2026. As a result, we must select an alternative date from the options provided.

RECOMMENDATION

After deliberation, rescheduling will be based on the majority vote.