

**DECEMBER 13, 2021 UTILITY COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Chairperson Kapellen called the meeting to order at 5:30 p.m.

Present: Paul Davis, Candy Davis, Jim Kapellen, Rick Petersen, Todd Wescott, Lawanna Schieldt, and Denise Langan

Others Present: Municipal Services Director Howard Moser, City Administrator Ramona Flanigan and Mayor Christopher Lund.

Flanigan confirmed the meeting agenda was properly posted on Friday December 10, 2021 at the Post Office, Edgerton Library, and City Hall.

APPROVAL OF MINUTES: A Candy Davis/Paul Davis motion to approve the November 8, 2021 Utility Commission meeting minutes passed on a 7/0 roll call vote.

OVERPAYMENT REFUNDS: A Lawanna Schieldt/Todd Wescott motion to approve the overpayment refunds for 134 Sterling Dr in the amount of \$250.90; 6 W Fulton St in the amount of \$69.00; 1204 Salem Dr in the amount of \$81.03; 13 Broadway St in the amount of \$187.34; 308 Chamberlain St in the amount of \$209.84; and 1023 Mildred Ave in the amount of \$212.97 passed on a 7/0 roll call vote.

PAY REQUEST FOR FISCHER EXCAVATING: A Candy Davis/Rick Petersen motion to approve a pay request for Fischer Excavating for the S Main St project in the amount of \$450,577.78 passed on a 7/0 roll call vote.

VOUCHERS PAYABLE: A Jim Kapellen/Denise Langan motion for vouchers payable in the amount of \$528,974.66 passed on a 7/0 roll call vote.

LEAK CREDIT FOR 920 SWEENEY RD: The renter at 920 Sweeney Rd requested a leak credit for 19,000 gallons over her average usage. The request does not comply with the leak credit policy as it is under the 20,000 gallon minimum. Chairperson Kapellen inquired if the Commission would like to see the request, that do not comply, in the future. Candy Davis suggested we decide this on a case-by-case basis. She feels if there is an extenuating circumstance the Commission should consider the request. The Commission stated they do not need to see any requests that do not comply with the policy.

A Candy Davis/Todd Wescott motion to deny a leak credit for 920 Sweeney Rd based on policy passed on a 7/0 roll call vote.

LEAD LATERAL MANDATORY REPLACEMENT ORDINANCE: Staff is recommending the city apply for the DNR grant available for private lead lateral replacement again. In 2021 everyone who applied received funds. However, in 2022 the application process will most likely be more competitive.

Our ordinance currently does not contain language requiring homeowners to replace their lead lateral. At some point the DNR will require all homeowners to replace their lateral if it is made of lead or galvanized steel. By adopting this ordinance now, this may encourage more homeowners to take advantage of the grant money available to them. If this ordinance is in place before the next application is submitted, it will give the city more points toward approval of the application.

If the Commission chooses not to adopt a mandatory replacement ordinance, staff is requesting they consider adopting a policy that requires replacement of lead private-side laterals where the water main is being reconstructed.

Another option to comply with the possible requirement, is to replace all lead laterals in the upcoming year. Howard has been conducting inspections on laterals to determine how many lead laterals need replacing. Staff has provided estimates to the Commission regarding the number of lead laterals in our community. Given the estimated numbers, it would be a big undertaking to replace all of them in one year. A project of this size and expense would require the utility to borrow the money to fund the replacement. Replacing all the laterals may prevent future costs associated with WDNR mandated corrosion control equipment. The DNR will require the city implement corrosion control measures in 2022 to minimize the impact of lead.

The Commission was presented 2 alternatives to reach the goal of replacing all lead laterals in our municipality. The first alternative is to replace all laterals within the next 2 years. Using the estimated number of lead laterals, the utility could replace all the remaining laterals in 2022 and 2023. This would require the private side lateral be replaced with DNR grant funds and anywhere there is a public lateral it would get replaced all the way to the main. The public side replacement would have to be funded by the utility. Flanigan presented the advantages and disadvantages of this alternative.

The second alternative is to wait to replace the private laterals until the public side is replaced. Approximately 25 streets may have public-side lead laterals. It would take more than 15 years to replace all the water mains that have public side lead laterals. Flanigan also presented the advantages and disadvantages of this option.

If the Commission chooses to implement alternative #1, the utility would request a low interest loan from WDNR. This borrowing was worked into the utility forecast and the data showed it would have a small impact on the cash position of the utility and would not require a rate increase.

Commercial properties are not eligible for DNR grant funds. The city currently has approximately 26 commercial properties with private-side lead laterals. The Commission was provided three options for the funding of the replacement of these laterals. The first option would be to require the property owner pay for the replacement through a special assessment. The second option would be to adopt a policy that allows the utility to pay 50% of the replacement cost and the other 50% would be paid by the property owner or with ARPA funds. The last option would be to use ARPA funds to pay for all of the private side lateral replacement.

A Paul Davis/Denise Langan motion to recommend the adoption of a mandatory replacement ordinance for lead laterals passed on a 7/0 roll call vote.

A Rick Petersen/Lawanna Schieldt motion to recommend the city set a goal to replace all lead laterals in the next two years passed on a 7/0 roll call vote.

A Candy Davis/Todd Wescott motion to recommend the utility pay 50% of the cost of commercial private lateral replacement and the city use ARPA funds or another source for the remaining 50%.

A Paul Davis/Jim Kapellen motion to forward the Lead Lateral Mandatory Replacement Ordinance to Council passed on a 7/0 roll call vote.

MUNICIPAL WATER UTILITY ORDINANCE UPDATES: The Commission discussed some amendments to the current ordinance. They would like these amendments put on the next month's agenda to discuss.

Being no other business before the Commission, a Lawanna Schieldt/Denise Langan motion to adjourn passed, on a 7/0 roll call vote.

Howard Moser/wjl
Municipal Services Director