



**TWO
RIVERS**
WISCONSIN

PUBLIC UTILITIES COMMITTEE MEETING

Monday, December 4, 2023, at 5:00 PM

Committee Room - City Hall, 3rd Floor 1717
E. Park Street, Two Rivers, WI 54241

MINUTES

1. **CALL TO ORDER:** 5:00 pm

2. **ROLL CALL**

Committee Members: Darla LeClair, Tim Petri, Jeff Dahlke

Staff & Others: Matthew Heckenlaible, Scott Ahl, Andrew Sukowaty

Excused: Brian Dellemann, Dave Casebeer

3. **REVIEW AND APPROVAL OF MINUTES**

Minutes from the November 6, 2023, Public Utilities Committee Meeting

A motion was made by Jeff Dahlke to approve the November 6, 2023, Public Utilities Meeting minutes, seconded by Darla LeClair. Motion carried.

4. **PUBLIC INPUT** - None

5. **CONSTRUCTION PROJECTS**

A. **Scattered lead water service replacements (2024)** - Discuss in Item 8 below

B. **Roosevelt Street reconstruction**

Public Works/Engineering has completed the topographic survey and is working on road alignment, typical pavement section and plans. The Engineering concept is to give the road a diet and remove parking from one side of the street or the other. This will shift the centerline of the road creating a meandering effect with the intent of slowing traffic down. Engineering's plan is to have a Public Informational meeting in January 2024 with bids being opened late January or early February 2024. We are still waiting on confirmation of WDNR Clean Water Funding which was supposed to have been conveyed to the City in late November.

6. **WASTEWATER UTILITY: UPDATES AND ACTION**

A. **Sludge screw press project update**

No change in status. Still awaiting the final electrical components to make the screw press operational.

B. **Riverside Foods - discuss meeting from November 15**

Riverside Foods has received funding authorization from the corporate leadership and has engaged the services of a private consultant that is working on sizing and placement of a large grease trap/interceptor to potentially be located within their parking lot located at 26th Street and Wilson Street. Another meeting is scheduled for January 2024.

7. **ELECTRIC AND TELECOMMUNICATIONS UTILITIES: DIRECTOR UPDATES AND ACTION IF APPLICABLE**

No Electric/Telecommunications update provided.

8. WATER UTILITY: DIRECTOR UPDATE, DISCUSSION AND ACTION, AS NEEDED

A. Scattered lead water service replacement (2024)

1. Funding

Our 2023 application for 2024 showed we only received 25 percent grant funding. More successful communities that received Safe Drinking Water Funding utilized the WDNR criteria based on census tract. The City utilized the city wide approach. The city will look at reapplying in 2024 and utilize the census tract approach for 2025 projects.

We currently have \$1.5 million +/- of city and county American Rescue Plan Act (ARPA) funds available that we could potentially use for subsidizing private side lead water service replacement at \$2,500 per service. Because of the low score on our application, the WDNR SDWLP funds cannot be utilized for subsidizing the private side lead service replacement. The city proposes to concentrate ARPA fund utilization in zero principal forgiveness areas and turn down SDWLP funds for 2024. The new areas that are now being proposed have approximately 280 services that could be replaced in 2024 if contract pricing is favorable and funding allows. There is existing language within our City Ordinances, Section 5-1-8 that would allow the City to require the replacement of illegal lead water services without being in conjunction of a watermain replacement project.

2. Revised area

The plan moving forward for the 2024 lead water service replacement program is to switch areas and utilize American Rescue Plan Act (ARPA) funds. The area that the City was initially targeting for lead water service replacement (east of Lowell and south of 12th Street) could conceivably be eligible for around 75 percent principal forgiveness which would come close to matching the \$2,500 that has been granted to past participants that have had lead services replaced. Therefore, we are looking at utilizing the ARPA funds in areas of the City where they would not be eligible for any (zero) principal forgiveness. Those areas could be 22nd Street south to 19th Street from the west side of Monroe Street to the west side of School Street; the south side of 30th Street to 34th Street from the east side of Tannery Road to the east side of Monroe Street; and the east side of Columbus Street to the west side of Mishicot Road from the north side of 35th Street to the south side of 37th Street.

3. Voluntary vs. Mandate

In 2017 we had a lead exceedance level. At that time, the WDNR required a review of corrosion control and a 7 percent LSL replacement until 2019. As of 2019, we were back in compliance and there was no current WDNR mandate for LSL replacement other than reconstruction.

In the past, if a lead water service was part of a larger project such as a reconstruction project, the property was required to replace a non-compliant (illegal) water service. All other non-compliant water services were done on a voluntary basis, which required a lot of staff time to track down interested parties, coordinate inspections and develop cost estimates. Then, if the property owner still wanted to do it, mobilize the contractor to that area of town to do the work. The contractor in most cases would charge the City a mobilization fee associated with each different location throughout the City and were not able to mobilize into one concentrated area to be more efficient and keep costs down.

Therefore, the proposal is to require property owners to have their lead, non-compliant water services removed and replaced in the specified areas. If their water services are not lead, they would not be required to have their water service replaced. Those property owners having their water service replaced would be eligible for up to a \$2,500 water service credit; and, if they desired, could also have their private sanitary sewer lateral replaced at the same time with the cost being entirely the property owner's responsibility.

Why are we requiring this to happen? The short answer is, we have the available ARPA funds now; and, if we do not use them in 2024, we will lose those funds. The EPA is proposing to change lead service rules which, as written now, will require all municipalities to have all the lead out of the ground within 10-years. In addition to that, the way lead services are presently sampled is the first liter out of the faucet is collected for sampling. The future rules will require both the first and fifth liters. Past service profiling shows that fifth liter sample is highly prone to failure. EPA is also proposing to lower the lead removal change limit from 15 micrograms/liter (ug/l) to 10 ug/l. This will really impact Two Rivers as there are 1500 +/- lead services out there in houses built typically earlier than 1953.

Water Utility and Public Works/Engineering needs the support from City Council to utilize city ordinance language to require property owners to replace their illegal lead water services. Because of the pending EPA rule revisions, the Committee agreed that although not popular, it is necessary and requested to look at how staff can make this more palatable for property owners such as allowing a slightly longer payback period over than the existing 1-year. Staff will prepare a presentation for the January 2, 2024, City Council meeting where this topic can be discussed further to hopefully gain full support of the Council.

B. Ordinance Language Modification

We do not need ordinance language modification but want to reaffirm that Council is in support of the process. Review of ordinance section 5-1-8B(1) gives us the authority to “maintain” services. We will confirm with City legal counsel. If lead is found, then will be mandated to replace.

Can private side funding be extended beyond one year? Can be discussed further.

Lead is an illegal service – maintenance issue. EPA is proposing lead and copper rule revision to incorporate in 2025. Sampling first draw with a max of 15 parts per billion (PPB). Rule revision first and fifth liter draw still at 15 PPB. Water Utility has seen impact with 5th & 6th liter samples. Will most likely fail lead testing requirements unless the new orthophosphate feed significantly helps.

9. STORM WATER UTILITY: UPDATES AND ACTION, AS NEEDED

A. Urban Non-Point Planning Grant

Public Works/Engineering has received paperwork from the WDNR to enter into an agreement for the grant funding. Prior to execution of the contract, the WDNR will need proof that there is match funding available, which is budgeted for in the proposed 2024 Stormwater Utility Budget.

B. Northeast Lakeshore TMDL

No change in approval status per WDNR website.

10. SOLID WASTE UTILITY: UPDATES AND ACTION, AS NEEDED

A. North landfill update

The consultant is in the process of developing plans for collecting the leachate that is seeping out of a portion of the northwesterly corner of the old north landfill. These plans then need to be reviewed and approved by WDNR prior to any work being completed on site. The plans are proposed to be completed by the middle of December and will tentatively be submitted to the WDNR for their 60-90 day review process in the later portion of December. Public Works is hoping to get the collection system installed when there is some frost in the ground or hold off until the ground is drier in late June or July of 2024.

Tim Petri made a motion to suspend the meeting and reconvene after the Council Meeting, seconded by Jeff Dahlke. Motion carried.

***** Meeting suspended at 5:59 pm due to Council Meeting. Meeting will reconvene after Council. ******

****** Jeff Dahlke made a motion to reconvene the Public Utilities Meeting at 7:52 pm, seconded by Tim Petri. Motion carried. ******

B. Manitowoc Disposal contract – Discussion of presented memo

Matthew Heckenlaible provided an overview of a memo that was prepared in a comparison of other municipalities solid waste programs, whether they utilized municipal staff or contracted the services and applicable costs associated with this program.

Overall, 26 other communities were looked into throughout the state with most being of a similar size to Two Rivers. Most other communities utilized contracted services which included automated collection of both refuse and recyclable items. The monthly cost to provide solid waste services in these communities ranged from \$7.59 (Portage) to \$22.48 (Grand Chute) per pick up location. A pick-up location is primarily a one- and two-family residential property. The average monthly rate for these communities is \$12.41. Two Rivers is presently at \$7.71 per pick-up location.

Looking at Port Washington, Plymouth, Sheboygan, Sturgeon Bay and Suamico as semi-local comparable communities to Two Rivers, their average monthly cost of providing solid waste services is \$12.52. Sturgeon Bay and Sheboygan utilize city staff to perform these services. Port Washington, Plymouth and Suamico contract out the service with a monthly cost of \$14.39 per pick-up location.

Discussion was had by the Committee who came to the conclusion that although the proposed Contract amendment with Manitowoc Disposal increased the financial compensation along with the duration of the contract, the City of Two Rivers would be far less than what other comparable communities are paying for their contracted solid waste services.

A motion was made by Tim Petri to proceed with the Solid Waste & Recycling Collection and Hauling amendment with Manitowoc Disposal, Inc., extending their existing contract to March 31, 2030. This extension would include three (3), ten percent annual rate increases beginning January 1, 2024, extending to March 31, 2027, and four (4) percent subsequent annual increases commencing from April 1, 2027, to March 31, 2030. Manitowoc Disposal would also provide a presentation to the City Council December 18, 2023, for concurrence. Motion seconded by Jeff Dahlke. Motion carried.

11. ANY OTHER ITEMS OR ISSUES TO COME BEFORE THE COMMITTEE, WITH DISCUSSION AND ACTION

12. SET DATE, TIME, LOCATION, AND AGENDA ITEMS FOR NEXT COMMITTEE MEETING

Proposed for Tuesday, January 2, 2024, at 5:00 pm prior to Council Meeting.

13. ADJOURNMENT: 8:28 pm

A motion was made by Tim Petri to adjourn the meeting, seconded by Jeff Dahlke. Motion carried.