

UTILITY COMMISSION COMMITTEE MEETING

July 21, 2025

Brillion City Center

5:30 PM

CALL TO ORDER by Chairperson Jeff Wittman at 5:30pm

ROLL CALL

Present: Chairperson Jeff Wittman, Vice Chair Dave Schwahn, Russ Boldt, Dan Farrell, Leonard Kopidlansky, Joe Levash, Mary Jo Krueger

Absent:

Staff: Heather Gilbertson, Clerk/Deputy Treasurer; Andrew Maertz, Department of Public Work Supervisor; Brock Schroeder, Treasurer/Deputy Clerk; Patty Schreiber, Administrator; Mike Smith, Mayor

Guests: Pete Litersky-MCO, Tony Kappell-McMahon, Paul Much-MCO, Will Braden, Cindy Sievert, Gene Sievert, Chris Kluck, Joel Thorpe, Aaron Huebner, John School, Kaitlin Pohl, Ron Pohl, John Fischer, Jenny Pittl, John Pakala, Hank Horn, Megan Pakala, Kory Baroun, Michael Petrie

APPROVAL OF AGENDA

Motion: Schwahn moved to approve the agenda. Second by Krueger. All in favor. Motion carried.

APPROVAL OF MINUTES

Motion: Boldt moved to approve the minutes June 16, 2025. Second by Farrell. All in favor. Motion carried.

APPROVAL OF VOUCHERS

The McMahon invoice for the Wastewater Treatment Facility, Force Main, Funding Administration in the amount of \$4,500, can it be charged back to the project. Kappell confirmed yes, this was included in the engineering agreement for in the project.

Motion: Krueger moved to approve the Utility Vouchers as listed. Second by Schwahn. All in favor. Motion carried.

CITIZEN INPUT

John Pakala – 211 Washington Street

Trying to figure out who is responsible for things in the city. First question, according to municipal code the utility commission has entire charge, management and direction for any water and sewer utility. Who are the people responsible for researching and recommending to council or applying for state and federal funding for utility projects. Wittmann answered that our engineers handle that. They have the knowledge and expertise for that. Krueger stated they are also responsible for monitoring the contracts. Applying for federal funding there are a lot of additional rules that are put into place with the Davis Bacon rules, special payroll, etc. The city does not track any of that. Pakala is stating he is questioning the research into the funding and grants that are there, this is a municipal issue, as the contractor is going to get paid regardless.

The mayor spoke about subcommittee set up, engineering services are done through McMahon, bring forward the options and the committee would decide based on that information. The bid process was explained. The research is done without having to apply, if not going to be cost effective, they move on. Pakala states it is clear to him that the city code is written in stone and cannot be changed. 98-83 referring to lead service Prior to the actual reconstruction of the water main and lateral system, each property owner shall be given written notice of the project. Such notice shall be made not less than 30 days prior to commencement of the actual work. He went through every notice he received since project started and not one refers to this. The neighbors he spoke with were told by the contractors that

well it will be more expensive if we aren't the ones who do it. Most signed the documents because they weren't expecting an additional \$5,000. Spoke to Tusler's office and are looking into any administrative misconduct in the city and spoke with the State of Wisconsin Ethics Commission who are also looking into it. The 30 days was not in any notice.

Megan Pakala – 211 Washington Street

Coming with no animosity but genuinely trying to understand how all this process works because it is very confusing. There are so many committees and boards that it is mind-boggling as to how that can effectively make decisions, grow and work. Volunteers are wonderful, sometimes having wonderful intentions and some really want powers. She would like to understand the conception of the commission and who is in charge. Entrusting you with all the money, pay the highest taxes in Calumet County. The taxes could pay for the street projects. You pay taxes so the garbage is taken out, streets are taken care of, utilities expecting some out of pocket costs but this is \$10,000 that we found out about in April. Construction workers were baffled that the residents are paying for it. Thinks the committees are to blame and the way the process has been done over the years, this is the way it's done. Not a big enough city to have processes and committees like this, too much red tape. Mayor, all this is done through a state approved process that exists for a ton of other communities. Pakala stayed other communities have exhausted their resources because people in the know doing the work that takes hours to do. Her husband would volunteer to do it. Millions of dollars that could take care of this project. Doesn't understand how this isn't working. Cities hire grant writers and researchers. Doesn't feel the people that are hired have the energy of the residents to pursue funding for a project that could save their neighbors millions of dollars. Does not believe strongly in professional people.

Michael Petrie – 142 Valley View Drive

Helpful to not have abbreviations or jargon on the agenda. Explain in general language what is being discussed.

State open meeting law does not allow discussing something that isn't on the agenda. A letter was sent to the mayor last spring identifying several changes of structure and process that will improve the accountability and transparency of the city. Those things are critical because the job the city staff is doing is very difficult. A few people doing a lot of work, but the processes are not efficient. Makes communication difficult all around.

John Fischer – 126 Washington Street

Fischer had questions about the sidewalk. Maertz stated it will be done near the end of the project, and the sidewalks are in the initial estimate. Existing defective sidewalk are special assessed, if removed due to storm lateral, the cost would be included in the storm lateral. Sump pump pit was going to be installed but is he required to hook up. If putting just the pit in, nothing to hook up. Once a pump is installed, will need to be hooked up in 60 days.

Aaron Huebner – 118 Washington Street

There is a general lack of transparency throughout the process. He understands this is a good thing. A text message from the contractor stating when they are coming into his home was unnerving. As someone who enjoys his privacy, he understands the common sense of the project but the lack of notice and transparency is bad. He contacted other contractors and could not get anyone to come in to estimate to compare prices. Tried to extend the contractor said we have a deadline from the city and need to have it done. That is not how this process should work. Communication is lacking.

Chris Kluck – 239W. Water Street

He was on vacation in Minnesota and the gentleman called saying we need to go in your house to make sure everything is ok. He lives on Water Street and owns a vacant lot on Washington Street. He calls me five minutes before he got there and said he had no idea why he was contacting him. Yet Chris drove seven hours home to meet with them. Knew the Wastewater Plant was a 20 year project, and knew we had to put more money in it. The rates were being raised slowly the last few years.

Wolf – McMahan

There were two public hearings scheduled and a separate public information meeting. The special assessment information is required to be noticed to everyone in the project. The private lateral side was discussed during public hearing. The contractor gets paid to go through the homes and work with the homeowner to identify items and create the estimate sheet. The subcontractor is then given a list of the addresses and phone numbers of the homeowners to schedule the home visits. Tried to have city staff contact people and schedule meetings and it went horribly. The contractor handles now so they can set the appointments as it works for them. Time frame from home visits to constructions time was compressed due to the timeline on the project. EPA grant is for the property owners portion of the line, those grants invoke Davis Bacon Federal wage rates which goes on the entire contract. The entire cost of the project would be increased, and the math wouldn't work.

Jenny Pittl – 210 Washington Street

Was unable to attend the past meetings. She went online and noticed the meeting minutes are out there past April. Can we get the minutes updated? Are the Zoom meetings recorded and available online? Schreiber stated Zoom meetings are not recorded. Pittl also stated that the cost is high and coming up with the money on a short notice is hard. Hire a full time grant person, maybe worth the cost down the road.

Kory Baroun – 222 Center Street

He is unhappy with the water rate increase. Will it ever go down. Highly unlikely, costs do not go down.

RESIDENTIAL LAWN SPRINKLER DEDUCT METER REQUEST

There was a request included in the packet for the deduct meter. The ordinance requires approval from Utility Commission

Motion: Farrell moved to approve the request of John School to install a deduct meter on his sprinkler system. Second by Krueger. Call Vote. All in favor. Motion carried.

SECURITY

Commission would like this done in a closed session if possible. Staff direction to investigate closed session options. Tabled until August.

PROJECTS (I&I, LSL, General Utility)

Street Projects

Wolf gave an update. Main line utility work is done by Hieptas. Scott Lamers construction moved in and starting today on the pipe bursting for the laterals. A few waivers are still outstanding. Contractor could come back and do the work without disturbing anything in the road. Once that is done MCC will come in and finish the street in August. Contractor has always done the home visits. Lamers have traditionally had good experience here and bids competitively. Because they are super busy, the schedule is getting compressed each year between home visits and the work being done. Further discussion was had about improving processes, wrap up meetings etc surrounding projects in the future.

Lead Service Line Replacement

Litersky explained the memo in the packet. They are looking for a clear process for a lead lateral replacement in the city. Under the ordinance if the city replaces their side, the resident must replace theirs. This is the first time this has happened. Looking for guidance on creating a policy used going forward in this situation like this. The process of the repair was discussed. This is separate from a project. A 50/50 split seems far in situations like this that are not a project but a one off from a project. The policy will be worked on and brought back to the commission for review and approval.

Motion: Kopidlansky moved to approve the 50/50 split of the Hieptas invoice for 121 Trier Street. Second by Boldt. Call Vote. All in favor. Motion carried.

Tesch Street Utilities

Wolf handed out a packet of options for the Tesch Street Utilities. Two pipes are exposed crossing the creek, 8" water and 8" sanitary sewer line. The water main can be easy. Can lower the water main, if necessary, needs to get a permit to do it. Cap it off and eliminate. Doesn't have to be there for the subdivision, may affect the hydrant behind middle school. May need to do some testing. The bigger issue is the sanitary sewer lines. There is not an easy out for this one. Ties in at the same elevation to the 21" interceptor that runs down Tesch Street which is very flat. Cannot relocate sewer to drain around to a different side street due to two feet higher. All the sewer must get across the creek some way or another. Three options in the packet. Option one inverted siphon. Traditional method. Not a great option. Option two grinder pump lift station. Intercept sewage before crossing the creek. Small and simple. Pair of pumps, controller cycles between, off the shelf stuff. Sewage through grinder pump and send through 2" force main construct under creek and into interceptor sewer. Estimated cost is \$50,000-\$60,000. Monitor and maintain. Option three concrete cap. Unknown background of the lines. Process to cap explained. This is a way to protect the pipes. Cap with rebar and concrete that the ice cannot get ahold of. Approval process would require DNR to review. Most benign solution would be option three because it works with the elevation of the creek bottom and get the permits. The commission asked about the DNR coming in to look at the situation, see what they recommend and bring findings to next meeting.

Waste Water Treatment Facility Upgrade

Kappell reported that CD Smith is mobilized on site. Working with DNR to find additional land for lay down of materials that is outside of the boundary. They are waiting on a high capacity well permit for dewatering. Once that permit is issued, they can start excavating. Primarily reviewing submittals and responding to contractors request for information before they get started. Recently a draft of the contractor's initial application for payment of \$945,198.70 associated with general conditions, bonded insurance, and mobilization was submitted. The project funding closes on September 10th, and on that date the initial disbursement will be made. The City would need to cover the initial application payment out of pocket and reimbursed through project funding at the time of closing. There was a phone call with August Winters today about procuring the equipment. There are payment terms coming from manufacturers that are different than in the past. The manufacturers are looking for larger payment upfront and then remainder of payment before equipment on site. They mutually agreed that 20% owed at submittal of request, 70% at delivery, 10% at successful start-up. Schreiber requested an excel spreadsheet with terms and cost. She will share with commission once it is received.

MCO REPORT

Monthly Report

Litersky reported that the Main Street Well Booster 1 has been pulled. There are issues with the pellers. They do not make that style of pump anymore and finding replacement parts is getting difficult as well. The new pump, which was budgeted, is \$6,100. Turn valves are vacced and operated. There are about 25 left. Water main break on South Parkway and East National. Hole the size of a fist. 250,000 gallons used throughout the night. Hieptas was on water breaks all day Saturday so by the time we got to them at midnight they weren't going to come back in until 6:00am. The guy on call stayed on site all night. Litersky contacted Schwahn and Krueger and tried to get ahold of church to cancel. Hieptas found it right away and the water was back on by 8:30am. Lee Avenue is having pressure issues. This is being further investigated and Litersky will keep the commission informed.

ENGINEERS REPORT

Monthly Report

WPDS Permit was reissued. It will be effective on July 1st. Several changes to permit limits, associated with new codes or the new interpretation of the outfall location. Compliance schedules were discussed. Sampling is going to cost more money. PFAS is \$900 per test.

CHAIRMAN – None

CLERK/TREASURER

Budget – 10 Year Capital Improvement Plan

Schreiber stated that Litersky worked on the plan. This will be worked into budgets going forward. Discussed the water tower painting cost and the funds PSC says must be allocated. The concern is what happens to the money that was leftover. Schreiber explained the breakdown of the budget, checkbook and interest.

OLD BUSINESS

Litersky asked about the deduct meter process. A review of the ordinance was done by the commission. Schreiber let the requester know he will be charged four quarters for this meter, and it would be year-round. The meters are for permanent installation and requests are brought to the commission for approval/denial. These will be a case by case request.

NEW BUSINESS

Litersky stated that Jamie Douglas from the Water DNR Regional Representative will be at the August meeting. She will be able to answer questions on grants and lead service lines.

ADJOURNMENT

The meeting was adjourned at 9:02p.m.

Heather Gilbertson
Clerk/Deputy Treasurer