



# City of Duluth

411 West First Street  
Duluth, Minnesota 55802

## Minutes - Final

### Duluth Public Utilities Commission.

---

Tuesday, November 15, 2022

5:15 PM

Council Chambers, City Hall, 411 West First Street

---

#### CALL TO ORDER

President Ryan called the meeting to order at 5:15 p.m.

#### ROLL CALL

Members Present: Chris Adatte, Andrea Crouse, Councilor Noah Hobbs, Steve Lipinski, Councilor Mike Mayou, Carrie Ryan, Councilor Terese Tomanek

Members Absent: none

Staff Present: Jim Benning, Cyndi Falconer, Leanna Gilbert, Chris Ostern, Eric Shaffer, Rebecca St. George

#### PUBLIC COMMENT PERIOD

[DPUC096](#) Gary Lane comment received 11152022

Indexes:

Attachments: [Gary Lane comment received 11152022](#)

Written comment was received from Gary Lane, President of Walsh Building Products located at 6430 Grand Avenue, requesting that his public comment that was submitted on October 18, 2022 be added to the October meeting minutes and public record. After some discussion, Commissioner Hobbs motioned to amend the October 18, 2022 meeting minutes to include the public comment from Gary Lane as requested, and the motion was approved unanimously.

#### APPROVAL OF MINUTES

[DPUC093](#) October 18, 2022 DPUC meeting minutes draft

Indexes:

Attachments: [10182022 DPUC meeting minutes draft](#)

[DPUC097](#) October 18, 2022 DPUC meeting minutes revised draft

Indexes:

Attachments: [10182022 DPUC meeting minutes revised draft](#)

Commissioner Tomanek motioned to approve the October 18, 2022 meeting minutes as amended, and the motion was approved unanimously.

## NEW BUSINESS

[DPUC094](#) 2023 DPUC meeting schedule

Indexes:

Attachments: [2023 DPUC Meeting Schedule](#)

The 2023 DPUC meeting schedule was included in the meeting packet for reference. President Ryan mentioned that she would not be able to attend the February meeting.

## UPDATES FROM STAFF

Eric Shaffer reported that things are slowing down with the cold weather and snow, so most projects have shut down. Some last-minute natural gas projects came in, so crews are working on those. We are hoping to address an issue with standing water at a location in Hidden Valley this week. Bob Asleson had been working on an ordinance regarding lead service replacement requirements, but he has since retired. City Attorney St. George will assign that project to someone else. Staff hopes to have that ordinance language available for review at the next meeting. There was some discussion about the effectiveness of a fee for noncompliance versus shutting the water off.

## COMMISSIONER QUESTIONS OR COMMENTS

Vice President Adatte mentioned a recent positive experience with a contractor working on lead line replacement. He also asked about records for private water services and services that were only partially replaced. City staff is currently trying to check all of the records for private water services. Staff has also begun taking water samples at various locations in an effort to determine if services are lead.

Commissioner Tomanek asked about response to the filter program. Cyndi Falconer responded that over 700 filters have been distributed. Filters are available at both City Hall and the Garfield facility.

Commissioner Mayou asked about using construction permitting records to determine if water services are lead. Cyndi Falconer replied that this is one of the methods used. Eric Shaffer said that many plumbing permits just say water service replacement and don't specify the material or how much was replaced. City staff hopes to offer more water testing to residents with older homes in the future.

President Ryan asked about the reception of the lead removal program. Cyndi Falconer replied that overall people are excited that there is a solution, although there has been some resistance. President Ryan also asked about a publicity campaign that had been discussed previously. Cyndi responded that it is still in the works. There are a number of things that are taking priority, such as creating a database of lead services.

Commissioner Tomanek asked if filters could be delivered to homes by volunteers or staff. Cyndi Falconer replied that Customer Service personnel are delivering some to homes as needed upon request. We want to make sure that the filters are going to those who actually need them. Eric Shaffer stated that Utility Operations crews give filters to residents when they replace lead service lines. He also mentioned the federal regulations for lead service replacement that are effective in 2024.

Commissioner Lipinski mentioned that he did not receive the first couple of notification letters. He only received the final notice letter, because they are having trouble getting mail in their part of town. Eric Shaffer stated that the consultants are also required to knock on doors evenings and weekends.

Vice President Adatte asked about plumbing permits and whether it would be beneficial to remove the Not Available option for the type of water service. Eric Shaffer said that he could talk to Construction Services about that.

Commissioner Mayou asked about using Northland Alert to notify residents about lead services. Jim Benning noted that not everyone has opted in to that alert system, but we can consider that.

Commissioner Tomanek asked about the lead notification letters and water testing. Eric Shaffer responded that there are two different letters. There is an annual notification letter for everyone who may have a lead service. There is another letter going to those who are in the targeted neighborhoods of Gary New Duluth and Lincoln Park that we think may have lead services requesting an inspection of their water service. The testing is the next option for services that we may have missed because they are only partially replaced. This would only apply to houses built before 1929 that we don't have records on. Eric also explained how the water testing process works. Currently, residents can request water testing independently by contacting a testing lab. Cyndi Falconer stated that there is a link for all of the labs in Minnesota on the City website. There is also a local lab called Pace Analytical that residents can utilize.

### **UPCOMING COUNCIL ACTIONS**

No upcoming actions were mentioned.

### **PREVIEW OF UPCOMING BUSINESS**

The Commission decided to cancel the December 20, 2022 meeting. The next regular meeting is scheduled for Tuesday, January 17, 2023 at 5:15 p.m. Staff should have a draft lead service replacement ordinance for the Commission to review.

### **KNOWN ABSENCES FOR FUTURE MEETINGS**

President Ryan will not be able to attend the February 21, 2023 meeting.

### **ADJOURNMENT**

The meeting was adjourned at 5:50 p.m.