

MINUTES OF THE BOARD OF PUBLIC WORKS
Tuesday, January 12, 2016

The Regular Meeting of the Board of Public Works was held on Tuesday, January 12, 2016 at 7:30 p.m. in the City Council Chambers located at 405 Jefferson Street, Washington, Missouri. The following were present/absent:

MEMBERS:

Chairman	Kurt Voss	Present
Member	Rob Vossbrink	Present
Member	John Vietmeier	Absent
Member	Brad Mitchell	Present
Ex-officio Member		
Ex-officio Member	Mike Radetic	Absent

OTHERS:

Council Representative	Jeff Mohesky	Absent
Council Representative	Josh Brinker	Present
Council Representative	Steve Sullentrup	Present
Council Representative	Greg Skornia	Absent
Mayor	Sandy Lucy	Absent
City Administrator	James A. Briggs	Present
Public Works Director	Brian Boehmer	Present
Water/Wastewater Superintendent	Kevin Quaethem	Present
Public Works Secretary/Temp	Beverly Hoyt	Present
City Engineer	Dan Boyce	Absent
Assistant City Engineer	Andrea Lueken	Absent

Originals and/or copies of agenda items of the meeting, including recorded votes are available on record in the office of the Public Works Secretary for one year. Video/DVD and audio tapes are kept only until the minutes have been approved for the meeting. DVD copies of this meeting are distributed to Board Members if requested.

A motion was made by Mr. Mitchell and seconded by Mr. Vossbrink to approve the minutes from the regular December 10, 2015 meeting. The motion passed without dissent.

Wastewater

We have Invoice #2 from Electrical Unlimited.

The plant is moving along well. Report shows they are up to 63% and that's due to the fact we are waiting on equipment and materials and Radar Mechanical. Staff recommends payment.

Based upon staff recommendation for payment, is there a motion to approve the pay request for Electric Unlimited?

Motion was made to approve payment by Mr. Vossbrink and second by Mr. Mitchell.

It is approved. Is there anything else on the electrical modifications?

We have the hydrogen sulfide analyzers. The detectors have not gone off since they were installed. Ninety percent of explosion equipment is in and a couple of the switches we were waiting on. Other than that it is going along good. The day to day operation of the plant has not been affected, even with the heavy excessive rainfall event. We brought over 17 million gallons of water into the plant and everything operated correctly.

Water

Let's move into water. We have two bills to look at that are pending in Jefferson City. We are just looking for comments from the Board.

Bill 1738 has to do with whether City municipalities can prohibit the drilling of domestic wells and Bill 1970 is a comeback every year of property owners, landlords trying to be exempted from being responsible for water provided to their units. There is nothing we have to do as a Board, if the Board has an opinion and wants to express an opinion we can write a letter to our representatives stating what our position.

So, Bill 1970, Landlords would not be responsible for their tenants' bill?

That is what I read in the underlying top Section 71.515.

Currently or landlords are liable for sixty days or basically two billing cycles.

You have a print out of the codes to help with some of this, our current code for landlords is under 700.210 and it says that water shall be deemed furnished to both owner and occupants of premises. The second paragraph which is B says when occupant is delinquent in payment for 30 days the City will make good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. We do send all property owners a notice that their tenants are delinquent notwithstanding any provisions of this section to the contrary, when an occupant is delinquent more than 90 the owner shall not be liable for sums due for more than 90 days of service.

The municipal League comes out against this bill every year under the theory they don't get to pick the tenants, the owners are the ones picking the tenants to put into their buildings and some landlords are better than others at picking their tenants. The credit worthy of those folks, that's what that bill is all about to my understanding. I think generally state wide as our state becomes more rental you're putting more burden if landlords aren't responsible for the provision of the utility of property then you're putting it on all users of the City to pay for those

that do not pay. Let's take Bill 1970 first any action of the Board? This Bill 1970 is the one on landlord responsibility.

As it is now responsibility ends at 90 days?

Yes, I believe that's what is in our code and statute.

Obviously the City shares some responsibility to not let it get too far delinquent. But I would certainly hope that if there is a water bill that is exceeding 90 days for whatever reason and the tenant is gone, there would be a provision that the unit would not be rentable again unless the bill is paid.

How does a bill get to 90 days if you get a notice after 30 days?

We have had a few of them we have gotten extremely aggressive on. However at this point we don't have any that are 90 days. What we do have is tenants actually moving out and the property owner didn't tell us so we are working with them. Some that property owners didn't inform us when they moved out and as it is now we have no accounts other than those two which will travel with that person now as they move around town. If they move back in town their water will not be turned on till they catch up on their payment. But we have no one over 60 days. As we get one that's on there for 60 days we go out and dig up the curb stop. What helped us out a lot is the multi-units, a lot of those were on the multi units that had only one curb stop. Since we reenacted the new order in January we currently only have two addresses that we have issues with and they're on the list that is in the packet. Everyone else has complied with one of the three ways to fix the problem. As far as the 90 days we will not have any one on the 90 day anymore. On Bieker Creek and Dubois we will dig up and put curb stops in and or fix curb stops or we will get keys from landlords that make it two families or they will have to follow the new code which I'm working with engineering to get that into part of the inspection to notify us.

Ninety days is the most to be removed in paragraph two of the bill in 250.140 and that was in 2007. I thought it was about ten years ago but it came into effect January of 2007. They are proposing to remove that, anything that is bracketed is proposed to be removed from this bill and anything underline is proposed to be added to the law. If there's no further discussion on Bill 1970 action let's move into Bill 1738. This has to do with prohibiting City's from prohibiting people from drilling private wells.

Both of these House Bills, the Missouri Rural Water Association will have people on the floor arguing these when they come up and that's one of our organizations that Washington works with is Missouri Rural Water Association, Missouri Water and Wastewater Association and American Water Association they all disagree with both of these bills. This one with the wells, this came up last year, the Representative that filed this ran into an issue where there was a property that needed water and the district and it was going to cost an excessive amount to run the water from the main for the district up to the property so they wanted to drill a well and were denied the right to drill the well because their property butted up against the water

district service. If you're within a certain amount of footage to the property line you have to hook to City water.

Currently we do have an Ordinance that Mercy Data Center came in and requested that we do have one in place. They do have to use a certain amount of gallons as a requirement. I don't have a copy of that ordinance with me.

There are a few houses' that are on wells, I think around four, five at most. What's been happening, when their well goes out they go on to the City services, we don't have a code that says they have to. We've been working with Mark Piontek to get a response back on the one we sent him. Still haven't gotten a response in regards to the change that was sent to him. It's always been just as they go out they've been hooking up, we haven't had to force them they request to be hooked up.

How do we charge sewer to those individuals that don't have a meter? A base rate is charged. I will check with finance to make sure.

We charge for services that do not have city water.

We do have one of those on the delinquent account at which time we will have to make a decision on whether we want to dig up their service line and cap off their sewer.

You know if all our heavy users jump out of the game and drill a well. Who do you think will pay more for water? Every citizen in this town is going to pay more. We based our borrowing on the meters on the numbers of users we have currently and if you're going to start losing users or they just start falling off it will be harder to plan water is a service you provide to the citizens and I think for good policy letting people pick and choose or jump in the game makes it just that much more difficult for us to go forward

Well, was the reason we permitted Mercy because we couldn't give them the adequate flow they needed?

No Mercy is a redundant situation, they're on City water but because they're a data center when they came to town it was my understanding that Dick Oldenberg, everything had to be redundant, power coming from both directions. They had backup generators so if they were to ever lose power to the City water they have the ability to provide water to keep their equipment cool, they had a redundant source of water. This is strictly a redundancy thing, we have an ordinance, if they were going to run the well system they would have to let Kevin know. But they're getting their water from City sources.

They have not run a test on that, we have a meter out there that shows usage and they have not run a test since it was put in there. They ran 6,000 gallon when it was first set in there testing it and our meter is working and we are getting results from the meter they're all zero. They have not exercised it, there's been no more water go through. This is only as a worst case

scenario. If we were to lose water for any reason they would be able to run their system just to keep computers cool.

I think we have people lobbying against this, but we can write a letter if you want.

As a citizen of the state, if you don't express your views and opinions to let people know then Jeff City is going to keep telling you what to do from time to time and just as a broad brush what I see coming out of Jeff City is more and more restrictions on what cities can and cannot do. I think we should at least let our own elected officials know. That is my own personal opinion.

The Public Works Board will prepare a letter to our two representatives and one senator that we're in opposition to House Bill 1738 and House Bill 1970 and that I believe status quo remains effective. Very short, very sweet and hope they will take that into account.

Multi-Unit Shut offs:

The new ordinance took effect January 1, 2016. There is a list in your packet. The highlighted yellow ones are the two that we still have not gotten them to comply with. Everybody else on the list is compliant in one way or the other. They have either put a curb stop in, putting in their names or giving us keys and access to the meters. That has helped out a lot. Yesterday a delinquent account was run and we had 31 on the list and we shut all 31.

So what is the remedy for the folks who have not complied with the multi-shut off ordinance requirements?

We need to contact Mark Piontek our City Attorney and see where we can go with this. Not sure if we'd have to litigate with him or if we can just shut the whole unit off.

Our codes really don't say if we can shut the whole unit off. We have the right to shut off for two reasons. The city reserves the right to shut off the supply of water from any customer at any time when and as long as service line through which such customer may be supplied or any meter or other part of such pipe may be out of order for the proper supply of water through the same that is actually in the Code 700.10 which is general rules that is number 8 and 9 is the superintendent shall have the right and it shall be his duty to inspect meters and all fixtures and appliances for the usage of water whenever deemed by him necessary for the City for the purpose of regulating such use keeping an accurate account thereof and preventing waste and leakage or other violation of the rules and regulations and for such purposes it shall be the duty of the Water consumers to allow the superintendent access to their valves and meters at reasonable times and intervals and for refusal to allow such access upon order of the City the water supply may be cut off and withheld from any person so refusing. Both of these will fall into effect. We have a handful of meters that aren't working in town that we cannot get appointments to go and find out what's going on with them. I will probably have to use these two to get access to the meters we will give them four door hangers on their property and they haven't responded to any of them. What we don't have is a code that says if it's in the property

name and it's a two unit building can we shut the one that's paying along with the one that is not paying off. What we've done in the past, I use the trailer court as an example when they were delinquent we would hang door hangers on all of the units letter them know on a certain day their water would be shut off and they needed to contact their landlord. We will probably be doing the same thing with these to get a response. But there is nothing in the code that says anything about a two-family unit if there's one shut off on whether we can shut both off.

We will check with the City attorney to see if there's a conflict. Do we have anything else on that?

Okay, if there's nothing else on the multi units. Let's go into the hydraulic study.

Hydraulic Study

We're right there it's just getting a few things together with ISO, which will help us out if we take the time to get that and it's already in place.

Do we have anything else under open discussion? Mr. Briggs.

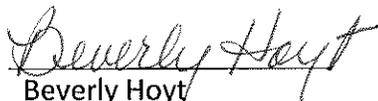
We have hired a new city engineer. One of the things we will be looking into is bringing him into the Public Works Board and working closer with the superintendent. He will be starting Tuesday, January 19, 2016 and will be at our next Board Meeting.

Okay, if there's nothing else for the good of the order, is there a motion to adjourn?

Next Scheduled Meeting Date. The next scheduled meeting date is February 9, 2016.

Adjourn. There being no further business the meeting adjourned on a motion by Mr. Vossbrink and seconded by Mr. Mitchell. All in favor aye, those oppose. We are adjourned.

Prepared by:


Beverly Hoyt
Public Works
Secretary/Temp

Adopted and Approved By the Board of Public Works:

Date:

2/16/16

Signature:


Secretary