

Tontitown Water & Sewer Commission
Meeting
2007-02-06

Roll Call:

Bill Brandt –absent
Steve Gunderson –present
Larry Goddard –present
Gene Baker –present
Mick Wagner –present

Also in Attendance:

J.R. Carroll –in attendance for Mark Dossett City Attorney
Terry Carpenter –USI Consulting Engineers
Brandy McAdoo –Administrative Assistant

Approval of the Minutes for 2007-01-09:

Motion to approve the minutes as presented by Gene Baker
Seconded by Larry Goddard

Vote:

Gunderson –yes, Goddard –yes, Baker –yes

Motion passed unanimously

Review Financials:

Commissioners reviewed the financials that are posted to the web.

Old Business:

Update on Sewer Project:

USI emailed the progress to date on the sewer project to the Commissioners. There is currently 32,489 ft of sewer in the ground. The line has been laid up to the Hickman property. There are currently 3 crews in the field working on getting the sewer in. Mr. Wagner and Mr. Carpenter met to discuss the building located at the lift station. Mr. Wagner a drawing for the Commissioners to look at. There was some discussion on the layout and design of the building.

Mr. Nickle presented the Commission with a drafted copy of the Sewer Master Plan. This revised copy has more detail than the one the Commission was provided the last time. The landfill and Phase 3 are now shown on the plan. The plans show more

proposed lift station sites. As development occurs within the City, more lift stations will need to be built. Mr. Wagner asked Mr. Nickle to provide this information in a digital format so that it could be added to the GIS layer on the City's website. It was discussed that this plan would be put into effect. Mr. Nickle asked for any comments from the Commission as this plan would be updated as needed.

Phase 2 has a current estimated cost of \$4.5 million. Mr. Wagner stated that whether the City receives state money to fund the sewer projects, they will still have to be bid out. He also asked that each Phase list which option number they are, i.e.: Phase 1 option 1, 2, etc. Mr. Goddard asked USI if there are any better routes to take that they have found and haven't put into their proposal. USI responded by saying that they had thought of one but it was a lot longer and would do basically the same thing as the other routes.

The Commission received a copy of a letter from the Arkansas Health Department that was written to Mary Maestri's. They are in dire need of sewer services. Mr. Wagner asked USI how soon would it be that Mary Maestri's would be able to hook up to sewer. USI responded in saying that it could possibly be next month. There were tests that had to be done before the line would be available. Mr. Goddard stated that there was a similar problem behind Mark & Mike Zulpo's property. Mr. Wagner asked when the change order for the Pozza Lane hook up was going to be available so that it could be updated on the GIS. Mr. Carpenter said that he would get it to them as soon as possible.

Melton Easement:

Mr. Melton's property is located along Liberty Road. He has declined to allow the Water & Sewer an easement although the Commission has offered him the same provisions that the other easement grantors have been given. As a result of that the Commission has entered into condemnation with Mr. Melton's property. The Commission engaged an appraiser and had found that the fair market value of the property was \$1,550. There is now a filed order of possession with Judge Mashburn. Mr. Dossett explained at the last meeting that this allows the Commission to proceed with construction. It doesn't prevent Mr. Melton from seeking his own attorney and appraiser. If they come up with something more than what the Commission's appraiser came up with, then it will go into arbitration.

Review South Pointe (Bausinger) Force Main proposal:

Kashi Kumar with Blew, Bates & Associates was present for South Pointe Subdivision. He stated that they submitted plans to USI yesterday for their review. They are proposing to tie into the sewer along Morsani Avenue. In the December meeting when Mr. Snyder and Mr. Bates came and spoke with the Commission engineers to discuss the feasibility and what the cost estimate would be. Mr. Bates was intending to amend his preliminary plat approval which originally provided with a decentralized sewer in order to have the three houses per acre. The access fees at that property total about \$195,000. Mr. Kumar was proposing to replace the decentralized sewer. When the plans were submitted the Planning Commission told him that he couldn't change his plans. At that point, the Commission hadn't heard anything from Mr. Kumar's firm.

Mr. Wagner asked Mr. Kumar how it was in the City's best interest to contribute between \$80 and \$90,000 for South Pointe to have a force main. He stated that he would have to check with his client. Mr. Wagner states that Mr. Kumar's firm went out and started trying to solicit easements. The City would be the one to get the easements. Mr. Wagner stated that the City would benefit from their force main because there would be more connections to the sewer along that area. Mr. Kumar's client was under the impression that he would be buying the easements along the area the force main would travel. The Commission and attorney confirmed that the developer is not customarily the one to own easements that the City is using. USI stated that they have estimated the cost for the City on an upgrade on the lift station and the cost to construct the gravity sewer down to that lift station. Mr. Kumar stated that they emailed Mr. Terry Carpenter with USI asking for the cost estimate and never heard anything back from him. Mr. Nickle stated that the Commission is not aware of any offer that Mr. Kumar or his developer has made to do anything at this point. The cost estimate that USI has come up with is around \$283,000. That amount is to construct the gravity sewer and to the upsize of the lift station and the upsize of the force main from a 4" to a 6". USI doesn't know what Mr. Kumar's estimates are because they haven't seen those yet.

Mr. Wagner pointed out to Mr. Kumar that they had a meeting in January that no one from Mr. Kumar's firm showed up to. Mr. Kumar stated that they hadn't received any feed back from USI and didn't know that they needed to show up. Mr. Goddard stated that he would like to know what part of the \$283,000 Mr. Kumar's client would like to pay at this point. Mr. Gunderson stated that he thinks that Mr. Kumar should come to them with a proposal instead of the Commission coming to them. Mr. Kumar stated that he was under the impression that his client would pay for the lift station and the force main. The only benefit that the City is going to have before they go and try to acquire easements is to afford to provide the area residents a service. Mr. Wagner stated that the Water & Sewer Commission has limited funds and Mr. Kumar has a project and he wants to get it built. Mr. Kumar could build it with the decentralized sewer. Mr. Kumar would rather have a gravity sewer connection than a decentralized sewer which could be because of the cost. For the Commission to come up with \$90,000 to make this deal happen when they have citizens down the road on Highway 412 that don't have sewer. Mr. Wagner thinks that the best thing is for Mr. Kumar to go back to his client. Mr. Kumar asked if last month's minutes were online and Mr. Wagner stated that they will be online, that the Commission had just approved them. Mr. Kumar wanted them for reference. Mr. Kumar wants to talk to his client to see what he wants to do.

Adopt New Minimum Standards for Water & Sewer:

This item was on the agenda last month and the Commission didn't have time to take a look at it. The Commission adopted minimum standards for the construction of Water & Sewer in Tontitown in October. This came as a suggestion from the City's Code Enforcement Officer, Shane Harrison. The Commission decided to adopt NFPA 291 standards by color coding the City's fire hydrants. Mr. Wagner pulled up the section on color coding fire hydrants on the minimum standards that is posted to the web as adopted in October 2005.

Mr. Wagner asked what the Commissions thoughts on adopting these color coding. He stated that we have the equipment to do this. There is the thought that this might be another little effort that will help with the City's ISO rating. Mr. Goddard asked what the down side is to doing this besides the labor. Mr. Wagner stated that the only down side would be the initial labor to get it set up since the hydrants are maintained on a yearly basis. Mr. Goddard then asked how many hydrants we had. It was replied that we had 800 +/- by Mr. Wagner. All of the hydrants are now a chrome yellow. There are a few that may be green or blue. All are also available for viewing on the GIS with each hydrants individual flow data. The color coding is a standard of the National Fire Protection Association not Tontitown's. This is to comply with their standards. USI stated what would need to be done as far as flows for the AEP project. Mr. Nickle stated that he would recommend adopting the NFPA regulations on color coding but that he wouldn't go buy the paint until they know how the flows will be affected by the AEP plant's flow needs.

Motion to adopt the new Water & Sewer Minimum Standards by Steve Gunderson
Seconded by Larry Goddard

Vote:

Gunderson –yes, Goddard –yes, Baker –yes

Motion passed unanimously

New Business:

Discuss 2007 Budget:

Mr. Wagner sent the Commissioners the budget via email. The Commissioners then discussed the budget items.

Motion to approve the 2007 Water & Sewer budget as presented by Steve Gunderson
Seconded by Gene Baker

Vote:

Gunderson –yes, Goddard –yes, Baker –yes

Motion passed unanimously

Discuss Whelchel offer:

In July or August of 2006, the issue was brought up by Mr. Lloyd Bariola that Mrs. Sharon Whelchel was building a fence on Teresa Lane. She had come to the building department several times and talked with Mr. Rick Williams trying to get a fence permit. After not getting any answers from him, she decided to start building it. It

was being built right along the side of the road in the easements. When this was brought before the City Council they didn't know if Teresa was even a City street. When the building department was moved back to City Hall the map for the Street plan were found after being lost for quite some time and it was found that Teresa Lane was a dedicated City street.

The problem is that her fence came along and cut off a fire hydrant. Mrs. Whelchel proposed to bring her fence around behind the fire hydrant so that there would be access to the hydrant. She was willing to do this if the Commission allowed her to keep her fence in the easement/right-of-way. She also asked if the Commission could put in a water tap for a seasonal water tap. Mr. Wagner told her he would have to get with the Commission to decide that. Mr. Dossett would prepare a document to clarify the agreement and to state that the Commission wasn't going to give up any rights to the easement.

Motion to accept the offer proposed by Mrs. Whelchel that she receive a seasonal water tap in return for granting a ROW easement that includes both road and water & sewer easements:

Motion by Steve Gunderson

Seconded by Larry Goddard

Vote:

Gunderson –yes, Goddard –yes, Baker –yes

Motion passed unanimously

South Pointe Subdivision proposal for cost share:

There was no discussion for this item.

Comments from Commissioners:

Mr. Baker made a comment that it was never brought out that back a couple of months ago that Mr. Bates is going to gain 5 or 6 lots on the South Pointe issue. With the new lots that he is going to gain and the system that he was going to put in, he said would have enough money to put the gravity sewer in.

Motion to adjourn by Steve Gunderson

Seconded by Larry Goddard

Mr. David Sbanotto asked the Commission about moving the Water Department because the City Hall was getting too crowded. He wants the City to be able to do City business in City Hall and the Water Department to find somewhere else. He asked for help in finding more room in City Hall. Mr. Wagner said that this subject was brought up by another Alderman. Mrs. Goddard's thoughts need to be weighed in before a decision is made. Mr. Wagner thought that her feeling on this was that she has enough room and

that they didn't need to worry about her space issues. Mr. Wagner states that the other issue that she brought up was that the two Water & Sewer personnel deal with all the Water and Solid Waste billing and Brandy is helping with the permitting process. Mr. Wagner said that Mrs. Goddard could speak for herself on the matter if at some point the Council wanted to bring her into the dialog. There are a couple of vacant desks back by the Mayor's office and that any Administrative Assistant that was hired could choose one of those. As far as moving, Mr. Wagner stated that it wouldn't be efficient and suggested that Mrs. Goddard be consulted to see if she saw any value to it. Mr. Sbanotto asked if it would be a possibility in the future and Mr. Wagner stated that the possibility in the future needs to be to build a bigger City Hall Administration building. Mr. Wagner stated that it has been proven that having a one stop shop is better for all involved.

Mayor Edgmon stated that the Police Department had room and as far as having a one stop shop, that the City wasn't a Wal Mart. He stated that they could move the Police Department up into City Hall and move Water & Sewer to the Police Department office. Mr. Wagner stated that he didn't agree with the Mayor on the moving point.

Adjourn