

**SMITHVILLE BOARD OF ALDERMEN
REGULAR SESSION**

February 7, 2023 7:00 p.m.
City Hall Council Chambers and Via Videoconference

1. Call to Order

Mayor Boley, present, called the meeting to order at 6:59 p.m. A quorum of the Board was present: John Chevalier, Leeah Shipley, Marv Atkins, Dan Hartman, Ronald Russell and Dan Ulledahl.

Staff present: Cynthia Wagner, Chuck Soules, Gina Pate, Chief Lockridge, Stephen Larson, Jack Hendrix, Matt Denton and Linda Drummond.

2. Pledge of Allegiance led by Mayor Boley

3. Consent Agenda

- **Minutes**

- January 17, Board of Aldermen Work Session Minutes
- January 17, Board of Aldermen Regular Session Minutes

- **Resolution 1172, Fourth of July City/County Fireworks Display**

A Resolution renewing the contract with Premier Pyrotechnics for the Fourth of July City/County event to be held on Saturday, July 1, in an amount not to exceed \$16,000.

- **Resolution 1173, Temporary Liquor License – Main Street District**

A Resolution issuing a Temporary Liquor License to Smithville Main Street District for Humphrey's Gravel Adventure Bike Race and Wine Walk to be held Saturday, May 6, 2023.

- **Resolution 1174, Special Event Permit**

A Resolution issuing a Special Event Permit for Humphrey's Gravel Adventure and Wine Walk on May 6, 2023.

- **Resolution 1175, Mobile Data Terminals in Patrol Cars**

A Resolution authorizing the purchase of four Mobile Data Terminals for police vehicles, replacing four MDTs, in an amount not to exceed \$10,456.48.

- **Resolution 1176, Engineering Authorization No. 98 – Owens Branch**

A Resolution approving Engineering Authorization No. 98 with HDR Engineering, Inc. for engineering design in the amount of \$315,500 for the Owens Branch Sanitary Sewer.

- **Resolution 1177, Authorize payment for Utility Easement**

A Resolution authorizing payment of \$13,160 for a utility easement to McMillen Enterprises.

- **Resolution 1178, Acknowledging RTP Recreational Trails Grant**

A Resolution acknowledging Board of Aldermen support of an application for the Recreational Trails Grant through the Missouri Department of Natural Resources.

- **Resolution 1179, Authorize Expenditure for Backwash Pump Replacement**

A Resolution acknowledging the expenditure of \$16,917.34 to Mid-America Pump for a backwash pump at the Water Treatment Plant.

Alderman Ulledahl moved to approve the consent agenda. Alderman Atkins seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. The Mayor declared the consent agenda approved.

REPORTS FROM OFFICERS AND STANDING COMMITTEES

4. Committee Reports

Alderman Hartman reported on the January 26 Parks and Recreation Committee meeting. They discussed an overview of the projects in the parks during the summer months and the February 23 Night at the Oscars Chamber of Commerce/Legacy Fund Fundraiser.

Mayor Boley asked that Alderman Russell report on the Lakefest/Founder's Day at the February 21 meeting.

5. City Administrator's Report

Cynthia Wagner, City Administrator, noted that she had some items to call to the Board's attention from the report and asked for their feedback. Included in the City Administrator's report in the packet was an update from Gina Pate, Assistant City Administrator, on the WayFinding Design and Signage Guideline update. Cynthia noted that at the January 17 work session, staff looked to the Board for feedback and direction on that as well as soliciting feedback on social media. Cynthia said that she believed we had more than 150 responses on social media. Staff sent the Board feedback and recommendations and the responses from social media to the consultants for them to make the revisions.

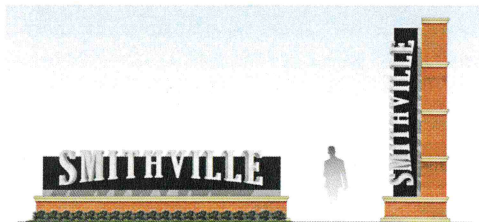


Figure 1 - Option 1

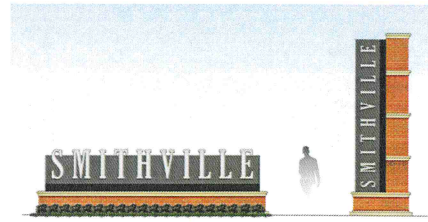


Figure 2 - Option 2

Included in the packet are options for the gateway and directional signage. Cynthia explained that staff is looking for feedback from the Board on option one or option two.

The Board all agreed on option two.

Cynthia noted that there will be some action coming before the Board over the coming months related to financing utility projects. Included FY2023 budget is the issuance of Certificates of Participation bonds. Certificates of Participation are debt financing for utility projects. We are looking at using those bonds to fund the construction of the 144th Street Lift Station. Cynthia explained that we do anticipate the sell of those certificates this summer. She noted that this is an ongoing process. The first part will come before the Board later this month or the first meeting in March. It will be a Resolution that allows us to include in the proceeds of bonds for the reimbursement of expenses incurred prior to issuance for things such as design and engineering costs, right away acquisition, etc. Staff

has been working over the last several months with Piper Sandler, the City's financial advisors that package. Throughout the process staff will provide the Board updates on progress. Cynthia explained that that we will go through a rating call to get a rating for the sale of those certificates. When we sell those certificates we will need Board approval. Piper Sandler will provide the financial information and update to the Board at that time.

Cynthia noted an update on future meeting dates. Based on a number of conflicts including spring break, election and travel, meeting change dates in March April July and August are listed on the planning calendar.

ORDINANCES & RESOLUTIONS

6. Bill No. 2973-23, Destruction of Records – 2nd Reading

Alderman Ulledahl moved to approve Bill No. 2973-23, authorizing staff to proceed with the destruction of certain administrative and finance documents as authorized by the retention and destruction schedule approved by the Secretary of State's Office. 2nd reading by title only. Alderman Atkins seconded the motion.

No discussion.

Upon roll call vote:

Alderman Atkins – Aye, Alderman Shipley – Aye, Alderman Russell – Aye,
Alderman Hartman – Aye, Alderman Ulledahl – Aye, Alderman Chevalier - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2973-23 approved.

7. Bill No. 2974-23, Repealing and Replacing Section 100.220 – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2974-23, repealing section 100.220 regarding general penalties related to marijuana and enacting in its place a new section 100.220 regarding general penalties. 1st reading by title only. Alderman Hartman seconded the motion.

No discussion.

Upon roll call vote:

Alderman Hartman - Aye, Alderman Chevalier - Aye, Alderman Shipley – Aye,
Alderman Ulledahl - Aye, Alderman Russell – Aye, Alderman Atkins - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2974-23 approved first reading.

8. Bill No. 2975-23, Repealing and Replacing Section 205.1810– 1st Reading

Alderman Ulledahl moved to approve Bill No. 2975-23, repealing Sections 205.1800 and 205.1810 and replacing it with a new Sections 205.1800 and 205.1810 regarding use, consumption or possession of marijuana and controlled substances. 1st reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

Alderman Chevalier - Aye, Alderman Ulledahl - Aye, Alderman Atkins – Aye,

Alderman Russell - Aye, Alderman Hartman – Aye, Alderman Shipley - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2975-23 approved first reading.

9. Bill No. 2976-23, Electric Fence for Industrial Zones – 1st Reading

Alderman Ulledahl moved to approve Bill No. 2976-23, authorizing electric fences in both A-1 and Industrial zones, subject to certain performance standards. 1st reading by title only. Alderman Russell seconded the motion.

No discussion.

Upon roll call vote:

Alderman Russell - Aye, Alderman Hartman - Aye, Alderman Atkins – Aye,
Alderman Chevalier - Aye, Alderman Shipley – Aye, Alderman Ulledahl - Aye.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Bill No. 2976-23 approved first reading.

10. Resolution 1180, Change Order No. 6, Raw Water Pump Station – Electrical

Alderman Ulledahl moved to approve Resolution 1180, approving Change Order No. 6 with Irvinbilt Constructors, Inc. in the amount of \$4,500.90 for additional electrical work at the Raw Water Pump Station. Alderman Hartman seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1180 approved.

11. Resolution 1181, Authorization No. 97, Amendment No. 1 with HDR

Alderman Ulledahl moved to approve Resolution 1181, approving Amendment No. 1. to Authorization No. 97 with HDR Engineering, Inc. in an amount of \$11,000 for the additional surveying needed for the Little Platte River Crossing. Alderman Russell seconded the motion.

No discussion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1181 approved.

12. Resolution 1182, Leak Adjustment

Alderman Ulledahl moved to approve Resolution 1182, approving a water and wastewater leak adjustment for utility customer Tracy Tebbs. Alderman Hartman seconded the motion.

Stephen Larson, Finance Director, gave a brief summary on the background of this request. He noted that our Finance Department manages utility billing for the city and back in May of 2022 staff was initially notified of a leak at Mr. Tebbs' property. Staff responded with the work order and noted that the leak detector was spinning at that time. A couple of months went by, and the usage climbed a little bit at the property and eventually with the October billing cycle in 2022 that leak resulted in a lot greater usage in consumption. We were told that the service line had been nicked by contractor that was working there. At that time the consumption at the property of was 428,400 gallons. At that time, utility staff turned off the water to the home and Mr. Tebbs (who is in the audience this evening) got repairs

completed to that service line. Staff then advised Mr. Tebbs to work with AT&T see if it could be repaired and reimbursed by AT&T.

Stephen explained that in the RFA the leak adjustment has been calculated and it would be a credit of almost \$1,400. Stephen also noted that in the account balance there are a couple of late fees that were assessed and that is up to the board whether they wished to waive the late fees tonight. The late fees total almost \$730. Within the RFA, staff has provided a payment plan. Stephen noted that staff is looking to get direction from the Board for the amount of the adjustment, possibility for a payment contract and waving late fees.

Mayor Boley noted that there was a similar large volume leak occurred in 2019 the Board waived the late fees and offered a payment plan.

Cynthia noted that the payment plan is outlined in the Ordinance and the balance of \$2,956 includes the late fees and taking the \$730 off would bring the amount due down with the adjustment and the late fee credit to \$2,229.79. Cynthia explained that \$2,229.79 is the amount that would still be owed, and staff needed direction from the Board to stay with that amount or go with a different amount. She also noted the City Code outlines a timeline for payment plan and we typically work with people to get those paid within 12 months but have extended those.

Alderman Ulledahl said that he had read this over a couple times and seemed to have missed the point if it was determined that AT&T was responsible.

Blake Tebbs Dingman explained that AT&T had done work out by the front of their property and the leak was actually a leak in their barn that they never go down to anymore that is about 200-300 feet away from the road.

Alderman Ulledahl said that he agreed that we should waive the late fees.

Alderman Hartman agreed as well. He asked if it was correct that we do not normally extend the payment plan out further than 12 months

Cynthia explained that we have offered a longer payment plan on the larger leak adjustments and it is outlined in the RFA.

Alderman Hartman said that makes perfect sense agrees with extending it.

Alderman Russell agreed to also waive the late fee. He also asked where staff got the actual amount of water used versus the water that leaked.

Stephen explained staff looked at the average usage and then we double that as a part of the adjusted bill and that part gets charged at the normal rate which was 833 back in October. Everything over that amount is on the adjusted bill it is charged at the wholesale rate.

Cynthia explained that she believed that Mr. Tebbs would like to see the \$2,200 be reduced further. She also asked for direction from the Board for the length of time for a payment plan.

Alderman Chevalier asked what the maximum length of time that would be acceptable.

Cynthia explained that when this happened last time, the bill was a similar amount, we extended it to 14 months, because there was a certain amount that she had to be able to pay and it calculated out to 14 months.

Alderman Russell asked if the Board approves the adjustment and minus the late fees could the Tebbs family give their reason for wanting the additional reduction.

Blake Tebbs Dingman said that they wanted the additional reduction because they paid about \$6,000 plus just to repair the leak down by their barn and because it was a huge leak. She also gave her definition of service. It is like you give work for something that is given back. She said that they got no gain from this, they got no service done by this because it passed through, but they gained nothing from it. She went on to explain that a lot of times with a credit card if you are charged something and no service was done that will sometimes get refunded back in that full amount. That is why they are really just trying to have additional adjustment since they paid so much money in the repairs and are just not in a financial place right now to be able to pay another \$2,500 in a water bill.

Alderman Ulledahl asked on page 5, Resolution 1182 approving this leak adjustment request what the \$1,398.96 was.

WHEREAS, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$1,398.96.

Stephen explained that is the leak adjustment credit that is calculated. He said what would happen is if the board wish to approve just the credit of \$1,398.96 it would be applied to the account as a credit. She noted that when staff calculates that we take the original consumption of 428,400 and then the adjusted bill takes twice the monthly average which was 5,400 gallons and then anything beyond that is charged at the wholesale rate at \$4.98 those rates were effective back in October of 2022.

Mayor Boley clarified that with removing the adjustment we are crediting them over \$2,100 already.

Stephen said that is correct they would have a credit of \$1,398 plus a late fee removal of \$726.79.

Alderman Ulledahl asked what the total would be owed after taking off the credit and late fees.

Cynthia said it would be \$2,229.79. On a 12-month payment plan would be \$185.81 monthly and a 24-month payment plan would be \$92.91.

Alderman Russell asked how the wholesale rate works with the leak adjustment.

Stephen explained the wholesale rate when you adjust a bill with a leak adjustment is anything beyond twice the monthly average of water used is charged with the wholesale rate. When you are on the leak calculation sheet you take the original gallons used at the standard grade of \$8.33, which is the effective rate in October 2022, the adjusted bill is twice the monthly average monthly average, theirs was 5,400 gallons, so twice that is 10,800 gallons and that is charged at \$8.33 per thousand and then anything beyond that is

charged that the wholesale rate of \$4.98 per thousand gallons. That creates your adjusted bill and then that allows for a credit of \$1,398.

Mayor Boley asked when staff first notified the Tebbs of the leak.

Stephen explained that it was in May of 2022. We have a work order documenting that we went out to the property and noted that the leak detector was spinning.

Mayor Boley asked when the repairs were completed.

Stephen said that the paperwork given to staff has a repair date of November 2 on the bill.

Blake Tebbs Dingman noted that Mr. Tebbs tried different things in the home to see what this issue was first.

Alderman Russell asked if staff could figure anything over the average at the wholesale rate instead of doubling the average usage then figuring the wholesale rate.

Cynthia noted that the leak adjustment calculations are set by Ordinance.

Alderman Chevalier asked if the leak started off as a small leak for the first couple of months then turned into a substantial leak. He said he would be in favor of trying to come up with a better number but wanted to be careful not to set a precedent.

Alderman Ulledahl agreed and said that they could come down a little and extend the payment plan to 24-months. This would still double their bill for the next two years on average.

Blake Tebbs Dingman said that they did not use the water. She explained that Mr. Tebbs always conserves water, he takes a bath then uses the water to water his plants.

Alderman Russell said that he felt doubling the bill for 20-months along with the other increases we have had would be steep for anyone, if the leak was not self-inflicted. He said he understands what Alderman Chevalier was saying about setting precedent but thinks they should come up with a number that is a little more fair.

Alderman Ulledahl suggested to reduce it 50 percent of the total.

Alderman Russell seconded that suggestion.

Cynthia said that would take their total owed to \$1,115.

Stephen clarified that the Board is proposing half of the remaining \$2,229.79 that is owed after the adjustment and waiving of the late fee.

Cynthia noted that the total is \$1,114.85 and \$46.45 a month for 24-months..

The Board all agreed.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared Resolution 1182 approved.

13. Resolution 1183, MOU with Creative Communities Alliance

Alderman Ulledahl moved to approve Resolution 1183, authorizing and directing the Mayor to enter into an agreement with the Creative Communities Alliance for the Sculpture on the Move project. Alderman Hartman seconded the motion.

Alderman Russell said that in the Resolution it has a \$2,000 total which is incorrect. He explained if you look at the MOU and the MOA together, the MOU says that we are responsible for not only committee, but the installation of the plaque, development of the plaque, the maintenance, the installation and \$50 a year in addition.

Cynthia said that the \$50 participation was correct. The actual participation for the sculpture use is the \$1,000 a year for the two years. There is the \$50 annually for the community piece and there will be the cost of the insurance, it would be covered through the City's policy, but we do not have an amount yet on that, whatever installation work would be, materials and in-kind work by City staff. Cynthia noted that all of that would still be pretty minimal.

Alderman Russell said that we need to have the installation of the display, we are responsible for the plaque, the name plate, the \$50 a year which is \$100 and the marketing.

Cynthia explained that the marketing would be social media information that we would post.

Alderman Russell added that we are responsible for a minimum of 50% attendance in their meetings, voting as well and then maintenance, cleaning, repair and support. He said that the way he read the Resolution versus what he read in the details that was not included.

Cynthia noted that the annual cost will be less than \$1,000 plus some additional costs and it is a two-year program. Cynthia explained that this was a way to be able to have some public art at a much lower cost than if we purchased it ourselves, which would be significantly higher. It is basically renting the artwork.

Cynthia noted that there will be a draft for the artwork, there is a couple of meetings a year and then the cost to install a plaque which would be a small name plate so that would cost \$50 to \$100.

Alderman Russell added that we would then need to organize the committee and he did not see the number of people on the committee that would need to vote. He said it also mentioned there would be some public involvement. He added there was some other intangible items.

Cynthia explained that staff has reached out to some community members for participation in that committee in putting together the list of art that the City would be interested in. One meeting for that group is with anticipated as well. Cynthia noted that working with Matt Denton, Parks Director, The Mayor and herself, they have identified Alyssa Sanders with the Main Street from downtown perspective, a local property owner in the downtown area who also has an interest in art Jeff Becker and Jeff Bloemker who is a former Alderman who had initially discussed an interest in community art and then Matt and herself. The committee will be reviewing the information of what we have and what we

need. The committee time commitment we anticipate will only be a few hours total. She noted Matt will provide the information to the committee, to look through the art, get feedback and come up with prioritization for that draft process. The process will be just like the NFL draft, all the communities are participating have their list and a number gets drawn and somebody gets to pick and then you go down the list. Cynthia noted that \$1,500 total a year would be probably more than what we would spend to be able to have that art in place.

Alderman Russell also asked about the 4X4 concrete slab for the installation and if it needed electricity.

Cynthia explained that there is one piece that is illuminated but it has solar lighting on it. She also noted that most of them provide information on maintenance costs because certain materials need some maintenance and that would be one of the things that the committee would review and determine if that is something we wanted to look at. Cynthia said she believed that 90% were no maintenance.

Alderman Russell asked how time sensitive was this for Board approval.

Cynthia explained that staff would like to be able to have approval tonight. The draft for this year is actually scheduled for February 28 once this is approved the committee can meet.

Mayor Boley explained that we do have the art installation area as part of Streetscape Phase III, so the slab cost is covered and to make sure we do not go over budget the Mayor offered to take care of the cost of the plaque.

Ayes – 5, Noes – 0, Alderman Russell did not vote, motion carries. Mayor Boley declared Resolution 1183 approved.

OTHER MATTERS BEFORE THE BOARD

14. Public Comment

Randall Palmer, 14702 Shamrock Way, spoke to the Board concerning the possible upcoming development at 169 Highway and Commercial Avenue. He noted that he has lived in Hills of Shannon for 20 years and this development backs up to his yard. He explained that he believes this will lead to a possible flooding issues for at least five yards in the subdivision. He does not want cars coming right up to his back yard. This development will bring more lights, sound and traffic to that area. He feels it will be encroaching further into public development. He is fine with the three or four businesses built out by the road but staff off his property. He said that he has maintained that area for the last 20 years so that it would like nice.

Contance Scott, 308 Killarney, spoke to the Board on the possible upcoming development at 169 Highway and Commercial Avenue. She said that she is the current HOA president for the Hills of Shannon. She noted that there has been a strip mall in the front of that property but it is the proposed lots four through six and the road on the second half of this property that has them concerned. Ms. Scott noted that she has many question concerning this development, who is the developer, water run-off, lights, sound and the additional trash and debris coming from the highway. She said that the biggest concern is the water run-off that they get in this area. She asked that Mayor Boley, Alderman Shipley and

Alderman Atkins as well as all the Alderman come and walk the woods with them to see their concerns in person.

Alex Johnson, Sergeant with the Smithville Police Department, spoke to the Board concerning collective bargaining. He explained that the way the Ordinance reads, sergeants are actually part of the command staff with the chief and the captain. So, the FOP is not able to represent the sergeants for the collective bargaining purposes. He explained that what they are wanting to change in the Ordinance is to put the sergeants as part of the patrol officers. That way they would all be under one bargaining unit.

Andrew Marr, 102 Spinnaker Drive, Vice President for the Fraternal Order of Police Lodge 50. They represent the police officers here in Smithville. He said that Sergeant Johnson was correct, they are not able to represent them only the patrol officers and are also requesting a change to the Ordinance so they would be able to represent them as well with collective bargaining. He left a folder with Linda Drummond, City Clerk, that had a letter from the president that outlays other cities across the state that allow both sergeants and patrol officers to be in the same collective bargaining unit and other cities that allow sergeants to be in separate units but be represented by the same lodge.

Kristine Bunch, 18608 Primrose Street, spoke to the Board concerning occupational licenses. She listed Tall Oaks Apartments LLC, Jefferson Apartments LLC, JRL Properties LLC, Goodwill Smithville LLC, Star Development Kansas City Property and Investments LLC, LNW Investments LLC, High Tide Properties LLC, Portside Investments Inc., Legacy Bank & Trust Company are just to name a few businesses that she found in Smithville. Ms. Bunch noted that what some or all of these businesses have in common is that they may or may not hold the City of Smithville business license and they may or may not be conducting business in Smithville. She said she did verify a few that do not hold an occupational business license in Smithville and that possibly over 100 different businesses registered with the Missouri Secretary of State are currently operating in Smithville without a business license. She said that this is missed revenue the City of Smithville could be collecting. She proposed that all businesses registered with the Missouri Secretary of State financially benefiting in Smithville needed to apply for an occupational business license.

15. New Business from the Floor

Cynthia thanked Sergeant Johnson that spoke this evening, she noted that some of the officers had let Chief Lockridge know of their desire to come to the meeting this evening to speak on collective bargaining. She noted that none of our police are represented at this point in time. The Ordinance for collective bargaining outlines that process. Cynthia noted that staff received information from members of the Department concerning this. She and Chief Lockridge have also been in conversation with John Reddoch, City Attorney, and are reviewing the Ordinance. Cynthia explained that at the next meeting staff will bring forward an agreement for Board approval for representation by a labor attorney to assist in that process.

Cynthia noted there may be some interest in in pursuing the information on the Ordinance but explained that staff is trying to make sure that we do that in the best way possible to address all needs in the community.

Cynthia said that she appreciated the information we are getting from the FOP this evening to help us in understanding this issue.

Cynthia explained that she has a meeting with Chief Lockridge, Gina and an attorney if we were able to bring the agreement forward for Board approval, so that we can continue to explore those changes to the Ordinance.

Alderman Chevalier asked that staff make sure we figure out what we need to do and if see if there are other things they may need as well. Once staff has all the information he said he would like to have a discussion on the department and what their needs.

Alderman Russell noted he would like to bring forward to the Board the issue concerning information about the drinking water that went out as public notice. He first thanked staff for getting the information out. He explained that he has been questioned about the timeline, of when the notice went out and the turbidity testing had to be done manually. He had concerns where in the notice it states specifically there is nothing you should do unless you have a compromised health issue, or have an infant or are elderly. Alderman Russell had concerns about the length of time it took before the notice went out, even though the drinking water was safe except for those issues identified in the letter.

Alderman Russell said if this happens again, even though there are safeguards to put in place, but feels that advanced notification to members of the community that could be affected, instead of just the overall population. He noted that we have infants, elderly and immune compromised he would like to see if we could a possibly have a committee to identifying any critical infrastructure and make sure we have a backup plan and possibly make sure that we have the parts that we need on hand.

Alderman Russell requested that this be taken care of at a committee level instead of in discussion here so it can be looked at a little bit more in depth and then it has been.

Mayor Boley said that he believes this is something the Board of Aldermen can continue to manage.

Alderman Chevalier said that he would like staff to figure out what critical parts should be kept on hand, so we have them for incidents like this.

Cynthia explained that the timeline of events the notification went out as a result of notification to the Water Department from the Department of Natural Resources. The communication was received on a Tuesday and the mailers went out on a Friday. The City did not receive that information until late January and the notification was then sent out to residents.

Chuck Soules, Public Works Director, clarified that what Alderman Russell is concerned about is that the turbidity meter went out in October and the notice did not go out until January.

Mayor Boley noted that DNR did not notify the City until right before the letters went out. We do not have a DNR representative sitting in our water plant.

Cynthia suggested that when we have to do the manual testing we can work on communication to help make people aware of the issue. Cynthia noted that staff was testing the water during that time and it was never unsafe.

Chuck explained that if there was even a thought that the water was unsafe, the City would have notified the public immediately.

Mayor Boley said residents would be notified similar to if we have a water main break and we have a boil order.

Chuck explained that staff took the steps to monitor the situation continuously by manually monitoring the turbidity. Chuck noted that we could argue with DNR that we do not run our plant continuous we shut it down at night and start it back up in the morning. Chuck explained that staff has had those discussions with DNR but unfortunately it is just the way they interpret the regulations. He explained that people's health was not in jeopardy, but we would immediately let people know if that was the case.

Alderman Russell noted that once we knew we had the issue it was really highlighted by the staff that no one was in harm and drinking and that everything is okay with the drink water. He said the problem is that it happened in October and the notice was not sent out until January and said unless you have a severely compromised immune system like he does, an infant or elderly. He said that is the concern.

Chuck explained that verbiage is just a form that DNR gives and says that we have to send out. He said that staff did make some changes to try and soften it a little bit but there is certain language they said has to be in the notification. Chuck explained that this year has been extraordinary for getting parts, he said typically we could have called that part up within a few days but now the access to this equipment just is not there. Chuck explained to keep all the parts on hand we would have millions of dollars sitting on shelf. Typically, these turbidity meters last a long time, we had one that lasted 19 years and they are not cheap. They cost \$2,500 each and we have six of them. There is also the issue of when we need to replace them they are the old technology and by then there will be new technology.

Chuck noted that staff is working on it stocking up on parts and trying to think about more of those things. The meter setters is another piece of equipment, we did not run out we thought we had plenty but people keep using them and we could get replacements for them. Chuck noted that staff is looking into all of this as part of the improvements to the Water Treatment Plant to replace parts and update equipment.

Alderman Russell said he knows staff doing a great job he just agrees we need to identify critical parts to have on hand.

Cynthia explained that issues like this helps us to work through what are the key components that may break down and what are the things that we can do, and we can have that bench stock available. Also, what is the value and the life cycle of and the obsolescence. She noted that staff has already had several meetings on this.

Chuck explained that some of the valves at the plant cost \$20,000 and we cannot afford to have enough parts on hand to rebuild the whole plant, but staff is working to find a balance to have the parts needed on hand for when we have this type of issue.

Chuck also mentioned that there is a pump station that has a problem they are trying to figure out right now at the Wastewater Plant.

Mayor Boley noted that having the parts and equipment on hand at the Water Plant will also be part of the budget discussion.

16. Adjourn

Alderman Ulledahl moved to adjourn. Alderman Hartman seconded the motion.

Ayes – 6, Noes – 0, motion carries. Mayor Boley declared the regular session adjourned at 7:55 p.m.



Linda Drummond, City Clerk



Damien Boley, Mayor