

A G E N D A
WORK SESSION MEETING
City of Moberly
September 21, 2020
6:00 PM
AMENDED AGENDA

Requests, Ordinances, and Miscellaneous

1. ESP Project Update
2. A request from Jeremy Kitchen to hold their annual Cowboy's for Christmas parade on November 7, 2020.
3. An Ordinance amending the CBA with the Fire Union.
4. Change order #3 for Harrison Garfield project of decrease of \$1,683.88.
5. Stop Sign request by a citizen to make the intersection of E. Logan and Gratz brown a four way stop.
6. **An Ordinance Amending Section 42-293 Relating to Sewers**

City of Moberly City Council Agenda Summary

Agenda Number: _____
 Department: Public Utilities
 Date: September 21, 2020

WS #1.

Agenda Item: ESP Project Update

Summary: ESP will be here to provide an update of the meter replacement project, the wastewater treatment plant blower and VFD installation, and the water plant VFD installation. An update on the upcoming software conversion will also be provided. Information on revenue tracking and energy savings will also be provided.

Recommended

Action: For Information Only

Fund Name: N/A

Account Number:

Available Budget \$:

ATTACHMENTS:		Roll Call	Aye	Nay
___ Memo	___ Council Minutes	Mayor		
___ Staff Report	___ Proposed Ordinance	M___ S___ Jeffrey	___	___
___ Correspondence	___ Proposed Resolution			
___ Bid Tabulation	___ Attorney's Report	Council Member		
___ P/C Recommendation	___ Petition	M___ S___ Brubaker	___	___
___ P/C Minutes	___ Contract	M___ S___ Kimmons	___	___
___ Application	___ Budget Amendment	M___ S___ Davis	___	___
___ Citizen	___ Legal Notice	M___ S___ Kyser	___	___
___ Consultant Report	___ Other _____		Passed	Failed



City of Moberly: Update on Energy Performance Contract for Savings, Revenue Recovery and Plant Improvements

Moberly, Missouri
September 21, 2020

energyesp.com

Agenda

- Review What You Bought
- Construction Update
- Energy Savings
 - Water Treatment Plant
 - Waste Water Plant
- Revenue Recovery
 - Commercial Meters
 - Residential Meters
- Summary / Q&A



What Did You Buy

Energy Conservation Measure	Quantity	Projected Annual Energy Savings	Annual O&M Savings	Guaranteed Annual Savings	Turnkey Installed Price
Water Meters, AMI and Billing Software Integration	5,305	\$625,843	\$28,800	\$529,474	\$4,025,366
5/8" Water Meters	4800	\$96,486	\$0	\$77,189	\$1,676,456
1" Water Meters	376	\$10,136	\$0	\$8,109	\$149,910
2" Water Meters	117	\$26,025	\$0	\$20,820	\$99,939
3" Water Meters	5	\$34,259	\$0	\$27,407	\$12,639
4" Water Meters	6	\$64,037	\$0	\$51,229	\$13,547
6" Water Meters	1	\$0	\$0	\$0	\$6,017
Advanced Metering Infrastructure	NA	\$394,900	\$28,800	\$344,720	\$1,651,892
Billing and Accounting Software System	NA	\$0	\$0	\$0	\$414,966
Process Improvements	6	\$39,642	\$0	\$35,677	\$617,081
Replace SBR Blowers and Add VFD's at WWTP	3	\$21,389	\$0	\$19,250	\$474,929
Install VFD's on High Service Pumps at WTP	3	\$18,252	\$0	\$16,427	\$97,128
WTP PLC Controller Upgrade	NA	\$0	\$0	\$0	\$45,024
Contract Sum		\$665,484	\$28,800	\$565,152	\$4,642,447

Construction Update

Water Treatment Plant (High Service Pump VFD)

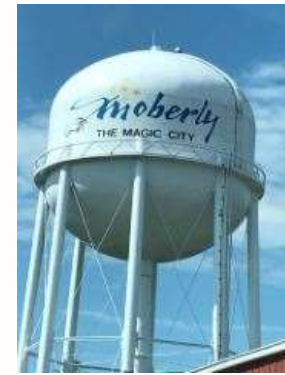


Waste Water Treatment Plant (New SBR VFDs & Controls)



Construction Update

Meter Telecommunications



Billing Software

- Caselle selected by City
- City and Caselle working with City Departments to Develop



Construction Update

Commercial Water Meters



Residential Water Meters – 25% Complete



Energy Savings

Water Treatment Plant

- 3 @ 100 hp pumps, usually only 1 runs.
- VFD plan was to reduce pump speed by 25% and power by 52%

Results:

- The pumps are running “Very Quiet”
- Pump speed is actually running 33% less
- Throttling valve opened, discharge pressure reduced from 86 to 43 psi (50% pressure drop)



Energy Savings

Waste Water Treatment Plant

- 3 @ 100 hp blowers, usually 1 runs with 2nd half time
- New reduced blower size and New VFD results in 30% savings

Results:

- Currently running 2 SBRs but at approximately 50% capacity
- Resultant power and energy reduction of approximately 65%
- Significant Improvement of Dissolved Oxygen Control
- Smart Blowers will result in
 - Residual Maintenance Savings
 - Increased Life Span



Revenue Recovery

Total Projected Recovery: \$625,843

- Commercial Meters

- Meter Setup Errors \$394,900
- Meter Accuracy \$131,457

- Residential Meters

- Meter Accuracy \$ 99,486



Summary and Q&A

- Project is On Time and On Budget
- Savings are On Track or Better
- \$30,000 in Ameren Rebates
- Revenue Recovery is On Track



City of Moberly City Council Agenda Summary

Agenda Number: _____

WS #2.

Department: Police

Date: September 21, 2020

Agenda Item: A request from Jeremy Kitchen to hold their annual Cowboy's for Christmas parade on November 7, 2020.

Summary:

Request to hold the annual Cowboy's for Christmas parade on 11-07-2020. Parade will begin at noon at the Lodge in Rothwell Park. Parade will go south on Rothwell Park Road, across the dam to the war memorial where it will turn north on Holman Road to Concannon St. East on Concannon St to Johnson Street, south on Johnson St. to W. Rollins, west on W. Rollins to College Ave, south on College Ave to Fisk Ave, west on Fisk Ave to Rothwell Park Road at maintenance building, north on Rothwell Park Road, turning left at James Youth Cabin and returning to the Lodge where parade will end. Contact person is Jeremy Kitchen, 660-676-0634. They expect 50 animal units to participate and have six people to assist with traffic along the parade route.

Recommended Action Direct staff to bring to the October 5th Council meeting for final approval.

Fund Name: N/A

Account Number: 0.00

Available Budget \$: N/A

ATTACHMENTS:		Roll Call	Aye	Nay
<input type="checkbox"/> Memo	<input type="checkbox"/> Council Minutes	Mayor		
<input type="checkbox"/> Staff Report	<input type="checkbox"/> Proposed Ordinance	M___ S___ Jeffrey	___	___
<input checked="" type="checkbox"/> Correspondence	<input type="checkbox"/> Proposed Resolution	Council Member		
<input type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Attorney's Report	M___ S___ Brubaker	___	___
<input type="checkbox"/> P/C Recommendation	<input type="checkbox"/> Petition	M___ S___ Kimmons	___	___
<input type="checkbox"/> P/C Minutes	<input type="checkbox"/> Contract	M___ S___ Davis	___	___
<input type="checkbox"/> Application	<input type="checkbox"/> Budget Amendment	M___ S___ Kyser	___	___
<input type="checkbox"/> Citizen	<input type="checkbox"/> Legal Notice			
<input type="checkbox"/> Consultant Report	<input type="checkbox"/> Other _____		Passed	Failed

Submit completed form with any attachments to:
Moberly Police Department
ATTN: Chief of Police

APPLICATION FOR PARADE PERMIT
City of Moberly, Missouri

Date: 9/2/20

1. Organization/Agency requesting permit: Cowboys For Christmas

2. Name of Person making Application: Jeremy Kitchen

Contact Person: Jeremy Kitchen Phone: 660-676-0634

3. Date of Parade: 11/7/20 Start Time: Noon

4. Staging Area: The Lodge at Rothwell Park

5. Approximate Number of Units Participating in Parade:
- A. Bands _____
 - B. Motorized Units _____
 - C. Floats _____
 - D. Foot Units _____
 - E. Animal Units 50
 - F. Others _____

Total Number of Units: 50

See Attached Map

6. Parade Route and ending point: Start at the Lodge in Rothwell Park

Go down Rothwell Park Rd, turn Left on Holman Rd,
Turn Rt on Concannon St, Continue on Johnston St, turn Rt on W Rollins,
Left on College ave, Rt on Fisk ave, turn Rt @ at Rothwell Park to
the Lodge

7. Will organization or parade participants be dispersing any items during the parade? Yes No If yes, what? _____

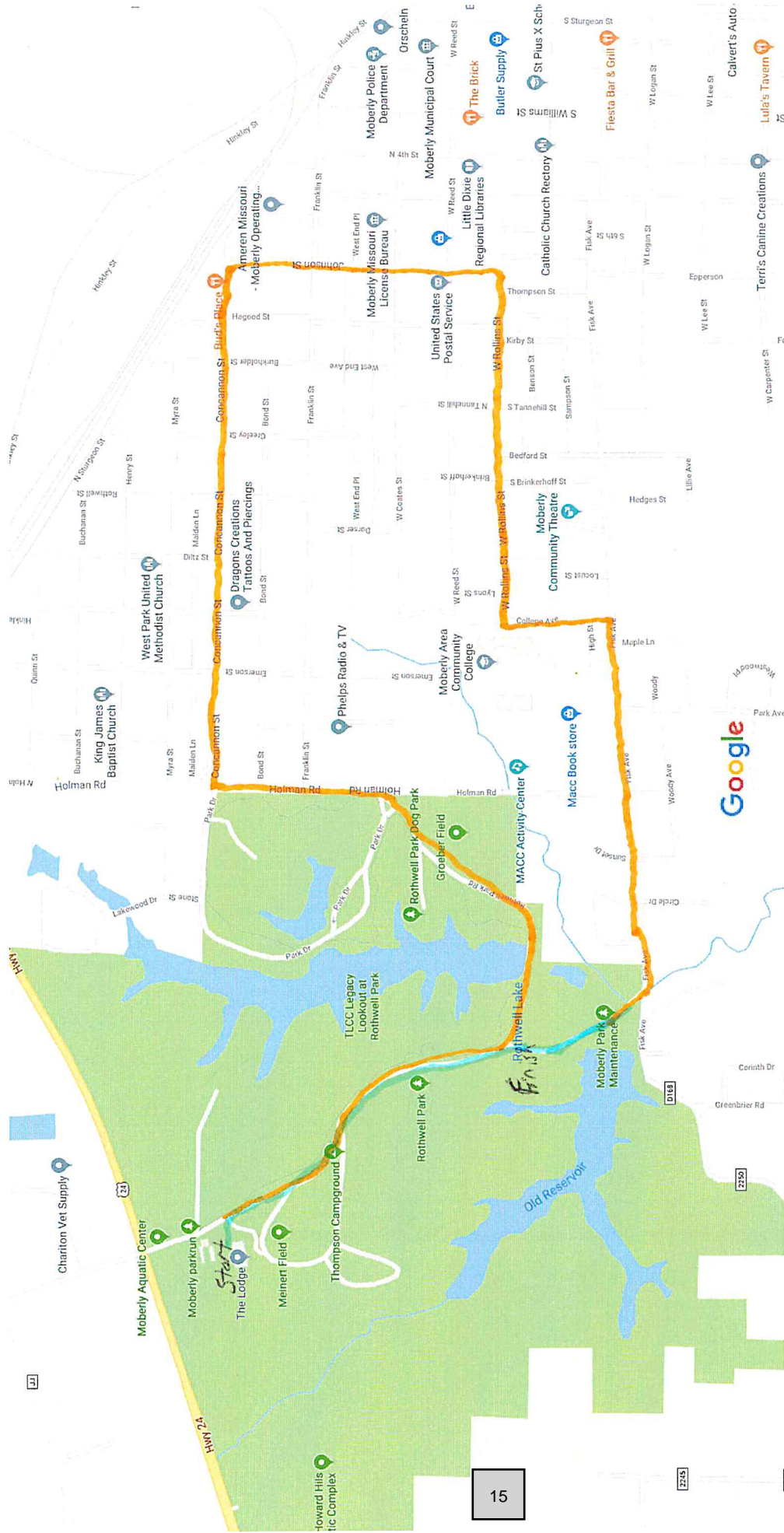
8. Will organization or agency furnish personnel to assist the police with security or traffic along the parade route? Yes No If so, how many? 6

9. Have read and agree to the rules outlined in the parade permit. Yes No

10. Signature of Applicant: [Signature]

11. Approved: [Signature] Disapproved _____

12. By authority of: [Signature] Date 09 04 20
(Chief of Police)



Map data ©2019 500 ft

City of Moberly City Council Agenda Summary

Agenda Number: _____ WS #3.

Department: Administration

Date: September 21, 2020

Agenda Item: An Ordinance amending the CBA with the Fire Union.

Summary: The Fire Union determined that the existing Minimum Credentials for new employees which included “Certified First Responder Required” was not realistic and should be changed to “Certified First Responder Preferred.” The CBA with the union requires that any amendment be in writing and agreed to by both parties. The Union has approved the amendment. This Ordinance reflects the city’s acceptance of the amendment.

Recommended

Action: Direct staff to bring to the October 5th Council meeting for final approval

Fund Name: N/A

Account Number: N/A

Available Budget \$: N/A

ATTACHMENTS:	Roll Call	Aye	Nay
<input type="checkbox"/> Memo	<input type="checkbox"/> Council Minutes		
<input type="checkbox"/> Staff Report	<input checked="" type="checkbox"/> Proposed Ordinance		
<input checked="" type="checkbox"/> Correspondence	<input type="checkbox"/> Proposed Resolution		
<input type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Attorney’s Report		
<input type="checkbox"/> P/C Recommendation	<input type="checkbox"/> Petition		
<input type="checkbox"/> P/C Minutes	<input type="checkbox"/> Contract		
<input type="checkbox"/> Application	<input type="checkbox"/> Budget Amendment		
<input type="checkbox"/> Citizen	<input type="checkbox"/> Legal Notice		
<input type="checkbox"/> Consultant Report	<input type="checkbox"/> Other _____		
	Mayor		
	M___ S___ Jeffrey	___	___
	Council Member		
	M___ S___ Brubaker	___	___
	M___ S___ Kimmons	___	___
	M___ S___ Davis	___	___
	M___ S___ Kyser	___	___
		Passed	Failed

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF MOBERLY, MISSOURI AND THE LOCAL 2671, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBERLY, MISSOURI, TO-WIT:

SECTION ONE: Local 2671, International Association of Firefighters (the “Union” along with the “City” may be collectively referred to herein as the “Parties”) and the City entered into a Collective Bargaining Agreement (the “Agreement”) which was approved by Ordinance Number 9564 on December 16, 2019.

SECTION TWO: Section 4.02 of the Agreement provides that it may be amended in writing which amendment becomes effective when signed by both parties.

SECTION: Attached hereto is a proposed First Amendment to the Agreement which has been approved by the Union and which provides for amending Section 2.14. 3.) 4. as follows:

Certified Missouri EMT license preferred, Certified First Responder Preferred.

SECTION FOUR: The First Amendment is hereby approved, and the Mayor, City Manager and Fire Chief are hereby authorized to execute the Agreement on behalf of the City.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and adoption by the Council of the City of Moberly, Missouri, and its signature by the officer presiding at the meeting at which it was passed and adopted.

PASSED AND ADOPTED by the Council of the City of Moberly, Missouri, this 21st day of September, 2020.

Presiding Officer at Meeting

ATTEST:

City Clerk

FIRST AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT

This First Amendment to the Collective Bargaining Agreement (the "Agreement") between the City of Moberly (the "City") and Local 2671, International Association of Firefighters (the "Union" along with the "City" may be collectively referred to herein as the "Parties") is as follows:

WHEREAS, the Union approved and presented the Agreement to the City which was then approved by the City by Ordinance Number 9564 on December 16, 2019; and

WHEREAS, Section 4.02 of the Agreement provides that it may be amended in writing which amendment becomes effective when signed by both parties; and

WHEREAS, the Union desires to amend Section 2.14, 3.) 4. as follows:

"4. Certified Missouri EMT license preferred, Certified First Responder Preferred;"

NOW, THEREFORE, the Parties hereby adopt the following amendment to their Agreement:

Section 2.14 Promotions and Hiring

3.) Minimum Credentials for New Employees:

4. Certified Missouri EMT license preferred, Certified First Responder preferred;

APPROVAL OF AMENDMENT

The following persons by endorsing this Amendment represent that they are authorized to act on behalf of the City of Moberly, Missouri and Local 2671 of the International Association of Firefighters.

Ross Dutton, IAFF Local 2671 9/10/2020

Jerry Jeffrey, Mayor Date

Brian Crane, City Manager Date

Jerry Washam, Acting Fire Chief Date

City of Moberly City Council Agenda Summary

Agenda Number: _____
 Department: Public Works
 Date: September 21, 2020

WS #4.

Agenda Item: A Resolution Authorizing And Accepting Change Order Number 2 To The Contract With Willis Bros. Inc., For The Harrison And Garfield Project.

Summary: Please find attached the change order with a decrease of (\$1,683.88) for decrease in straight back curb and gutter (line 14) and curb inlet (line 21).

The contract price prior to this change order was \$1,327,554.30. The new price is \$1,325,870.42.

Staff recommends approval of this.

Recommended Action: Direct staff to bring forward to the October 5, 2020 Regular City Council meeting for final approval.

Fund Name: Transportation Trust

Account Number: 600.178.5409

Available Budget \$: 369,471.50

ATTACHMENTS:		Roll Call	Aye	Nay
<input type="checkbox"/> Memo	<input type="checkbox"/> Council Minutes	Mayor		
<input type="checkbox"/> Staff Report	<input type="checkbox"/> Proposed Ordinance	M__ S__ Jeffrey	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Correspondence	<input type="checkbox"/> Proposed Resolution	Council Member		
<input type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Attorney's Report	M__ S__ Brubaker	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> P/C Recommendation	<input type="checkbox"/> Petition	M__ S__ Kimmons	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> P/C Minutes	<input type="checkbox"/> Contract	M__ S__ Davis	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Application	<input type="checkbox"/> Budget Amendment	M__ S__ Kyser	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Citizen	<input type="checkbox"/> Legal Notice			
<input type="checkbox"/> Consultant Report	<input checked="" type="checkbox"/> Other <u>Change Order</u>		Passed	Failed

Date of Issuance: 9/10/20	Effective Date: 9/10/20
Owner: City of Moberly	Owner's Contract No.: 19254.020
Contractor: Willis Bros., Inc.	Contractor's Project No.: 19254.020
Engineer: Bartlett & West	Engineer's Project No.: 19254.020
Project: Harrison Ave and Garfield Street Project	Contract Name: Harrison Ave and Garfield Street Project

The Contract is modified as follows upon execution of this Change Order:

Description:

Line item 14, Straight Back Curb & Gutter (APWA CG-1): decrease quantity by 337 LF.
 Line item 16, 15" HP Storm Pipe: increase quantity by 75 LF.
 Line item 21, 4' x 4' APWA Type II Curb Inlet: decrease quantity by 1 EA.
 Line item 22, 3'x2' High Flow Grated Curb Inlet: increase quantity by 1 EA.
 Line Item 23, 15" CMP End Section: increase quantity by 1 EA.
 Line item 24, Drain Basin with Dome Grate: increase quantity by 3 EA.
 Line item 25, Insert-a-Tee (Pipe to Pipe Connections): increase quantity by 4 EA.
 Line Item 27, 4" PCC Sidewalk: increase quantity by 25 SY.
 Line Items 67, 6" C900 PR 235 PVC: increase quantity by 20 LF.
 Line item 70, Abandon Existing Waterline: increase quantity by 1 EA.
 Line item 71, Granular Surface and compaction: increase quantity by 11 SY.
 Add line item 74, Additional Removals for Harrison & Carpenter Drainage Extension, 1 LS, unit price of \$950/LS.

Attachments:

Harrison and Carpenter Additional Drainage

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,235,917.00</u>	Original Contract Times: Substantial Completion: <u>180 days</u> Ready for Final Payment: <u>210 days</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : \$ <u>91,637.30</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : Substantial Completion: <u>30 days</u> Ready for Final Payment: <u>30 days</u> days
Contract Price prior to this Change Order: \$ <u>1,327,554.30</u>	Contract Times prior to this Change Order: Substantial Completion: <u>210 days</u> Ready for Final Payment: <u>2400 days</u> days or dates
[Decrease] of this Change Order: \$ <u>-1,683.88</u>	[Increase] of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: <u>N/A</u> days or dates
Contract Price incorporating this Change Order: \$ <u>1,325,870.42</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>210 days</u> Ready for Final Payment: <u>240 days</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By:	Austin Johnson	By:	_____	By:	<i>Tom D. Willett</i>
	Engineer (if required)		Owner (Authorized Signature)		Contractor (Authorized Signature)
Title:	Project Manager	Title	_____	Title	<i>SEC TREAS</i>
Date:	9/10/2020	Date	_____	Date	<i>9/15/2020</i>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

MATCHLINE SEE NEXT SHEET

Construct ~75 SF of sidewalk (50 SF already in need of replacement as 2 panels have been damaged)

Construct ~11 SY of Granular surface and compaction (40 LF x 30" trench)

Grade ditch to drain south

Install 15" CMP end section

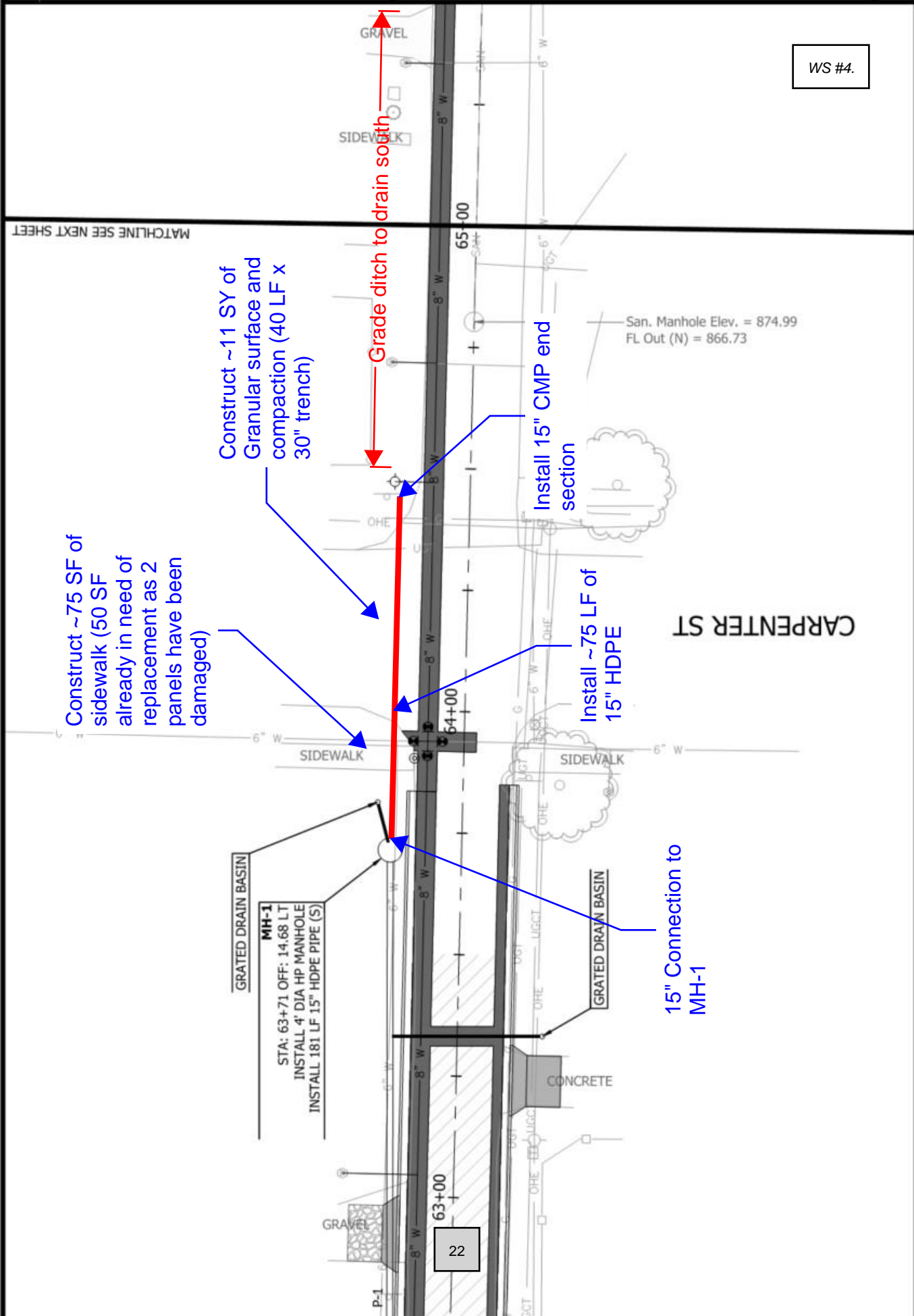
Install ~75 LF of 15" HDPE

15" Connection to MH-1

San. Manhole Elev. = 874.99
FL Out (N) = 866.73

GRADED DRAIN BASIN
MH-1
STA: 63+71 OFF: 14.68 LT
INSTALL 4" DIA HP MANHOLE
INSTALL 181 LF 15" HDPE PIPE (S)

GRADED DRAIN BASIN



City of Moberly City Council Agenda Summary

Agenda Number: _____

WS #5.

Department: Public Works

Date: September 21, 2020

Agenda Item: Stop Sign request by a citizen to make the intersection of E. Logan and Gratz brown a four way stop.

Summary: Attached please find the traffic study that was done by the Moberly Police Department. The Police do not feel a stop sign is needed from the reports of traffic accidents at this intersection.

Recommended

Action: Staff recommends no changes be made.

Fund Name: N/A

Account Number: N/A

Available Budget \$: N/A

ATTACHMENTS:		Roll Call	Aye	Nay
<input type="checkbox"/> Memo	<input type="checkbox"/> Council Minutes	Mayor		
<input type="checkbox"/> Staff Report	<input type="checkbox"/> Proposed Ordinance	M___ S___ Jeffrey	___	___
<input type="checkbox"/> Correspondence	<input type="checkbox"/> Proposed Resolution			
<input type="checkbox"/> Bid Tabulation	<input type="checkbox"/> Attorney's Report	Council Member		
<input type="checkbox"/> P/C Recommendation	<input type="checkbox"/> Petition	M___ S___ Brubaker	___	___
<input type="checkbox"/> P/C Minutes	<input type="checkbox"/> Contract	M___ S___ Kimmons	___	___
<input type="checkbox"/> Application	<input type="checkbox"/> Budget Amendment	M___ S___ Davis	___	___
<input type="checkbox"/> Citizen	<input type="checkbox"/> Legal Notice	M___ S___ Kyser	___	___
<input type="checkbox"/> Consultant Report	<input type="checkbox"/> Other <u>Stop Sign Request</u>		Passed	Failed

City of

**Police Department***Professional, Proactive Policing*

Troy Link

Chief of Police

264th Session FBI Academy

300 N Clark Street

Moberly, MO 65270

Phone: 660-263-0346

Fax: 660-263-8540

09-15-2020

RE: Traffic Control Change request for Gratz Brown and E Logan intersection

On 09-04-2020, I received an email from City of Moberly Administrative Assistant, Carla Beal stating a Todd Mallory called requesting a stop sign at Gratz Brown and E Logan, claiming there has been several accidents at this location. I called Mr. Mallory back and requested he provide a written request to change the present traffic control at Gratz Brown and E Logan. Mr. Mallory requested Gratz Brown and E Logan be changed to a four-way stop.

On 09-15-2020, I received a forwarded email from Tom Sanders showing Mr. Mallory made the request by email on September 4, 2020 to Tom Sanders. The email is attached.

The intersection of E Logan and Gratz Brown receives a heavy volume of traffic each day. E Logan between Meadowbrook Dr. and Gratz Brown is heavily used as a "cut through" for access to Gratz Brown, to and from East Rollins and access to US 63; additionally Gratz Brown connects to E Rollins as well. Students, teachers and busses further increase the traffic use when school is in session. Vehicles stopped on E Logan have good sight lines to view oncoming vehicles in both directions. A tree on the southwest corner of intersection at 916 E Logan does partially obstruct vehicles traveling northbound on Gratz Brown as they approach E Logan, but none of the accident reports lists the tree as obstructing the view of drivers at the intersection.

I checked on reported traffic accidents for E Logan and Gratz Brown going back to January of 2000. In total, I found 19 traffic accidents at this location. The most recent was on 07-09-2020 and one from 04-08-2019. Both of these involve vehicles on E Logan failing to yield the right of way to on-coming vehicles on Gratz Brown resulting in a collision. Officer A Paige, who investigated the accident on 07-09-2020, reported several neighbors in the area inquired why the intersection is not a four-way stop. I have not received any other inquiries or requests to change the traffic control at this location and am not aware of any traffic complaints or requests for enforcement for this location either.

Of the 19 accidents, 12 involve a driver on E Logan with a stop sign, either failing to stop for the stop sign or failing to yield the right of way to a vehicle on Gratz Brown after

stopping. Several reported they did not see the oncoming vehicle. One driver reported he thought the intersection was a four-way stop and expected the on-coming vehicle to stop.

Three accidents involved a vehicle stopping in the intersection and backing up striking a car behind them. One was avoiding an on-coming vehicle on Gratz Brown that turned in front of them. One was a bus passing a stopped vehicle while attempting to make a turn from Gratz Brown onto E Logan and struck the stopped car with the rear tire. One accident involved a vehicle sliding through the stop sign due to slick roads and into the path of the on-coming vehicle. One accident involved vehicles on E Logan, one eastbound and one westbound, one vehicle failed to signal and made a turn in front of the other when both entered the intersection at the same time.

Comparing the number of accidents at the location with the amount of daily traffic through this intersection, the accident rate is very low, on average, one accident per year. Changing the intersection to a four-way stop would create a backup of traffic on Gratz Brown, increasing congestion in the area as traffic slows, especially during the morning and afternoon traffic patterns.


The accident rate per year does not support changing the intersection to a four-way stop.

The number of accidents per year is as follows:

2020- 1 so far	2009- 0
2019- 1	2008-1
2018- 0	2007-0
2017- 1	2006-1
2016- 2	2005-0
2015- 1	2004-1
2014- 1	2003-1
2013- 0	2002-0
2012- 2	2001-1
2011- 4	
2010- 1	

Respectfully;

Chief of Police


Troy Link

City of Moberly City Council Agenda Summary

Agenda Number: _____
 Department: Public Utilities
 Date: September 21, 2020

WS #6.

Agenda Item: An Ordinance Amending Section 42-293 Relating to Sewers

Summary: The current City Code lacks specific authority to abate private sewer defects and charge the property owner for the repairs. Sewer defects in private laterals can cause damage to streets, alleys, and block sewer mains when the lateral or the lateral connection to the City main fails. This ordinance provides authority for the City to charge the customer in the event that the customer does not correct the defect.

Recommended

Action: Move the Ordinance to the next Council Session for approval

Fund Name: N/A

Account Number: N/A

Available Budget \$: N/A

ATTACHMENTS:		Roll Call	Aye	Nay
___ Memo	___ Council Minutes	Mayor		
___ Staff Report	___ Proposed Ordinance	M___ S___ Jeffrey	___	___
___ Correspondence	___ Proposed Resolution			
___ Bid Tabulation	___ Attorney's Report	Council Member		
___ P/C Recommendation	___ Petition	M___ S___ Brubaker	___	___
___ P/C Minutes	___ Contract	M___ S___ Kimmons	___	___
___ Application	___ Budget Amendment	M___ S___ Davis	___	___
___ Citizen	___ Legal Notice	M___ S___ Kyser	___	___
___ Consultant Report	___ Other _____		Passed	Failed

BILL NO: _____

ORDINANCE NO: _____

AN ORDINANCE AMENDING SECTION 42-293 RELATING TO SEWERS.

Whereas, Section 42-293 of the Moberly City Code provides for penalties for violations of Chapter 42, Article IV, Sewers; and

Whereas, the existing penalty provisions are not adequate to remedy various violations of the Code related to sewers and city staff requires greater authority to repair sewer infrastructure when customers fail or refuse to do so; and

Whereas, city staff proposes that when customers fail and refuse to follow the code that the city be authorized to correct violations at the cost of the owner and the cost thereof constitute a lien against the owner’s property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBERLY, MISSOURI TO WIT:

SECTION ONE: Chapter 42, Article IV, Section 42-293 is hereby amended to read as follows:

Sec. 42-293. Violations and penalties.

Any person found to be violating any provisions of this article, except section 42-294, shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation. **If a person refuses to comply with the written notice the city shall have the right and authority to correct the violation at the cost of the owner and the cost thereof shall constitute a lien against the owner’s property** Any person who continues any violation beyond the time limit provided for in the notice shall, upon conviction, be guilty of a misdemeanor and shall become liable to the city for any expense, loss or damage occasioned the city by reason of such violation.

SECTION TWO: This ordinance shall be in full force and effect upon passage by the City Council.

PASSED AND ADOPTED by the Council of the City of Moberly, Missouri, this ____ day of _____, 2020.

 Presiding Officer at Meeting

ATTEST:

 City Clerk