

## **Board of Aldermen Meeting October 17, 2017 at 6:00 PM**

The Mayor and Board of Aldermen will hold the regular monthly meeting in the Betty Brazelton Community Center at 707 Oak Street to consider and act upon the matters on the following tentative agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

### **Tentative Agenda**

#### **1. Call to Order**

Pledge of Allegiance to the American Flag

#### **2. Roll Call**

#### **3. Approve Agenda**

#### **4. North Central Missouri Business Facilitations, Inc. Stephanie Williams**

#### **5. Minutes**

**A. September 19, 2017 Regular Meeting**

#### **6. September Financial Report**

#### **7. September Invoice/Check Listing**

#### **8. Reports**

- a. Water System Report – Jeff Jones, Decker Construction
- b. Police Report – Dave Speiser
- c. Public Works Report – Dwight Adkison
- d. City Administrator Report – Bob Burns

#### **9. Consider User Charge Wastewater Ordinance**

- a. December 2019 User Charge Increase related to SRF Loan

#### **10. Approve Storm Siren Request for Bids**

#### **11. Approve Oak Street Bridge Engineering Services Contract**

#### **12. Public Participation**

**13. Mayor Comments**

**14. Aldermen Comments**

**15. Executive Session**

**A. Litigation – RSMO 610.021 (1)**

**B. Personnel – RSMO 610.012 (3)**

**16. Adjourn**

Bob Burns, City Administrator  
Posted October 13, 2017

BILL \_\_\_\_\_

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LATHROP, MISSOURI ESTABLISHING AND MAINTAINING A USER CHARGE SYSTEM TO PROVIDE FUNDS REQUIRED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY OF LATHROP'S WASTEWATER SYSTEM.**

**BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF LATHROP, MISSOURI, AS FOLLOWS:**

**WHEREAS**, the City of Lathrop, Missouri owns and operates a wastewater treatment system requiring maintenance and improvements; and

**WHEREAS**, the City of Lathrop must pay all associated with said wastewater treatment system and charge the users of said treatment system accordingly; and

**NOW, THEREFORE**, be it ordained by the Board of Alderman of the City of Lathrop, Missouri, that the following user charge system be maintained as follows:

**Article I**

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City of Lathrop to collect charges from all users who contribute wastewater to the City's treatment system. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment system.

**Article II**

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter (mg/l).

Section 2: "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 250 mg/l and a suspended solids concentration of not more than 300 mg/l.

Section 3: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment system for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage system to achieve the capacity and performance for which such systems were designed and constructed.

Section 4: "Replacement" shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment system to maintain the capacity and performance for which such systems were designed and constructed. The term "operation and maintenance" includes replacement.

Section 5: "Residential Contributor" shall mean any contributor to the city's treatment system whose lot, parcel of real estate or building is used for domestic dwelling purposes only.

Section 6: "Shall" is mandatory; "May" is permissive.

Section 7: "SS" (denoting suspended solids) shall mean the solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Section 8: "Treatment System" shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include interceptor sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works including site acquisition of land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

Section 9: "Useful Life" shall mean the estimated period during which the treatment system will be operated.

Section 10: "User Charge" shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment system.

Section 11: "Water Meter" shall mean a water volume measuring and recording device, furnished and/or installed by the City of Lathrop or furnished and/or installed by a user and approved by the City of Lathrop.

### **Article III**

Section 1: The User Charge System shall generate adequate annual revenues to pay the costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing the treatment works which the city may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance, including replacement of the treatment works, shall be established by this ordinance.

Section 2: That portion of the total user charge collected which is designated for the operation and maintenance including replacement purposes as established in Article IV, shall be

deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

- a. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance costs of the treatment system. Deposits in the Operation and Maintenance Account shall be made annually from the operation and maintenance revenue.
- b. The Replacement Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the treatment system. Deposits in the Replacement Account shall be made annually from the replacement revenue in the amount of \$12,198.60 annually.

Section 3: Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in each subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

#### Article IV

Section 1: Each user shall pay for the services provided by the city based on their use of the treatment system as determined by water meter(s) acceptable to the city.

Section 2: All monthly user charges will be based on monthly water usage.

Section 3: The current charges will remain unchanged until the December 2019 meter reading. The current charges are as follows:

The minimum charge per month shall be \$12.00 which will include the first 1000 gallons of water usage. In addition, each contributor shall pay a user unit charge for operation and maintenance including replacement of \$5.00 per 1,000 gallons of water over the first 1000 gallons.

Section 4: The new charges as of the December 2019 meter reading are as follows:

The minimum charge per month shall be \$14.00 which will include the first 1000 gallons of water usage. In addition, each contributor shall pay a user unit charge for operation and maintenance including replacement of \$6.75 per 1,000 gallons of water over the first 1000 gallons.

Section 5: Any user which discharge any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the city's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment system, shall pay for such increased costs. The charge to each user shall be as determined by the responsible plant operating personnel and approved by the Board of Alderman.

Section 6: The user charge rates apply to all users of the city's treatment system.

#### Article V

Section 1: All users shall be billed monthly. Billings for each month shall be made on or near the first of each month based on the meter reading taken on or about the 15<sup>th</sup> of the preceding month. Payments are due by the end of the 15<sup>th</sup> of the following month. Any payments made after the 15<sup>th</sup> of the month shall be delinquent.

Section 2: A late payment penalty of 5 percent of the user charge bill will be added to each delinquent bill for each thirty days of delinquency. When any bill including water, wastewater and trash, is not paid by 9:00 AM on the second Wednesday of the month following the 15<sup>th</sup> due date of the preceding month, a late fee of \$35 is assessed in addition to the 5 percent penalty.

#### Article VI

Section 1: The city shall review the user charge system annually (or more often) and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2: The city will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

#### Article VII

Effective Date: This ordinance shall be in full force and effect from and after the day of passage and approval.

**READ TWO TIMES** and passed by the Board of Aldermen of the City of Lathrop, Missouri, this 20<sup>th</sup> day of December 2016.

\_\_\_\_\_  
Dean Langner, Mayor

Date \_\_\_\_\_

Attest:

\_\_\_\_\_  
Susie Freece, City Clerk

Date \_\_\_\_\_