

# UTILITIES COMMITTEE MEETING MINUTES

**JULY 12, 2021**

PRESENT: Vice Mayor Jones, Council Members Byne, Anderson, Bates, Tinley, City Manager Valerie Kirkland, Asst. City Manager Trinetta Skinner, Planning & Development Coordinator Shelley Broxton, Human Resource Director Latonya Wimberly, Finance Officer Tyronda Dixon, City Clerk Jermaine Evans, Police Chief Willie Burley, Administrative Asst. Timi Tucker, Fire Chief Robert Parrish, Water Superintendent & Public Works Superintendent J.C. Ellison, Water Distribution Supervisor Reggie Hanton, Gas Superintendent Everett Rhodes, Mike Bickley-Independent Contractor, Chris Morton-Jacob/OMI, City Attorney Randolph Frails

ABSENT: Councilman Williams

1. The meeting was called to order by Vice Mayor James Jones at 4:00pm
2. Councilman Tinley gave the invocation.
3. City Manager Kirkland led those present in the Pledge of Allegiance.
4. City Manager Kirkland stated that resident Mary Yelton-Lively contacted her last week concerning a sewer line at her residence located at 509 Sunset Drive. As per the ordinance, it stipulates that the homeowner is responsible for the sewer line. Ms. Mary Yelton-Lively stood, approached the podium and read a letter she drafted detailing her situation and concerns. When she finished reading her letter she handed out copies to Council. City Manager Kirkland spoke to City Attorney Frails stating that they had been in communication with each other in reference to Ms. Yelton-Lively's situation. City Attorney Frails agreed then proceeded to address the committee members confirming that the ordinance does provide that the property owner has responsibility of the plumbing up to the tap. Generally speaking taps are positioned on City property either in the right of way or at the property line. City Attorney Frails then stated that he did not believe that ordinance intended to make residents responsible for the destruction and repair of City property in addressing damaged distribution lines on their property. Those would be unreasonable expenses assumed by the resident. City Attorney Frails also stated that the ordinance should be reviewed and suggested it be updated to reflect what the true intent of the ordinance should be. Mr. Ryan Smith of Smith Plumbing who was hired by Ms. Yelton-Lively to complete the investigation and repair the damaged pipe. He stated that in his experience and as witnessed by Mike Bickley, has witnessed similar circumstances to what Ms. Yelton-Lively is facing a number of times on that same street. Mr. Bickley responded confirming that in his experience 90% of the lines in the City have connections that fall outside of the property line. Mr. Bickley further explained that historically the clay pipes that actively supply water and waste removal are insufficient in their function, have failed at some point then were replaced with PVC pipe but had been done improperly. Because this was the case, the failure of the pipes is not caused by the property owners but a failure of the infrastructure. The majority of the pipe failures were

located on City property with taps outside of the residential boundaries. Mr. Bickley also pointed out the language used in the ordinance is ambiguous causing confusion and uncertainty regarding its direction and intent and as such places an unfair burden on property owners. Mr. Bickley suggested that the language of the ordinance be amended to specify the liability of the City and the property owner and at what point liability is enacted. Further discussion ensued with Mr. Bickley and Mr. Smith detailing various other routine instances where pipe repair out of the scope of what historically and generally liability should have been assumed by the City but was placed on property owners or themselves to finance repair of City property. Mr. Chris Morton from Jacob/OMI confirmed the statements of Mr. Bickley and Mr. Smith also stating that on a consistent basis he is called in for similar repairs approx. 7-8 times monthly repairing pipes. Vice Mayor Jones questioned if Superintendent Ellison had any comments regarding issues caused by failing infrastructure. He stated that he did not. Vice Mayor Jones stated that until the ordinance can be reviewed, amended or updated, as it is written the responsibility of the repairs are assumed by the property owner. Vice Mayor Jones suggested that the City would excavate the street, allow for Ms. Yelton-Lively's plumber to make repairs, the City would then inspect the repairs made to ensure they were up to code then the City would repave the street where the repair excavation was made to resolve this issue and move forward. Councilman Tinley questioned who completed the work of "tapping" into the City main water line when a new home is being built and confirmed there is a fee associated with that work. Superintendent Ellison responded that the City completes that work to ensure that the plumbing work is done to code specifications. He also stated that the cost can vary dependent on a number of factors. Councilman Tinley suggested that in such situations that the property owner would pay the "tapping fee" and the City would assume other associated cost for excavation and repaving. Mr. Bickley stated that because the tap is being done by the City and it was being done incorrectly the property owner should not be responsible for paying for repair errors made by the City. Councilwoman Anderson questioned whether having to run PVC pipe from a residence through the street and underneath the sidewalk be the property owner's responsibility to repair. Ms. Yelton-Lively responded that pipe replacement had already been completed on her property up to the sidewalk. Her concern was the work necessary to facilitate the pipe replacement from her property line through the sidewalk and into the street. Superintendent Ellison also responded stating that as it stands right now it is the homeowner's responsibility to replace any damage made to the sidewalk. Mr. Smith made the point about citizens becoming aware of the likelihood that this issue may affect them even if they have not been affected previously. He then questioned Councilwoman Anderson if she believed this circumstance to be fair. Water Distribution Supervisor Reggie Hanton noted that in the past others have paid all fees related to excavation of the City's property for utility repair. In response to Councilwoman Anderson questioning the cost of completing similar work Superintendent Ellison responded that the costs vary being specific to each incident. Also, in mentioning the routine nature of having to tap into a utility line will commonly involve having to excavate. Superintendent Ellison requested Vice Mayor Jones repeat the compromise resolution he stated in order to move the project forward. Vice Mayor Jones responded that the City will perform the pipe excavation, allow for Ms. Yelton-Lively's plumber to complete the required work and the City will inspect the work to ensure it is done correctly to code then replace the removed asphalt also to ensure that the repair work was done correctly to code. Whatever the final cost for the work performed to be paid by the

homeowner the City could finance the balance inclusive of sidewalks. Mr. Bickley mentioned in consideration of the need to replace the failing infrastructure that when similar work is being done it would be more efficient at that time to replace the rest of the existing clay line with PVC rated to last for 100 years. Superintendent Ellison commented that he believed that because the City did not have a proper crew to do the work, the comparatively low cost the City charged for completing the work and utility cost could have been the reason why the ordinance was drafted as it was. Councilwoman Anderson remarked about property owners not being aware of the fees necessarily being charged and the responsibility for payment placed wholly on them. Then at some point possibly the financial burden could have been mitigated through help acquired in completing the project. A change in the law to reflect the actual conditions and responsibility for the work involved would benefit the residents and property owners in the City which could spur and increase property ownership. After Ms. Yelton-Lively restated her position and suggestion for resolution, Vice Mayor Jones repeated his earlier response adding that it would not be an overnight fix. Councilman Tinley remarked that because the issue was at committee no decision could be made at this time. The issue had to be presented to the full Council before a decision could be made on the recommendations made. Mr. Bickley mentioned additionally that there are connections where multiple lines are connected into one pipe then tapped into the City main distribution line which also presents an issue to be considered when amending the ordinance. Councilman Tinley agreed stating that the issue will come under review.

5. City Manager Kirkland provided an update of the Shadrack Street Project stating that the pipe ordered hopefully will be delivered by next month which is why the project is delayed in completion. Superintendent Ellison stated that the supply chain is the reason why the project is held up. The delays experienced in receipt of materials across the board for the utilities departments currently are due to the supply chains, contractors and manufacturers not having materials or items to fill orders universally. Councilwoman Anderson noted that people are actually driving in the wrong direction down that street. Superintendent Ellison noted that there was an addition made to the project. City Manager Kirkland stated in agreement that the addition \$265,048 to complete the addition. She is waiting on receipt of the cost of a well before deciding on the project addition. Superintendent Ellison stated that he is awaiting pricing from vendors that claim that they are delayed in providing estimates due to supply chain issues. Chairman Byne commented being concerned about bid pricing being stable and not having rates increase. Superintendent Ellison stated that the bidding process had not been started and the City would not receive any benefit of guaranteed rates before a contract was agreed to and completed. At this point, the City was trying to create a budget predicting expenses and the viability of any other options available to become aware and act proactively to complete the projects. City Manager Kirkland stated that she delayed providing a budget for the completion of the project because she is still awaiting the pricing from the vendors. This will confirm whether there are funds to cover those expenses in the SPLOST account to pay for the project addition. City Manager Kirkland also stated that Superintendent Ellison is in the process of researching options to complete the work in-house. Chairman Byne questioned whether or not the traffic light at the intersection of Shadrack and Sixth Street timing be reduced. Because of the construction being done traffic is being halted for extended periods of time causing

overflows and delays from main roadway Liberty and Sixth Street. City Manager Kirkland stated that previous Public Works Superintendent Robert Seamans successfully contacted the Department of Transportation (D.O.T.) an inspection was performed and no issues were observed. Chairman Byne commented that possibly the inspection was done at an off time early in the morning when there is less likely any traffic and that it should be performed at 5pm.

6. Chairman Byne requested an update for the Gas Department. Gas Superintendent Everett Rhodes stated that the Gas Department was currently engaged in a gas leak survey that is 90% complete and should be done by next week afterward a gas valve servicing will be conducted. After the servicing is completed then protection will be done. All should be completed by months end. A possible service run will be made at Joe Montgomery but the City is waiting for easements to be granted from Shady Oak, from McElmurry to Brinson Road. There is one position opened at the department. Chairman Byne complimented Superintendent Rhodes for his work performance and commented that he receives many compliments from the public about his attitude and him smiling as he interacts with people.
7. Superintendent Ellison provided the update for the Water Department stating that there is a leak from a 6" main behind Brentwood that is not bad but will be worked on this week. Some of the work scheduled has been delayed for reasons already mentioned concerning supply chain delays. Some water meters are being changed out. Some water meters located on HWY 56 that are damaged are not being replaced yet and the bills are being estimated. Those that become damaged are due to contractors and the road construction being performed. None of the contractors are assuming responsibility and are blaming each other for the destruction of the meters. Estimations of the billing charged is made from historical averages. Due to their negligence the boxes are constantly being damaged so to continually repair them after being broken is a waste of time and money. They will be replaced once the construction is completed. This was the recommendation that the Superintendent has made. Chairman Tinley praised Superintendent Ellison for his decision and for explaining the situation to the committee. This will allow Council to explain what is happening to residents should the call to complain or ask for an explanation of their course of action. Chairman Byne questioned whether there were any residents notably using large amounts of water for example to fill a swimming pool. Superintendent Ellison stated that he hadn't noticed anyone doing that.
8. Chairman Byne requested an update for Waste Water and Sewer. Mr. Chris Morton from employed with Jacob/OMI stated that conditions at the plant are looking good for the most part. There are a few mechanical issues being dealt with. He then stated that the City's current system is obsolete. It was sold at the end of last year in November to Parkson Industries. Obtaining parts to service the system is becoming increasingly difficult. There are currently two basins available with one on-line. While one basin was being cleaned and serviced, the drive motor failed on the active basin. The working drive motor from the basin placed out of operation for servicing was removed and placed into the previously active basin to allow for no interruption of service to the public. Replacement parts were attempted to be purchased but unfortunately the manufacturer did not have the appropriate parts sending others instead then commenting that their motor and gearbox is obsolete. Suggestions to fabricate the necessary

parts have been made but intermittently contact is being made with a vendor in Macon, GA Wilson Electric, that has the same motor who the City is collaborating with to furnish parts to replicate. Unfortunately, the gearbox for the system will eventually fail as well as the motor and will need replacing at a cost of \$8K for a new gearbox and motor. City operations are running properly even with only the use of one basin. There haven't been any violations or issues due to the cooperation, organization and labor support from the Water and Public Works Department employees. Mr. Morton also stated that through the help of Mr. Bickley, and Superintendent Ellison the infiltration and intrusion (I&I) water coming into the plant in turn has decreased the potential for major violations when there are large rain events. Historically, the City would have received violations from the damage and conditions caused by the most recent rain events but haven't due to the work Superintendent Ellison and Mr. Bickley had performed. Chairman Byne commented that the departments have been neglected and placed on the back burner for some time. And due to their not being any major issues or problems in your department, less attention was being provided. Your departments will be prioritized to address the infrastructure and operational issues present in your departments. Mr. Morton stated that in the past it may have been possible to maintain operational systems when repairs were made quickly prolonging the life of the machinery past technological advancements avoiding upgrades to major portions of systems. The City is at the point where fabricating parts are the only route until a major upgrade is made. Chairman Byne expressed his concern about wanting to inform the Council about the conditions detailed in the meeting and restated his point of making the departments a priority and why funds weren't being budgeted for them. City Manager Kirkland agreed to place the item on the agenda. Councilwoman Anderson stated that the City didn't have any money. Chairman Byne responded that he was unsure how that could be the case when there are now three people hired to do the work of one person that is no longer employed by the City which was something he had a problem with. Mr. Morton stated that City Manager Kirkland suggested to have a secondary group of engineers come to the City to perform an evaluation of the work being suggested by the departments necessitating its completion to which he was in favor. This would confirm the accuracy and integrity of their assessments independently.

Councilman Tinley thanked Mr. Morton for having helped him locate a sewer line on his property that he had forgotten the location. Mr. Morton stated that type of work is part of their repertoire allowing for impromptu inspections of pipes and their locations. Mr. Morton closed by stating that there are effluent toxicity tests being performed this month. The City's previous years results were favorable with 100% compliance and he does not anticipate any issues forthcoming. Mr. Morton questioned whether or not contact was made to the City from Hart Dairy. City Manager Kirkland stated that tomorrow is the scheduled time to have received a response from Richard, the City's contact person at Hart Dairy. She will update Council if contact is made and what may have been discussed. Superintendent Ellison questioned if he should discuss the storm drainage project then proceeded to inform the committee about a new piece of equipment that was being used that was also witnessed by Vice Mayor Jones. Other equipment needing to be serviced had not been as yet. This is delaying the jetting and vacuuming of the storm drains. Once the equipment is operational they will be able to clear the drains which are causing some of the drainage problems in the City. Superintendent Ellison then cautioned that the age and condition of some of the storm drains place them in danger of malfunction or collapse when they go through the cleaning process. There also is a good chance

that other issues will be uncovered when the storm drains are cleaned. Chairman Byne questioned what negative affect is occurring due to the storm drains needing to be cleaned. Superintendent Ellison responded that the drainage process is slowed which causes the streets to flood.

9. With no further business on the agenda, the meeting was adjourned at 4:59pm