

MINUTES

City of Center

11/10/2021 6:10 p.m.

Call to Order

Mayor, Dennis McMillen called the City Council meeting to order on Wednesday, November 10, 2021, at 6:00 p.m.

In Attendance

Mayor, Dennis McMillen
Alderman, Shawn Couch
Alderman, Tom Bramblett
Alderwoman, Cristy Browning
Alderman, Steven Reynold- arrived at 6:10 p.m.
Attorney, Joe Brannon
City Clerk, Crystal Kelch
City Clerk Assistant, Jeanne Franke

Approval of Agenda

Alderwoman, Cristy Browning made a motion to approve the October 6, 2021, City Council Meeting Minutes.
Alderman, Tom Bramblett seconded. Motion Passed 3-0.

Sewer Project Update

A Zoom call was held with Department of Natural Resources (DNR) and A Civil Group to determine where we currently stand with the sewer project and what the City's next steps shall be. The following people were in attendance were on the call.

Sydney Johnson, Department of Natural Resources
Erin Heidoff, Department of Natural Resources
Shane Graupman, Department of Natural Resources
Jamie Shinn, Department of Natural Resources
Will Sheible, A Civil Group
Jay Gebhardt, A Civil Group

We were informed by DNR we have 2 options.

Option 1: Improvements on Current Lagoon System- The City can make improvements in attempt to keep the current lagoon within the legal limits set by DNR, as regulations continue to tighten it will cost the City money for the lifetime of the lagoon. If these limits are not met, the city will be required to pay fines.

Option 2: Subsurface Drip Irrigation System- The total current cost for this project is 1,625,000.00 (subject to change). The City would be required to purchase or lease a piece of land (minimum of 13 acres) for the leach field. Per DNR this option should last a minimum of 20 years. The city has been approved for a grant through Department of Natural Resources. The Grant would pay 50% up to 811,000.00. The City may be eligible for an additional Federal Community Block Grant to help cover some of the cost. If approved for the Federal Block Grant, The Federal Community Block Grant would pay the approved grant amount, thereafter the DNR Grant would pay 50% of the remaining and the City would be responsible for the remaining 50%.

Below is copied from Erin Heidoff's e-mail to City of Center explaining the steps to proceed.

1. The City needs to meet with Will and Jay with A Civil Group to ultimately decide if the City will pursue conversion of the existing wastewater treatment facility (WWTF) to the recommended sub-surface drip irrigation system, or if an alternative option will be pursued. The Department supports the Engineering Report's recommended alternative of converting the WWTF to a sub-surface drip irrigation system; however, if the City would like to investigate other viable options with Will and Jay, we are willing to take them into consideration, but this will likely require an amended Engineering Report or possibly an entirely new report and the City's funding options may also be subject to change.
2. Once the City has committed to a path forward with the WWTF, Will and Jay will need to develop a project schedule to submit to me for inclusion in the Abatement Order on Consent (AOC) I mentioned during the meeting on Wednesday. I would like to see this schedule by December 31, 2021 or earlier. This project schedule should include all steps necessary in completing the project (i.e. major milestones like securing project funding, applying for a construction permit, starting construction, interim project progress goals (such as closing on land sale for the necessary irrigation field), completing construction, bringing new WWTF online, submitting a Statement of Work Completed (this is a form A Civil Group signs off on at the end of construction that verifies the project was completed per the approved plans and specs submitted by the engineer – Will and Jay know what this form is), and finally, applying for an operating permit modification to reflect the new WWTF.
3. Once I receive the proposed project schedule, I will review it to evaluate if the proposed timeline is reasonable (not too long – or if lengthy, it must be justified with explanation). If the timeline is reasonable, I will include the schedule in the draft AOC and route it for internal review/approval. If the timeline is not reasonable, I will reach out to you with comments/concerns and ask for clarification or a shorter timeframe. Once the revised timeframe is determined reasonable/acceptable, then I will include it in the draft AOC and route it for internal review/approval.
4. Once the draft AOC has gone through internal review/approval, I will send it to you for review/approval on your end with the City. If the City agrees with the draft AOC as written (typically there are no issues with this part of the process when the City submits their own project schedule, but we offer the City the chance for comment/proposed edits just in case), the City will sign it and return it to me to be routed for signature on our end. Most Enforcement cases include a penalty for violations to the Missouri Clean Water Law. In this case, the penalty and the City's circumstances have been evaluated and the Department has elected to suspend the assessed penalty under the agreement that the City will follow through with the project schedule, the terms of the AOC, and the City's operating

permit. If the City fails to complete the project, comply with the terms of the AOC, or the City's operating permit, the Department may pursue the suspended penalty amount in full.

5. Once the AOC is signed on our end, it is considered fully executed and an enforceable legal agreement and commitment by the City to follow through with the project schedule. The City will then proceed with the project schedule (although it's likely the City will have already begun). As I mentioned in the meeting on Wednesday, we do understand unforeseeable delays sometimes come up. This is not a problem. The City would just need to contact me approximately 30 days prior to a date of a milestone item in the schedule the City is sure they will not be able to meet. I will need a written explanation (email is fine) of why the milestone deadline will not be met and a proposed new deadline. I will discuss the request for deadline extension with management and it will be determined to either grant or deny the deadline extension request. The only time deadline extension requests are denied are when it is evident the City has procrastinated or otherwise been the cause for the delay in the project, so it is highly unlikely that an extension request would be denied if the City has demonstrated all efforts to stay on schedule.
6. Once the project schedule is completed and the new WWTF is online and fully operational, I will monitor the City's compliance for a few months to determine the City is operating in compliance. If the City is maintaining consistent compliance, I will recommend case closure for our Enforcement case with the City and once approved, the Enforcement matter with the City will be considered concluded and City will be released from Enforcement. If the City is unable to maintain consistent compliance, operations of the new WWTF will be evaluated and additional engineering, operational changes, and possibly additional construction may be necessary, so once the new WWTF goes online and fully operational, it is imperative that it is put under the management of someone qualified and capable of properly operating the WWTF.

Approval of Meeting Minutes and Bills

Alderwoman, Cristy Browning made a motion to approve the October 6, 2021, Meeting Minutes, and November bills to be paid, Alderman, Tom Bramblett Seconded. Motion Passed 4-0.

Maintenance Report

Shane Niffen presented the monthly Maintenance Report. The November projects presented to the council include painting the Town Hall interior and repair fencing around the lagoon and overflow pond (This project will take several months to complete).

Alderwoman, Cristy Browning made a motion to approve the purchase of paint and supplies to paint Town Hall not to exceed \$150.00 and the purchase of Camera Guide Rings for \$55.00 for a total of 205.00, Alderman, Steven Reynolds seconded. Motion passed 4-0.

New Business

Planning and Zoning: The Planning and Zoning committee presented packets of information to the Council members with ordinance amendments, including 2 ordinances they would like added to the City Code. This was tabled at this time so Council members and Attorney; Joe Brannon could review the ordinances presented.

American Rescue Funds Expenditures: Crystal Kelch presented spending options for the American Rescue Funds Expenditures. Cristy Browning made a motion The Council members would like an ad in the paper for bids to renovate the old Lions Club Building. This was tabled at this time so council members can determine how they want to spend the funds.

Mark Twain Solid Waste Grant: Cristy Browning made a motion to apply for the Mark Twain Solid Waste Grant for a woodchipper / mulcher. Steven Reynolds seconded. Motion Passed 4-0.

Hazardous Mitigation Plan: Cristy Browning made a motion to adopt the Mark Twain Regional Council of Government Hazard Mitigation Plan. Tom Bramblett Seconded. Motion passed 4-0.

Inventory of Building Content: Cristy Browning made a motion to add building inventory in the amount of \$149,218.00 to the financial assets. Steven Reynolds seconded. Motion carried 4-0

Dog Impound Overnight Fee: The ordinance states there is a \$50.00 fee and an overnight fee but there is no overnight fee amount in the City Code. Attorney, Joe Brannon will amend the City Code to remove the overnight fee.

Receipt / Point-of-Sale / Card Reader: Crystal Kelch presented the board with 6 options to improve the receipt, point of sale, and card system as requested by Todd Schueler, Missouri State Auditor. Cristy made a motion to order a Point-of-Sale system through Sekure Merchant Services for 19.99 per month. Tom seconded. Motion passed 4-0.

Council Meeting Date: Cristy Browning made a motion to approve changing the meeting date from the first Wednesday of the month to the second Wednesday of the month. Steven Reynolds seconded. Motion carried 4-0.

Next Meeting will be held December 8 2021, at 6:00 p.m.

Alderman, Steven Reynolds made a motion to adjourn the meeting at 7:32 p.m. Alderwoman, Cristy Browning seconded. Motion passed 4-0.

Respectfully submitted,

Crystal Kelch

City Clerk