

# CITY OF PANORA

## City Council Meeting

### **REGULAR MEETING MINUTES FOR MONDAY, MAY 10<sup>TH</sup>, 2021 AT 6:30 P.M.**

**I.** Due to the Covid-19 Health Crisis the council meeting was held in person by the Council and electronically through GoToMeeting for the public as allowed by Section 21.8 of the Iowa Code. Mayor Parker opened the council meeting at 6:30 p.m. and called Roll. Council members present were Brian Dorsett, Tom Flanery, Shane Gliem, and Stan Landon. Curtis Thornberry was absent. Staff attending Lisa Grossman-City Administrator.

**II. Approval of Agenda** – Landon made a motion to approve the agenda, seconded by Dorsett. Motion carried unanimously.

**III. Public Forum** – None

**IV. Consent Items** – Gliem moved to approve the minutes of 04-26-21 Regular Meeting, seconded by Landon. Motion carried unanimously.

**V. Council Business**

A. Council Member Dorsett introduced the third reading of an ordinance entitled “Ordinance No. 340. An Ordinance Amending the City Code of the City of Panora, Iowa by amending provisions related to Water Service Charges.”

It was moved by Council Member Dorsett and seconded by Council Member Flanery that the ordinance entitled “Ordinance No. 340 An Ordinance Amending the City Code of the City of Panora, Iowa by amending provisions related to Water Service Charges,” now be put upon its final consideration and adoption. The Mayor put the question on the motion, and the roll being called, the following named Council Members voted:

Ayes: Dorsett, Flanery, Gliem, Landon

Nays: None

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

#### **ORDINANCE NO. 340**

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF PANORA, IOWA, BY AMENDING PROVISIONS RELATED TO WATER SERVICE CHARGES

**BE IT ENACTED** by the City Council of the City of Panora, Iowa;

**SECTION 1. SECTION 92.02 MODIFIED.** Section 92.02 of the Panora Code of Ordinances, is repealed and the following adopted in lieu thereof:

**92.02 RATES AND SERVICES** Water service shall be furnished at the following monthly rates within the City upon date of passage until amended:

1. To all customers:

Mayor Patrick Parker

# CITY OF PANORA

## City Council Meeting

Gallons Used Per Month	Current Rate	Proposed June 15, 2021 Rate
Water Availability Charge:	\$42.20	\$44.40
100 to 3,000 gallons	\$5.68 per 1,000 gallons	\$6.00 per 1,000 gallons
3,001 to 10,000	\$14.76 per 1,000 gallons	\$15.50 per 1,000 gallons
10,001 to 100,000+	\$22.71 per 1,000 gallons	\$23.90 per 1,000 gallons
		Water Rates will increase 5% annually thereafter on June 15 rounded up to next 10 <sup>th</sup> of a \$1.00

2. To wholesale customers:

1. The water rate for Xenia Rural Water shall be changed to \$11.70 per 1,000 gallons used on June 15, 2021.

3. To the Lake Panorama Association: The water rate for the Lake Panorama Association shall be changed to \$6.60 per 1,000 gallons used on June 15, 2021.

**SECTION 2. SECTION 92.03 MODIFIED.** Section 92.03 of the Panora Code of Ordinances, is repealed and the following adopted in lieu thereof:

**92.03 RATES AND SERVICES** Customer located outside the corporate limit of the City, which the City has agreed to serve, at the following monthly rates:

Gallons Used Per Month	Current Rate	Rate as of July 1 <sup>st</sup> , 2021
0 to 3,000 gallons	\$79.15	\$83.20
3,000 to 30,000	\$20.04	\$21.10
30,001 to 100,000	\$17.63	\$18.60
100,001 to 500,000	\$16.80	\$17.70
500,000 to 1,000,000	\$16.31	\$17.20
All over 1,000,001	\$15.21	\$16.00

**SECTION 3. REPEALER.** All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

**SECTION 4. SEVERABILITY CLAUSE.** If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect

Mayor Patrick Parker

CITY OF PANORA  
City Council Meeting

the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged as invalid or unconstitutional.

**SECTION 5. WHEN EFFECTIVE.** This Ordinance shall be in effect from and after the later to occur of its final passage, approval and publication as provided by law.

**PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF MAY, 2021.**

\_\_\_\_\_  
Patrick Parker, Mayor

Attest:

\_\_\_\_\_  
Lisa Grossman, City Administrator

CLERK'S CERTIFICATE

I hereby certify that the foregoing Ordinance No. 340 was published as required by law on the \_\_\_\_ day of \_\_\_\_\_ 2021.

SIGNED \_\_\_\_\_  
Lisa Grossman, City Administrator

B. Council Member Flanery introduced the third reading of an ordinance entitled “Ordinance No. 341. An Ordinance Amending the City Code of the City of Panora, Iowa by amending provisions related to Sewer Service Charges.”

It was moved by Council Member Flanery and seconded by Council Member Landon that the ordinance entitled “Ordinance No. 341, an Ordinance amending the Panora Code of Ordinances by amending provisions related to Sewer Service Charges,” now be put upon its final consideration and adoption. The Mayor put the question on the motion, and the roll being called, the following named Council Members voted:

Ayes: Dorsett, Flanery, Gliem, Landon

Nays: None

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

**ORDINANCE 341**

**AN ORDINANCE AMENDING THE PANORA CODE OF ORDINANCES BY  
AMENDING PROVISIONS RELATED TO SEWER SERVICE CHARGES.**

**BE IT ENACTED** by the City Council of the City of Panora, Iowa:

**SECTION 1. SECTION 99.02 MODIFIED.** Section 99.02 of the Panora Code of Ordinances is hereby repealed and the following adopted in lieu thereof:

Mayor Patrick Parker

# CITY OF PANORA

## City Council Meeting

### 99.02 RATE

1. Purpose. The purpose of this chapter is to collect from all users of the City sewer system the cost in whole or in part of constructing, maintaining and operating the main sewers and sewage treatment plant in proportion to the service provided to each user.
2. Sewer System Defined. For use within this chapter a “sewer system” is composed of main sewers, sewage pumping stations, treatment and disposal plants including aerated lagoons, lateral sewers, drainage conduits or channels and sewer connections in public streets for private property.
3. Established – General Customers. There are established as just and equitable monthly charges, rates or rentals for the use of and the service rendered by the sanitary utilities which shall be paid by the owner of each and every lot, parcel or real estate or building or premises situated within the corporate limits of the city that is connected with and uses the sanitary utilities by or through any part of the sewage system of the city, or that in any way uses or is served by the sewage system of the city, or that in any way uses or is served by the sewage treatment plant or otherwise discharges sanitary sewage, industrial waste, water or other liquid either directly or indirectly into the sewage system of the city, in accordance with the below schedule. For those customers that own vacant lots with no structures on the lot, no “sewer availability charge” will be billed.

CURRENT MONTHLY USAGE	CURRENT RATE	PROPOSED JUNE 15, 2021 RATE
Sewer Availability Charge:	\$18.03	\$18.93
Flow Charge: Per 1000 gallons	\$6.43	\$6.75
	Sewer Rates will increase 3% annually thereafter on June 15	Sewer Rates will increase 5% annually thereafter on June 15

4. Established – Industries. A. An “industrial user” shall be any individual, business, corporation or other legal entity discharging any waters or wastes in excess of (1) a five-day biochemical oxygen demand greater than two hundred parts per million by weight, or (2) containing more than two hundred parts per million by weight of suspended solids, or (3) containing more than twenty parts per million by weight of Ammonia Nitrogen, or (4) having an average daily flow greater than five percent of the average sewage flow of the city.  
  
B. All industrial users shall pay a rate according to the following:

# CITY OF PANORA

## City Council Meeting

CURRENT MONTHLY USAGE	CURRENT RATE	PROPOSED JUNE 15, 2021 RATE
Sewer Availability Charge:	\$18.03	\$18.93
Flow Charge: Per 1000 gallons	\$6.43	\$6.75
	Sewer Rates will increase 3% annually thereafter on June 15	Sewer Rates will increase 5% annually thereafter on June 15
Surcharge for extra strength waste:	Surcharge:	Surcharge
1. BOD	1. \$0.71	1. \$0.77
2. SS	2. \$0.42	2. \$0.44
3. Ammonia	3. \$9.42	3. \$9.89
4. FOG	4. \$1.35	4. \$1.41

***This rate is exclusive of any tax for any period or fraction thereof and a surcharge to be calculated according to the following formula:***

$$SC = (R_p(P_i - P_n) + R_s(S_i - S_n)(R_A(A_i - A_N))) \times 8.34 \times v$$

For purposes of this calculation, the symbols are defined as follows:

SC – Surcharge, \$

$R_p$  – Unit BOD cost of treating normal sewage \$/lb

$P_i$  – BOD in the industrial waste, p.p.m.

$P_n$  – BOD in normal sewage, p.p.m. (200)

$R_s$  – Unit suspended solids cost of treating normal sewage \$/lb

$S_i$  – Suspended solids in the industrial waste, p.p.m.

$S_n$  – Suspended solids in normal sewage, p.p.m. (200)

8.34 – lb/million gallon-mg/L

$v$  - Wastewater volume, million gallons

$R_A$  – Unit ammonia cost of treating normal sewage \$/lb

$A_i$  – Ammonia in industrial waste, p.p.m.

$A_N$  – Ammonia in normal sewage, p.p.m. (20)

The surcharge values for  $R_p$  and  $R_s$  as shown above are as follows:

$R_p$  \$/lb BOD

(BOD Charge)

$R_s$  \$/lb SS

(SS Charge)

**$R_A$  \$/lb Ammonia**

(Ammonia Charge)

FOG \$/lb for all fats, oil and grease over 100 mg/l

# CITY OF PANORA

## City Council Meeting

- C. No industrial user, under any circumstance, shall be permitted to discharge any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, in organic chemical discharges.
5. Established – Outside City Limits. A. The schedule of monthly service charges, rates or rentals as specified in Sections 3 and 4 shall apply respectively to general customers within the city limits and industrial customers, whether within or outside the city limits. General customers outside the city limits shall pay the following rate:

CURRENT MONTHLY USAGE	CURRENT RATE	PROPOSED JUNE 15, 2021 RATE
Flow Charge for all flow	\$7.87 /1,000 gallons  Sewer Rates will increase 3% annually thereafter on June 15	\$8.26/1,000 gallons  Sewer Rates will increase 5% annually thereafter on June 15
Surcharge for extra strength waste: 1. BOD 2. SS 3. Ammonia 4. FOG	1. \$0.71 2. \$0.42 3. \$9.42 4. \$1.35	1. \$0.77 2. \$0.44 3. \$9.89 4. \$1.41

These rates are exclusive of tax for any period or fraction thereof.

6. Computation Procedure. The service charge, rate or rental as provided in Sections 3, 4, and 5 shall be applied to the quantity of water used and discharged into the sewage system of the city as determined by the water meter readings of the municipal waterworks of the city or by separate sewage flow meters and samplers and by such privately owned water supplies as may contribute to the sewage system, and in the case of unmetered water supplies, the quantity of water used and discharged into the sewage system of the city shall be determined to the satisfaction of the city's wastewater utility at the expense of the owner of the unmetered water supply. If the estimated quantity of water from any unmetered supply equals in excess of an average of 3,000 gallons per day, the city may require that such water supply be metered at the expense of the owner of such water supply. The city shall be considered an owner within the meaning of this chapter as to city-owned property.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.

Mayor Patrick Parker

# CITY OF PANORA

## City Council Meeting

**SECTION 3. SEVERABILITY.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall take effect following its final passage, approval, and publication as provided by law, or June 1, 2021.

**PASSED AND APPROVED THIS 10<sup>TH</sup> DAY OF MAY, 2021.**

\_\_\_\_\_  
Patrick Parker, Mayor

Attest:

\_\_\_\_\_  
Lisa Grossman, City Administrator

### CLERK'S CERTIFICATE

I hereby certify that the foregoing Ordinance No. 341 was published as required by law on the \_\_\_\_ day of \_\_\_\_\_ 2021.

SIGNED \_\_\_\_\_  
Lisa Grossman, City Administrator

C. A discussion was held regarding Resolution 21-28, approving a set time and date for a public hearing to hear comments regarding the proposed FY 2020-2021 Budget Amendment for the City of Panora. Landon made a motion to approve, seconded by Flanery. With the roll being called, the resolution carried unanimously. The public hearing will be on Monday, May 24<sup>th</sup>, 2021 at 6:30 p.m.

D. A discussion was held regarding a real estate purchase agreement for 318 W Clay Street. Landon made a motion to authorize the City Attorney and Mayor to draft and sign the necessary paperwork with the following terms: Approve purchase of lot for a price of \$15,000, along with any other terms including the City paying for closing costs and abstracting, seconded by Dorsett. With the roll being called, the motion carried unanimously.

E. Resolution 21-29 was considered, donating lots to Region XII for the FHLP application. Landon made a motion to approve, seconded by Gliem. With the roll being called, the resolution carried unanimously.

### **VI. Financials.**

A. Landon moved to approve the bills payable, seconded by Dorsett. With the roll being called, the motion carried unanimously.

B. Dorsett moved to approve the monthly financials, seconded by Landon. With the roll being called, the motion carried unanimously.

Mayor Patrick Parker

# CITY OF PANORA

## City Council Meeting

**VII. Information Items.** Departmental reports were submitted with the Council Packet. Administrator Grossman provided a verbal report to the Council.

Parker asked for a motion to adjourn. Landon made a motion to adjourn at 7:00 p.m., seconded by Flanery. With the roll being called, the motion carried unanimously.

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Patrick Parker, Mayor

ATTEST:

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Lisa Grossman, City Administrator