

Pursuant to due call and notice thereof, Commissioner Ardner called to order the regular meeting of the Mora Public Utilities Commission at 3:00 PM on Monday, November 16, 2020 in the city hall council chambers.

2. **Roll Call:** Present: Commissioners Greg Ardner, and Ryan Christianson
Absent: Baldwin
Staff Present: Utilities General Manager Crawford, Public Works Director Kohlgraf, Utility Billing Clerk Bliss, City Accountant King, and Deputy City Clerk Yoder
3. **Adopt Agenda:** MOTION made by Christianson, seconded by Ardner, and unanimously carried to approve the agenda as presented.
4. **Consent Agenda:** MOTION made by Ardner, seconded by Christianson, and unanimously carried to approve the consent agenda as presented.
 - a. Regular Meeting Minutes – October 19, 2020
 - b. October 2020 Claims
5. **Open Forum:** Jenni Henry, 550 Riverside Street missed the open forum but was allowed to address the commissioners after item 7a on the agenda about concern over the City's process concerning delinquent water accounts. Henri explained the city entered into a payment plan with one of her tenants, thereby preventing a utility disconnect and doing so prevented the landlord from maintaining lease agreement expectations of tenants to maintain a habitable residence. Henri explained if a renter was not paying the water bill, as agreed upon in their lease, then the delinquent water bill would be assessed to the property owner's taxes with no consequences to the tenant, which in turn removed the ability of the landlord to recoup financial losses from the tenant.

Henri stated if a legal agreement in the form of a lease was in place between a landlord and tenant, the city could not override the lease agreement and create a payment plan for the water utility a tenant was not paying without the property owner's approval, the property owner should have decided if the water utility followed the renter, not the city. Henri asserted awareness that the city had shut off the water utility in the wintertime previously for a different tenant.

Bliss reported speaking with the tenant and landlord, agreed an error was made in regard to accepting a payment plan, and stated the payment plan was not preventing the water utility from being shut off. Bliss explained the reason water service was not disconnected was not related to the COVID-19 pandemic but was due to the City's practice of certifying charges rather than disconnecting the service.

Crawford stated that it was ultimately the property owner's responsibility to pay water and sewer utilities as it runs with the property, electric utilities may be in a tenant's name and not tied to the landlord.

Ardner directed staff to look closer into the situation and if there was an issue to be addressed, to put this item on the agenda for the next regular meeting on December 14.
6. **Special Business:** There were no special business items to discuss.

7. Public Hearings:

- a. **Proposed Assessment of Unpaid Utility Bills:** A list of past-due utility accounts were reviewed. Ardner opened the public hearing at 3:02PM, no one spoke and staff reported that no correspondence was received from the involved account owners. MOTION made by Christianson, seconded by Ardner, and unanimously carried to close the public hearing for the assessment of unpaid utility bills at 3:04PM. MOTION made by Ardner, seconded by Christianson, and unanimously carried to recommend certification of the entire list of unpaid charges to the Mora City Council.

8. New Business:

- a. **2021 Salary Schedules/Pay Plan:** The 2021 salary schedules and pay plan were reviewed which included a 3% Cost of Living Adjustment (COLA) based on the previously approved collection bargaining agreements. MOTION made by Ardner, seconded by Christianson, and unanimously carried to adopt the City of Mora/Mora Municipal Utilities consolidated salary schedule and pay plan as presented.
- b. **2021 Meeting Schedule:** The proposed 2021 PUC meeting schedule was reviewed by the commissioners. MOTION made by Christianson, seconded by Ardner, and unanimously carried to approve the 2021 PUC meeting dates, at the scheduled time of 3:00_PM, as presented.
- c. **America's Water Infrastructure Act Risk & Resilience Assessment:** Crawford reported America's Water Infrastructure Act (AWIA) was signed into law in October of 2018, requiring all water systems with more than 3,300 people to conduct risk and resilience assessments and develop or update their emergency response plans. MMU must certify to the Environmental Protection Agency that the assessments and emergency plans were complete by June 30, 2021; failure to do so could result in fines up to \$25,000 per day.

Greg Anderson, a city engineer of SEH, stated the assessment would be completed first, followed by an update to the emergency plan, with a proposed completion date of May 2021, and the approximate cost would be \$13,000. MOTION made by Christianson, seconded by Ardner, and unanimously carried to accept the AWIA Risk and Resilience Assessment and Emergency Response Plan proposal from SEH in the amount not to exceed \$13,000 to be paid by the water reserve fund.

9. Old Business:

- a. **WWTP Project Contract Discussion:** The commission reviewed and discussed the status of the reed bed establishment at the Wastewater Treatment Plant (WWTP).

Greg Anderson of SEH reported Constructed Wetland Group (CWG) and Steve Lee of Gridor Construction requested the city sign-off on the WWTP project and pay the final \$20,000 due because they believed the reeds were fully established however, staff and SEH disagreed and thought the reeds were not fully established. Staff and Anderson had requested, but were not provided with, a definition of *established* in regard to the reeds from CWG.

It was discussed that staff and SEH had been working with the University of Minnesota (U of M) and Minnesota Pollution Control Agency (MPCA) at the WWTP who took some reeds back to the U of M; U of M and MPCA representatives recommended staff perform a fly-over with a drone to map the establishment of the reeds in all WWTP

beds, to which Anderson suggested keeping the project open until mapping the reed beds in summer of 2021. Anderson thanked and commended Lee for working with the city because many contractors would not if they were in this situation.

Lee expressed concern over drawing out the project, possible legal action from CWG, and the WWTP's possible inability to apply to the reed beds as initially designed and referenced a two-year time span where staff applied 1/8 of the capacity designed for the reed beds. Lee stated if the city stalled the project closure for another year, Gridor's contractual right was to request less than 70% volatile solids and a specified amount of gallons ratio applied to the reeds however, data indicated that may not be possible for the WWTP. Lee expressed a willingness to help the City pointing out the native reed establishment issues and acknowledged staff's attempts at getting the reeds established but directed staff to stay on track with the volatiles or Lee would need to take a stance to close the project.

Ardner noted the only way to receive support from CWG and Gridor was to keep the project open and withhold the final payment. The commission consensus was to keep the project open and perform a fly-over to map reed establishment in summer 2021.

- b. 2021 Proposed Budget:** Crawford presented the proposed 2021 utility budget and rate changes and pointed out significant revenue and expenditure changes. Due to the absence of commissioner Baldwin, the consensus was to wait to approve the proposed 2021 budget until the December meeting.

10. Communications: The following communications were reviewed.

- a. Quarterly Financial Report
- b. Utility Billing Monthly Report – October 2020
- c. Utility Billing Adjustments Report – October 2020

11. Reports:

- a. Public Utilities General Manager: Crawford presented the option of virtual meetings for the PUC in light of the recent rise in COVID cases; the consensus was a preference for in-person meetings, and they would evaluate for the December meeting.
- b. Public Works Director: Kohlgraf reported the water and sewer truck ordered in April was still waiting for the installation of a box possibly next month, tree trimming was taking place, the electric project on Highway 65 was waiting on the delivery of more wire and the wire installation from Maple Avenue to Peterson Park was underground/under the lake.
- c. Commissioner Baldwin: Absent
- d. Commissioner Christianson: Nothing new to report.
- e. Chairperson Ardner: Ardner inquired about the COVID test samplings done by the U of M at the WWTP; it was reported two samples per week continued to be taken and sent to the U of M, but no report has been received. Crawford and Kohlgraf reported the Kanabec Times had questions about the electric vehicle charging stations and stated Railroad Avenue would be installed the end of the week and staff was working on installing the transformer at the Coborns location. Staff explained to Ardner a small electrical fire was caused by staff removing a tree above the power lines at 219 Grove Street North, where the tree slid down the lines, cutting both lines creating an arc and because the fuse didn't blow right away, the heat started the soffit/facia on fire; minimal damage was received, and the matter was sent to insurance. Ardner was informed a large past due electric bill had been paid but a \$90,000 past due electric bill was still outstanding, and there were no reports of septic haulers using the dump

station to date. Ardner reported Baldwin would be absent at the next day's joint PUC-Council meeting.

12. Adjournment: MOTION made by Christianson, seconded by Ardner, and unanimously carried to adjourn at 4:15 PM.



Chair



Secretary