

This meeting was closed to the public due to Covid 19

MINUTES

MINUTES OF THE WORK SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, MARCH 16, 2021 AT 6:00 PM VIA ZOOM.

THE MEETING WAS CALLED TO ORDER BY MAYOR BUDGE AT 6:00 PM.

ROLL CALL

COUNCIL

Councilmember Louis Pawlik, Ward III
Councilmember Joni Giacomino, Ward II 6:11 PM
Councilmember Frank Davis, Ward I
Mayor Ken Budge
Councilmember Leslie Johns, Ward I
Councilmember Joan Hansen, Ward II
Councilmember Anna Cline, Ward III, Mayor Pro Tempore 6:06 PM

STAFF

Ashlee Coronado, City Clerk
Keri Bagley, Finance Director
Joelle Landers, Personnel Director
Jesus Haro, Public Works Director

CITY ATTORNEY

Joseph Estes

THE FOLLOWING ITEM WAS DISCUSSED AT THIS MEETING:

1. Discussion on the repair and maintenance of sewer connections that serve more than one single family residence.

Theresa Coleman, City Manager
Jesus Haro, Public Works Director

Mayor Budge stated that he would be allowing call to the public at this meeting.

Ms. Landers read a comment from Vicky Barth. Ms. Barth wrote that she was concerned over the issue of the responsibility for repair and maintenance of lateral sewer lines throughout the City of Bisbee. She urged council to rectify the issue.

Donna Burke stated that she had sent a letter to Mayor and Council. She gave some background information on the 2005 sewer project. She said that during that time the plan was to replace both the mains and the laterals, so that showed we knew as a city that we owned the laterals. What happened was we didn't have enough money to do both so we only fixed the mains. She also talked about the 2015 General Plan that stated clearly that the laterals must be replaced in all wards. She spoke regarding Westland Resources and how they mapped all of the laterals that had more than one home or building connected, making them public laterals. After Tom Klimek was let go nothing happened and somehow in 2020 we did not own those laterals.

Jerry Dwayne Wallace was here to speak on this because he had a little bit of experience on this issue. He was hired in 2013 by Tom Klimek and was part of the lateral project. He explained that this was not just a Ward One issue there were lines all over that were on private property that had more than one home connected to them.

He said that this was something that even under ADEQ's consent order before 2005 it was agreed to by the City would maintain the 4 inch lines and above if more than one connection was there.

Mayor Budge said that he had called for this Work Session to get everyone's opinion on this and that there was a lot of history to this. There were many issues going on right now. He asked to hear from Public Works Director Haro.

Mr. Haro explained that the summary he provided was fairly accurate, attached Exhibit A. Mr. Haro went over the summary in detail. He went on to say that they were not allowing sewage to run down the streets as previously stated. He said that when they had a sewer leak they go out and take a look at the problem to determine whether it was coming from a public sewer main or a private service. If it's a sewer main they jump on it immediately. If it was private, they make every attempt to inform the owner to let them know its private and they had to manage that.

Mayor and Council discussed the City Code regarding sewer connections. They discussed the lack of a definition of a lateral in the City Code. Council discussed the possible costs of fixing and solving this problem.

Councilmember Pawlik said that it was imperative that we find a way to fund this project. He said that we can fix and accept these laterals but we needed to do it in a logical way.

Councilmember Johns said that she felt strongly that the City needed to continue to do what they had been doing. It was very complicated and it would be a good idea to look into grants to fix this issue.

Councilmember Cline said that she agreed with what everyone had said. We needed to continue to handle things as they come up and start looking for grants.

Councilmember Hansen said that she wanted to make sure things were done correctly the first time and that the Code be updated to reflect the way we wanted things to go.

Councilmember Pawlik said that the most we could accomplish tonight was agree to continue to do emergency repairs on calls that come in for sewer leaks, overflows or anything that we had done in the past. The rest of it would take a long time and a lot of discussion. It would not happen overnight.

Mayor Budge said that at least we could send a message tonight and agree that we need to handle these situations as they come up as we do not want sewer flowing outside.

ADJOURNMENT:

MOTION: Mayor Budge moved to adjourn the meeting.

SECOND: Councilmember Davis

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 6:57 PM

Ken Budge, Mayor

SUMMARY OF PERLIMINARY ENGINEERING REPORT FOR THE CITY OF BISBEE SEWER LATERAL REHABILITATION PROJECT, PREPARED BY WESTLAND RESOURCES INC., DATED JULY 2015

- Old Bisbee sewer system built in early 1900s
- Sanitary Sewer Evaluation Study completed in 1980 determined the sewer system had failed.
- In 2014, there were 13 sanitary sewer overflows (SSO's) and 58 clogs, surcharges, and back-ups with related overflows in Old Bisbee
- City replaced all sewer mains in Old Bisbee in 2005; however, this did not include the rehabilitation of 28,200 feet of public sewer laterals.
- Westland Resources was incorrectly told to consider any lateral shared by multiple users to be a public lateral. This is not supported by Ordinance 13.4.
- Report divides OB into five zones.
- Report analyses five alternatives.
- Report recommends zone 1 be rehabilitates as a Pilot Project, in order to resolve unforeseen conditions and establish a realistic capital cost based on experience, before continuing with the remainder of the project.
- Pilot Project scope is 4000 feet of laterals.
- CoB does have actual city-owned and maintained right-of-way in some stairways and sidewalk corridors, but many are private property, and the stairs and pathways are owned by the adjacent property owners.
- Rehabilitation of private laterals would be outside the City's typical realm of responsibilities and cost prohibitive.
- Right-of-way may be an issue. Some funding sources require easement certification in order to qualify for funding.
- Home Connection Services (HCS) will remain an owner expense regardless of lateral ownership decision. Cost is \$2000 per home/business.
- Summary of project cost estimates:
 - Pilot Project: \$1.7M to \$3.4M
 - Total project cost: \$12.1M to \$24.2M
 - Due to the high number of unknowns and the complexity imposed by the unique topography of Old Bisbee, the report says the project may coast as much as \$30M.

EXHIBIT A
To Document