

CITY OF PELHAM WATER DEPARTMENT

Pelham Police & Court Building – Courtroom

February 20, 2023

MINUTES

Proper notice of the meeting of the Pelham City Water Department was given at least 72 hours in advance of such public meeting and the notice remained posted through the scheduled meeting.

Members of the Pelham Water Department met on February 20, 2023 at 4:00 p.m. in the Pelham Police & Court Building in the Courtroom. The meeting was open to the public.

Call to Order

The Pelham Water Department meeting was called to order by Council President Mercer at 4:00 p.m. The city clerk/treasurer announced the following members of the Department were present.

Present: Councilmember Maurice Mercer
Councilmember Larry Palmer
Councilmember Rick Wash
Councilmember Mildred Lanier
Mayor/Superintendent Mayor Gary Waters

Not Present: Councilmember David Coram

Media Present: None

Approve Minutes

Councilmember Lanier moved to approve the August 17, 2022 Water Department Minutes and Councilmember Wash seconded the motion. By voice vote the minutes were approved unanimously by those members present.

Executive Session

Council President Mercer stated for the record the purpose of the Executive Session is to discuss the legal ramifications of and legal options for pending litigation, controversies not yet being litigated, but imminently likely to be litigated if the governmental body pursues a proposed course of action under Section 36-25A-7(3)(a), Code of Alabama 1975, as amended.

City Attorney Josh Arnold stated the purpose of tonight's Executive Session is appropriate under Section 36-25A-7(3) (a) Code of Alabama 1975, as amended.

A motion was made by Councilmember Wash to enter into an Executive Session of the Water Department for the stated purpose. Said motion was seconded by Councilmember Palmer. Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt said motion was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Councilmember	<u>Not Present</u>
Larry Palmer, Councilmember	<u>Yes</u>
Rick Wash, Councilmember	<u>Yes</u>
Mildred Lanier, Councilmember	<u>Yes</u>
Mayor Gary Waters, Superintendent	<u>Yes</u>

Councilmember Mercer asked the members of the Water Department, City Manager Gretchen DiFante, City Attorney Josh Arnold, Director of Development Services & Public Works Andre' Bittas, Acting City Engineer Chris Cousins and City Clerk/Treasurer Tom Seale to attend the Executive Session.

Councilmember Mercer stated he expected the Water Department to return from the Executive Session in approximately 20 minutes. He said at that time the Water Department Meeting would be called back to order. The Water Department went into Executive Session at 4:12 p.m.

Councilmember Palmer moved to adjourn the Executive Session. Said motion was seconded by Councilmember Lanier. The motion passed unanimously by voice vote of those members present and the Executive Session was adjourned at 4:39 p.m.

Councilmember Mercer called the Water Department Meeting back to order at 4:40 p.m.

Old Business - None

New Business

1. Requests to Address the Pelham Water Department– Jenny Clark

Jenny Clark, 5504 Surrey Lane (Wagon Trace), Pelham, Alabama 35244, addressed the Pelham Water Department regarding her residential water bill. She explained the process she went through to fix the water leaks. She said a plumber determined the pressure regulator had failed. Ms. Clark stated the Water Department has adjusted her billing. She is requesting an additional adjustment in the amount of about \$400.00. Councilmember Wash suggested working with Ms. Clark on a payment plan to avoid a delinquency. Councilmember Lanier and Councilmember Palmer concurred with Councilmember Wash.

Director of Development Services & Public Works Andre' Bittas recapped the procedures in place to address this issue. Mr. Bittas stated the Water Department notified the customer by telephone in late December and again in late January regarding high water usage. He stated the Water Department staff followed the procedures set in place by the city council. He further stated an adjustment was made and the customer was offered a payment plan for the additional amount due.

Mr. Bittas said Ms. Clark's account is delinquent, but the water has not been turned off pending a decision on her request for an additional adjustment.

Ms. Clark's email to the City Council is entered into the minutes below.

My name is Jenny Clark and although I don't live in Pelham, I am a Pelham Water Customer. I have a pretty big problem and I am hoping you can help me or direct me to someone who can.

I discovered a water leak to the left of my driveway on January 5th. I quickly realized (with the help of a friend who works in HVAC) that the water pressure coming from the meter was WAY too high. This has been going on for a long time and this is my 3rd time to have a high-water bill due to high water pressure. I believe normal water pressure is somewhere between 60-80 (approximately) and mine was nearly double that at 120. Not only is that extremely high, but that reading was at the spicket on the house so the pressure between the meter and the house was likely even higher which is what caused my pipes to break for the second time. I installed a regulator coming off the meter and replaced all the damaged pipe.

I have spoken with many of my neighbors in Wagon Trace and it seems that almost everyone who is on the lower side of the street has had problems and had to have a regulator installed. The issue is obviously that due to gravity, the pressure on the lower side of the neighborhood is WAY too high since the water doesn't have to "work" to travel up to these homes. Most of them had to pay between \$1,000 and \$2,000 to have this repair done. Luckily the repair only cost me about \$200 to fix since I did it myself, but it took me almost 2 whole days to get it all finished.

I understand that repairs on the house side are not your responsibility to fix, however, if the water pressure that is coming from the city is so high that it can cause considerable damage, shouldn't the city be responsible for fixing that before damage is caused? Imagine if Alabama Power came out and hooked a home up to power but said "you have power, but you are going to have to do \$2,000 worth of repairs or else the amount of power we are pumping into your house will cause major damage". That just doesn't make sense to me.

When I first discovered the problem, my bill was \$280ish dollars and was beyond stressed about fixing the problem AND the bill. By the time I got it fixed and looked at my next bill it was up to \$867. I am a single mom of 4 and I am used to paying about \$30 a month for water so this is obviously a HUGE jump from that. The water department was able to "adjust" about half of the bill but said that was all they could do. So I am still stuck paying for the repair as well as \$400 and something dollars for water I didn't use.

The other part of this that is disturbing to me is the fact that their calculations showed I used 167,494 GALLONS of water while the leak was active. If you look at the image attached called "water leak" you can see the small amount of water that had bubbled up to the surface alerting me to the problem. No matter how dry the ground was I simply cannot believe that many gallons of water was just seeping into the ground with no signs in my yard or my neighbor's yard. I did a little and a standard 15x30 in ground swimming pool hold about 13,500 gallons of water. That means that the amount of water they say seeped into my ground undetected was enough to fill over 12 swimming pools! That simply is impossible.

Both Wes and Joe at the water department were very kind in trying to help me through this, but I still do not have the \$400 + to pay for water I didn't use, even with a payment plan.

Please let me know what you would recommend and feel free to call me if you have any questions.

Thanks, Jenny M. Clark

Director of Development Services & Public Works Andre' Bittas informed the Water Department Ms. Clark had agreed to a six-month repayment plan.

2. Emergency Water Purchase Agreement

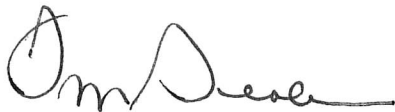
Director of Development Services & Public Works Andre' Bittas and Acting City Engineer Chris Cousins addressed the Water Department and outlined the options to supply water to the Ballantrae community under emergency conditions. They explained the engineering options and costs with using Shelby County water versus Columbiana water for the emergency supply. They noted having worked with the Water Works Board of the Town of Columbiana for several years to draft an agreement. Mr. Bittas stated, he, Chris Cousins and City Clerk/Treasurer Tom Seale recently met with the Columbiana Water Superintendent Josh Miller to discuss specific details of an agreement. Mr. Bittas further stated if Columbiana and Pelham execute the agreement the city would see a net savings of over \$1 million in reduced engineering, materials and construction costs. Mr. Bittas said funding for the emergency water supply construction project will come from bond monies.

Councilmember Wash moved to recommend to the Pelham City Council to approve the Emergency Water Purchase Agreement between the Water Works Board of the Town of Columbiana and the City of Pelham. Councilmember Palmer seconded the motion. There being no further discussion the motion passed unanimously by voice vote of those members present.

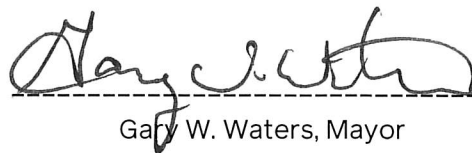
Adjournment

With no other business before the Pelham Water Department, Councilmember Wash moved to adjourn the Water Department meeting and Councilmember Lanier seconded the motion. The motion passed unanimously by voice vote of those members present and the meeting was adjourned at 4:54 p.m.

Respectfully submitted this 20th day of February 2023,



Tom Seale, MMC, City Clerk/Treasurer



Gary W. Waters, Mayor

