

Source: Public Works *gab*

Agenda Item No: REP 9-14

To: City Council
From: City Manager and Staff *MM*

Council Meeting Date: Jan 21, 2014

Re: REPORT - PCCE #17 Wilson Avenue and Ross Street Sanitary Sewer and Stormwater Improvement Project

EXECUTIVE SUMMARY:

Staff has prepared for Council consideration a report concerning the final design and easement acquisition for the construction of sanitary sewers and stormwater improvements to serve the properties located within the Private Common Collector Elimination (PCCE) #17 Wilson Avenue and Ross Street project area. The proposed project consists of 39 parcels (26 property owners) along the south side of Wilson Avenue, the north side of Ross Street, and the southeast side of Ross Street. A layout of the proposed sanitary sewer project is shown on Exhibit A, and a layout of the proposed stormwater improvements is shown on Exhibit B. All parcels in the project area are currently served by a private common collector (PCC) sewer. Although most of the property owners have been very receptive to the project and understand the need to replace the failing PCC sewer with a new public sewer, some of the property owners have not been responsive to City staff and/or have not been willing to donate easements for the project. Therefore, staff will be suspending work on this project and allocating staff time to other PCCE projects.

DISCUSSION:

The PCC was not constructed to City standards and is in poor structural condition. Since 2000, Sewer Operations has logged 40 calls concerning sewer problems connected to the PCC sewer. During the preliminary design for the proposed sanitary sewer system, the stormwater system that serves the same two streets was investigated, and found to be in poor structural condition as well. As a result, the scope of the project was revised to include replacing the stormwater system. A public hearing was held on February 18, 2013, and staff was directed to proceed with final plans, specifications, and construction (Exhibit C).

Until March of 2008, property owners were required to pay 50 percent of the cost for the PCCE projects with the City paying the remaining 50 percent. The costs included construction, easement acquisition, and miscellaneous recording and advertising. Ordinance 22-253 was revised March 17, 2008, stating that "Special assessments shall not be levied for sewer district projects that involved the elimination of private common collector sewers". The intent of the new ordinance was to allow the City to reconstruct the sewer system without tax bills (the City would pay 100 percent of the PCCE project), and in return the property owners would donate the easements. City Council minutes from 3/17/08 (Exhibit D) and Sewer Tax Bill Council memo (Exhibit E) are attached for information. Since the ordinance revision in 2008, ten (10) PCCE projects have been completed with all property owners served by PCC sewers donating the necessary easements.

Staff's understanding is that if property owners within the PCC are unwilling to donate easements and/or collaborate with staff, the PCCE project will not be completed and those PCCE funds would instead be used for PCCE projects where property owners are willing to donate the easements. At the Interested Party meeting held on October 8, 2012, property owners were made aware that easements would have to be donated for the project to be completed. They were also made aware that the City was funding 100 percent of the project.

On April, 29, 2013, property owners for PCCE #17 were each sent a letter requesting the donation of permanent sanitary sewer easements, permanent stormwater drainage easements, and temporary construction easements for their properties. Letters were again sent in June and July to property owners that were non-responsive. Attempts were also made to contact property owners by phone, email, and in person. Currently, 20 property owners (29 total parcels) have donated easements for the project. However, six property owners (10 total parcels) have not donated easements and the situations are as follows:

- One property owner (1 total parcel) is requesting to be paid for the sanitary sewer easement,

- One property owner (1 total parcel) is requesting to be paid for the drainage easement,
- Two property owners (2 total parcels) have not responded and/or have not returned signed easements,
- Two property owners (6 total parcels) will not donate the easements for the project. One owner does not want the property disturbed and the other wants a waiver of zoning regulations in exchange for the easements. It is not feasible to completely change the location of the sewer so as not to disturb these properties, and the Public Works department cannot grant waivers or variances to the zoning regulations.

Exhibit F shows the locations of the parcels that have not donated easements, and these locations prevent this project from being divided into smaller projects to solely serve properties that have donated easements.

Despite the efforts of staff, it appears the remaining easements necessary for this project will not be donated by the property owners. Therefore, staff will cease all work on this project and direct resources to other PCCE projects. Currently, there are two (2) PCCE projects under construction and eight (8) PCCE projects in design. There are 16 additional PCCE projects that are identified and have petitions submitted. The redirected resources will be utilized for one or more of these projects.

Attached is a draft letter that will be sent to property owners to notify them that work on this project has been discontinued, and to make them aware that the project could proceed in the future if the property owners decide to donate the easements required for the completion of this project.

FISCAL IMPACT:

The resolution estimate for the project was \$425,000. To date, \$290,000 has been appropriated to this project with expenses totaling \$56,082.

VISION IMPACT:

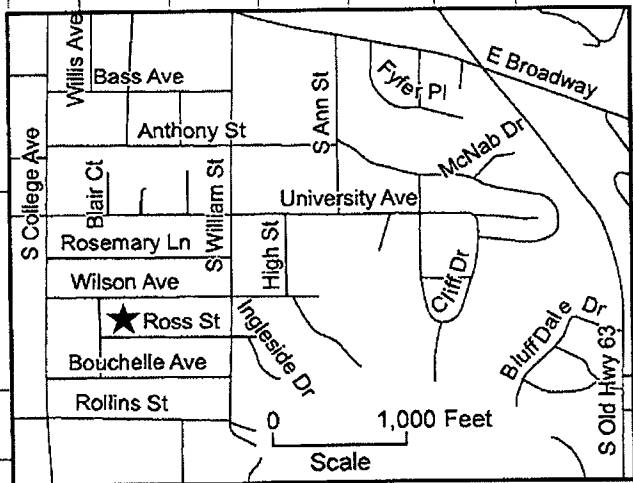
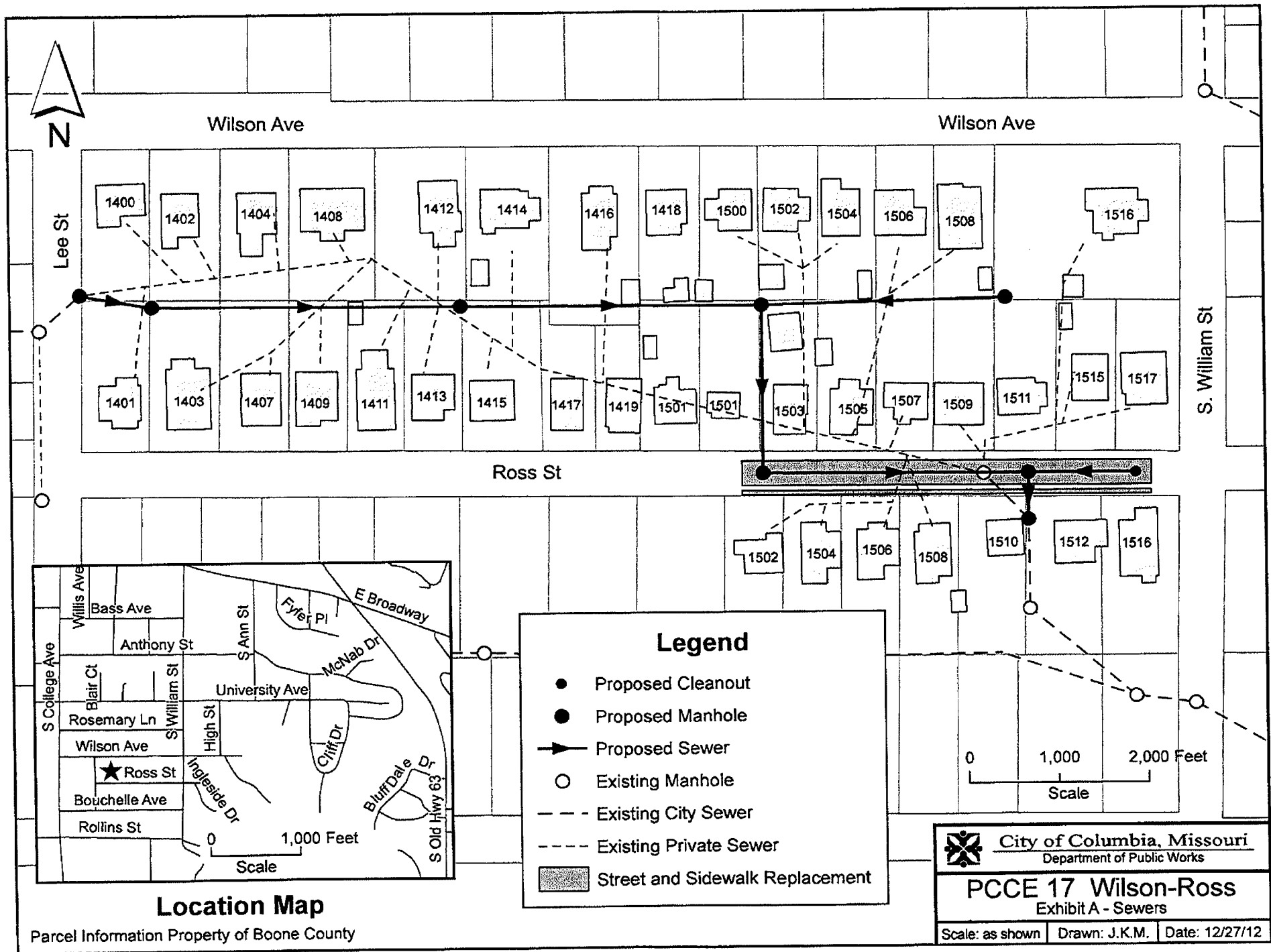
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

This project would improve water quality.

SUGGESTED COUNCIL ACTIONS:

Staff will discontinue work on PCCE #17 Wilson Avenue and Ross Street Sanitary Sewer and Stormwater Improvement project and redirect resources to other PCCE projects.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$56,082.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$290,000.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	9
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	9.1
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	



Location Map

Parcel Information Property of Boone County

Legend

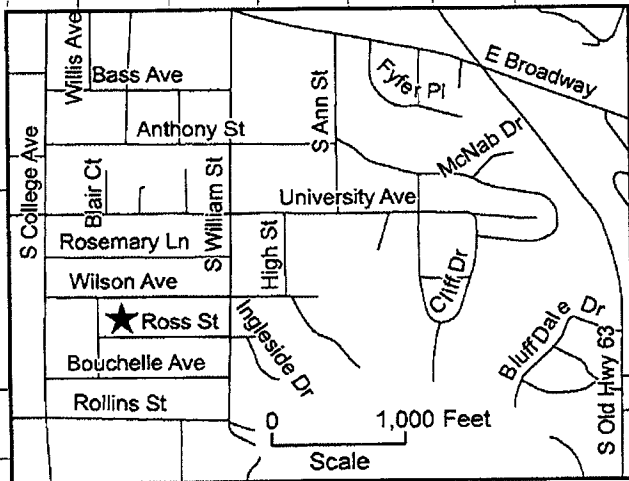
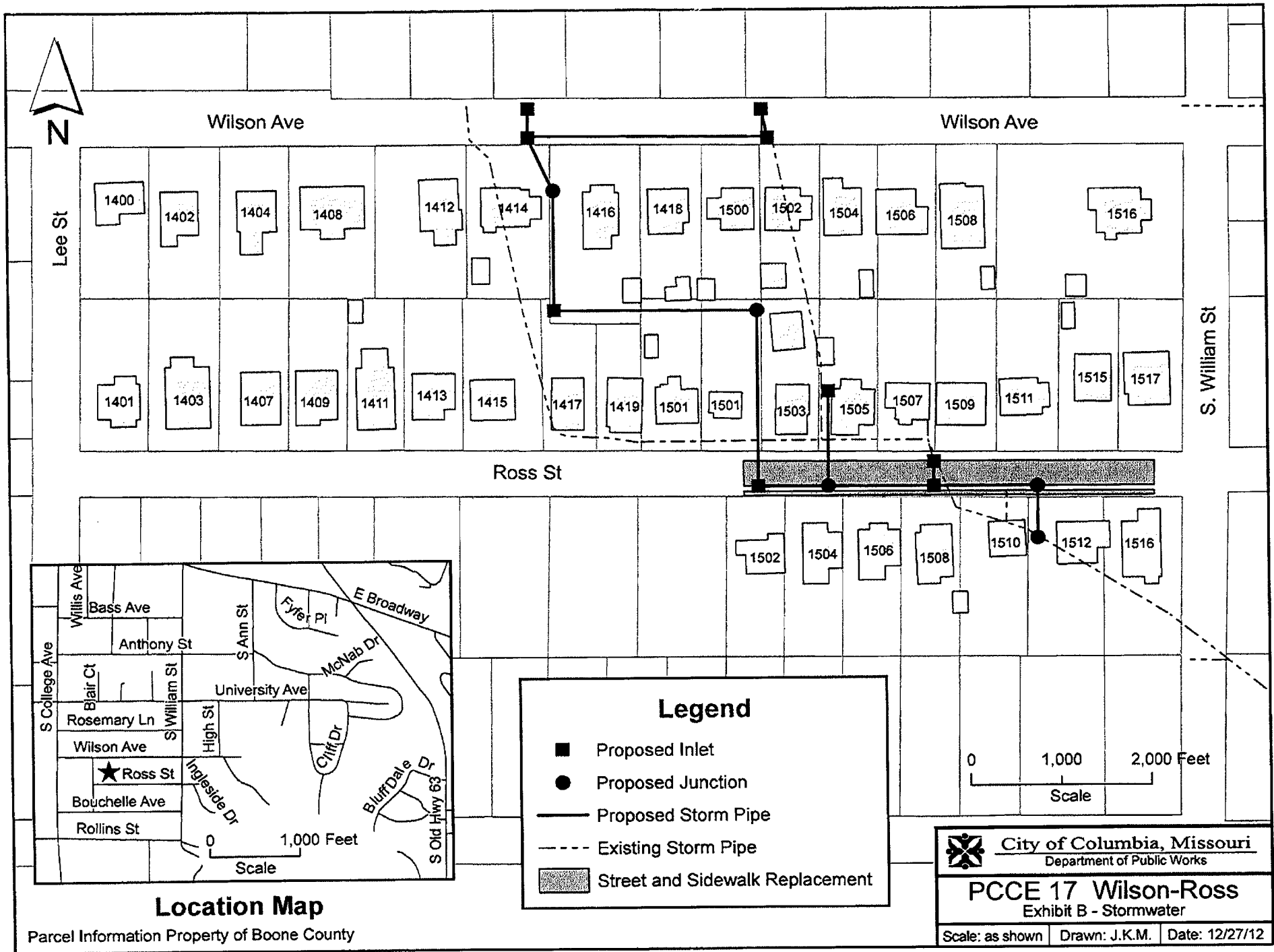
- Proposed Cleanout
- Proposed Manhole
- ➔ Proposed Sewer
- Existing Manhole
- - - Existing City Sewer
- - - Existing Private Sewer
- ▨ Street and Sidewalk Replacement



City of Columbia, Missouri
Department of Public Works

PCCE 17 Wilson-Ross Exhibit A - Sewers

Scale: as shown Drawn: J.K.M. Date: 12/27/12

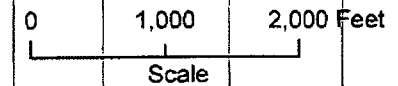


Location Map

Parcel Information Property of Boone County

Legend

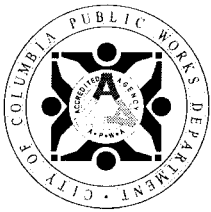
- Proposed Inlet
- Proposed Junction
- Proposed Storm Pipe
- - - Existing Storm Pipe
- ▨ Street and Sidewalk Replacement



City of Columbia, Missouri
Department of Public Works

PCCE 17 Wilson-Ross Exhibit B - Stormwater

Scale: as shown Drawn: J.K.M. Date: 12/27/12



CITY OF COLUMBIA, MISSOURI

PUBLIC WORKS DEPARTMENT

COPY

September 14, 2012

To: Property Owners along Wilson Ave. & Ross St.

RE: Private Common Collector Elimination Project (PCCE) No. 17

Dear Property Owner:

The purpose of this letter is to inform you that the City is going to have an Interested Parties meeting for this PCCE project on **Monday, October 8th, 2012** at City Hall in the Council Chambers from 5:30 to 7:30 p.m. This PCCE project proposes abandoning the existing privately maintained sanitary sewer system and constructing a public sanitary sewer that is located on or near your property. At the meeting, the proposed improvements will be discussed.

Feel free to contact me if you have any questions. My number is 573-874-6380 and my email is aaanders@gocolumbiamo.com.

Sincerely,

DEPARTMENT OF PUBLIC WORKS

Allison Anderson, PE
Sanitary Sewer Engineer

Introduced by McDavid Council Bill No. R 11-13

A RESOLUTION

declaring the necessity for construction of the Wilson Avenue and Ross Street PCCE #17 Sewer and Stormwater Improvement Project; stating the nature of and the estimate of the cost of the improvement; providing for payment for the improvement; providing for compliance with the prevailing wage law; and setting a public hearing.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council deems the construction of sanitary sewers, wye branches, manholes, storm water pipes, storm water inlets, junction boxes and other necessary appurtenances all in accordance with City of Columbia Street and Storm Sewer Specifications and Standards, as part of the Wilson Avenue and Ross Street PCCE #17 Sewer and Stormwater Improvement Project, necessary to the welfare and improvement of the City.

SECTION 2. The nature and scope of the improvement shall consist of furnishing all labor, materials, transportation, insurance and all other items, accessories and incidentals thereto necessary for the complete construction of the improvements.

SECTION 3. The estimated cost of this improvement is \$425,000.00.

SECTION 4. Payment for this improvement shall be made from Sanitary Sewer Utility Funds, Storm Water Utility Funds and such other funds as may be lawfully appropriated.

SECTION 5. Any work done in connection with the construction of the improvement specified above shall be in compliance with the provisions of the prevailing wage laws of the State of Missouri.

SECTION 6. A public hearing in respect to this improvement will be held in the Council Chamber of the City Hall Building, 701 E. Broadway, Columbia, Missouri, at 7:00 p.m. on February 18, 2013. The City Clerk shall cause notice of this hearing to be published in a newspaper published in the City.

ADOPTED this 22nd day of January, 2013.

The bill was given second reading by the Clerk.

Mr. Watkins explained this was the ordinance that put the provisions of the policy resolution just approved into place.

B53-08 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B54-08 Amending Chapter 22 of the City Code as it relates to private common collector sewers.

The bill was given second reading by the Clerk.

Mr. Watkins explained this would change how they dealt with private common collectors, which were prevalent in many of the older areas of the community. Current policy involved the City paying half of the cost and the property owner paying the other half through tax bills. They were proposing to allow the City to repair or reconstruct the line without tax bills if easements were given. He noted staff spent a lot of money and time in trying to gain easements. By concentrating on just solving problems and using the half they already had, he believed they could accomplish as much as they did under the old policy with tax bills that most people found to be a problem. This policy would change the City's procedure for private common collectors. He commented that the sewer ballot issue for April included \$4 million to deal with existing sewers and problems, which included some private common collectors.

Mr. Wade asked how many times things came to Council for a vote under the old system from the time a sewer was reported as bad to when the new sewer was built. Mr. Glascock replied he thought there were about three times. He explained they had to form the district, hold the public hearing for the district and hold a public hearing for the tax bills. Mr. Watkins thought they also had to obtain easements and believed it was four times. Mr. Wade asked what it would be under the new system. Mr. Boeckmann replied there would be a hearing for the public improvement process and a bill for the acquisition of easements. If all were given to the City already, it could be included on the Consent agenda. Mr. Wade thought it reduced their work. Mayor Hindman agreed and noted it would also eliminate the contentiousness.

Linda Rootes, 402 N. Eighth Street, stated she was the President of North Central Columbia Neighborhood Association and believed this policy change would benefit the neighborhood. She understood there were some sewers in the neighborhood that needed to be replaced and this would facilitate that.

Mr. Wade stated he had pushed for this and noted private common collector sewers in the Southwest created a huge portion of the total. He thanked the people in the past that had worked cooperatively with the City to get sewers replaced. He believed public perception was that this had been done because some people had been contentious and that the people who had cooperated by providing easements were wondering if they were being treated fairly. Through the many years of experience, they had discovered the old system was burdensome and he believed the new system would be better, even when people were cooperative. He commented that anytime a policy of this nature was changed, there would

always be those projects and people that came before and after. It was just the way change took place. He pointed out this was not just in response to a few contentious people. It was in response to finding a system that worked better for everyone and was more cost efficient even when people were cooperative. He thanked staff for a creative analysis in beginning to identify a better way of doing it.

B54-08 was given third reading with the vote recorded as follows: VOTING YES: HOPPE, HINDMAN, CRAYTON, JANKU, SKALA, WADE, NAUSER. VOTING NO: NO ONE. Bill declared enacted, reading as follows:

B55-08 Authorizing construction of Brown School Road from approximately 250 feet west of Highway 763/Rangeline Street to Providence Road; calling for bids through the Purchasing Division.

The bill was given second reading by the Clerk.

Mr. Watkins stated this would authorize staff to bid a public improvement project involving the construction of approximately 3,200 feet of Brown School Road from Providence to where the 763 project ended at Brown School Road. They had to wait until they knew what 763 would look like. He noted they had discussions with MoDOT with regard to how far 763 would go to the west on Brown School Road. He explained the project was included on the list the Council prioritized for the 2005 capital improvement sales tax ballot. The estimated cost of the project was about \$3.5 million. Funding sources included capital improvement sales taxes, development fees and county road tax rebate funds. He noted a public hearing was held on April 2, 2007.

Mr. Janku thought they agreed to build the pedway on the south side at the time of construction of the first two lanes and asked if they were not doing that now. Ms. Lea replied that during the design of the project, they determined the 30-foot pavement and the five-foot sidewalk on the north side would be better. They would still be acquiring the easements for future expansion and grading.

Mr. Janku stated he could not recall why they decided the pedway would be placed on the south side with a sidewalk on the north. He understood Brown School Road had a pedway on the north side toward the east. If they were only doing one of the two now, he wondered why they did not put the pedway in on the north. Ms. Lea replied that could be done. Mr. Janku thought it made sense because it was anticipated that a major shopping center would be going in on the north side, which would draw a lot of foot traffic from nearby residential areas.

Mr. Wade commented that when looking at Brown Station Road, all of the current development was on the north side with no development on the south side. If the pedway was put in on the north side, it would make a greater incursion into already developed areas. Mr. Janku understood the project would just move toward the south. They would start at the same point and move south. Mayor Hindman stated it would all be in the right-of-way. Mr. Glascock explained they were looking at 110 feet of right-of-way and it would be placed within that.

Mr. Wade asked if they would grade the entire thing. Mr. Janku replied no. Mayor Hindman understood they were originally going to do that, but decided against it. Mr. Janku understood it was because they would end up with a major weed patch.

Agenda Item No. B54-08

Source
Mary Ellen Lea

Mary Ellen

TO: CITY COUNCIL

FROM: City Manager and Staff *Jim*

DATE: February 27, 2008

SUBJECT: Revision to Private Common Collector Sewer Tax Bill Ordinance

Fiscal Impact

- ☐ Yes
☐ No

Other Info.

Executive Summary

Staff has prepared for Council consideration an ordinance concerning the assessment of tax bills for Sewer District Projects that involve the elimination of private common collector (PCC) sewers.

Discussion

Under the current ordinance, the sewer utility pays 50% the project costs which include construction, easement acquisition and miscellaneous recording and advertising costs and the property owners pay the other 50%.

The replacement of PCCs in established neighborhoods can be quite difficult due to the normal excavation that is required for utility installation. In addition, sewer district projects tend to be even more difficult to complete because many property owners do not understand why they are required to pay for a portion of the PCC replacement. Many property owners state that their sewer bill is the same as individuals connected to public sewers and that they expect the same level of service as those connected to public sewers. Therefore, many property owners oppose these projects, making easement acquisition and project completion very difficult and expensive.

Staff is proposing that sewer utility fund 100% of the project costs for sewer district projects that involve the elimination of PCC (no tax bills) for the following reasons:

- To minimize the objections to these types of projects. Tax bills are the main objection that citizens have to these projects.
- Will enable City staff to be more efficient in eliminating PCCs.
- Will enable City staff to focus on eliminating sewer problems and addressing the needs of the property owners who want the PCCs eliminated.

- Will allow City staff to be proactive in eliminating PCCs instead of reactive which will better protect public health and the environment.
- Eliminating PCC will reduce inflow and infiltration into the City's collection system which will reduce treatments costs.

The funds for the Sewer Utility's share of previous PCC elimination projects have been provided through funds identified in past ballot issue projects and sewer revenue funds through the CIP budget process. Over the past eight (8) years there has been approximately \$363,000 spent on PCC projects and the sewer utility has collected \$157,000 in tax bills. Fully funding (no tax bills) PCC elimination projects over this time frame would have required approximately \$50,000 per year.

The six (6) PCC projects that are currently being developed are estimated to cost a total of approximately \$1,342,000. However, if the proposed ordinance is adopted, it is anticipated that the bigger projects already identified could be broken up into smaller projects that could be done in phases to better match funding availability.

Staff anticipates that the funding could continue in the same manner in future years. The current CIP budget identifies \$1,950,000 in needs over the next five to seven years. Staff believes that this amount could still fully fund the PCC elimination program as described above for the next five years.

SUGGESTED COUNCIL ACTION

Approval of the proposed ordinance.

019842

Introduced by Hindman
First Reading 3-3-08 Second Reading 3-17-08
Ordinance No. 019842 Council Bill No. B 54-08

AN ORDINANCE

amending Chapter 22 of the City Code as it relates to private common collector sewers; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 22 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 22-253. Private common collector sewers.

(a) A private common collector sewer is a sewer line which is not owned and maintained by a public entity and which serves two (2) or more lots, tracts or parcels of land or two (2) or more structures under separate ownership.

(d) After acquiring a private common collector sewer, the city may repair or reconstruct the sewer line to bring the line into compliance with city sewer standards and specifications. ~~The cost of such repair and reconstruction and all costs of acquiring the private common collector sewer may be specially assessed against the lots, tracts or parcels of ground in the district in proportion to the area of the whole district exclusive of public highways. Surveying, engineering, design, construction inspection and contract administration costs shall not be specially assessed.~~

(e) ~~Property in the district which has been previously connected to the city's sewer system and for which sewer service charges have been assessed shall not be specially assessed for more than fifty (50) per cent of the repair, reconstruction and acquisition costs.~~ Special assessments shall not be levied for sewer district projects that involve the elimination of private common collector sewers.

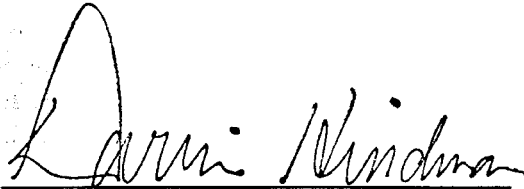
(f) ~~No property shall be specially assessed unless the city council first holds an advertised public hearing and determines that the property to be assessed has been specially benefitted in an amount at least equal to the amount of the special assessment.~~

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this 17th day of March, 2008.

ATTEST:


City Clerk


Mayor and Presiding Officer

APPROVED AS TO FORM:


City Counselor



Lee St

Wilson Ave

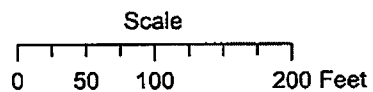
Ross St

Bouchelle Ave

S William St

Legend

-  Easements Donated
-  Easements Not Donated
-  Proposed Storm Drainage
-  Proposed Sewer



City of Columbia, Missouri
Department of Public Works

PCCE #17 Easement Donation Exhibit F

Scale: As-Shown

Drawn: J.K.M

Date: 1/06/2014

Parcel Information Property of Boone County

PCCE #17 Wilson Avenue and Ross Street
Contact Summary of Property Owners Who Have NOT Returned Signed Easement

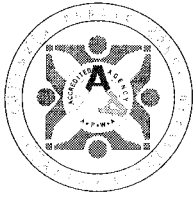
Property Address	Owner	Mailing Address	Contact Dates	Comments
1503,1509, 1511, 1515 Ross St	Deepak & Elizabeth Raghu (Dee Raghu) deepolvo@hotmail.com	1511 Ross St, Columbia	Phone conversation 10-23-12, Met on site 11-2-12, First letter 4-29-13, Met on site 6-12-13, Phone message 6-26-13 & 6-27-13, Letter summarizing meeting 6-28-13 & 7-11-13, Third letter 7-29-13, Phone conversation 8-13-13, Fourth letter 8-17-13, Final letter 9-17-13, Phone conversation 12-9-13. Left messages 12-20-13 & 1-2-14.	Property owner concerned about tree loss, his treehouse in the backyard, and his brick landscaping in the front yard. Moved sewer main into the middle of Ross St to keep out of three of his properties' front yards. Also looked at moving storm pipe to save some trees.
1415 Ross St 1408 Wilson Ave	Mike Keevens mike@thefindingfrog.com	903 University Ave, Columbia	Phone 8-12, First letter 4-29-13, Phone message 5- 30-13, Phone message 6-11-13, Email 6-11-13, Met in office 7-8-13, Phone conversation 12-9-13. Met on site 12-19-13. Left phone message 1-6-14.	Property owner plans to redevelop lot. Wants the minimum building and parking setbacks waived and for the City to design the stormwater around his parking lot in exchange for the easements. Planning said the property owner will need to go through the regular process for requested variances to setback requirements.
1413 Ross St	Jian Dong Qu jianster@hotmail.com	1413 Ross St Columbia	Email 10-8-13, Met on site 10-26-12, First letter 4-29- 13, Phone conversation 6-28-13, Second letter 7-29- 13, Property owner called requesting appraisal 9-13.	Property owner wants to be paid for the sanitary sewer easement.
1501 Ross St	Randall & Cortney Wright	9615 SW 33RD LN, Gainesville, FL	First letter 4-29-13, Email 6-11-13, Second letter 5- 30-13, Phone message 6-28-13, Third letter 7-29- 13, Phone message 12-9-13.	Property owner left a phone message 12-12- 13 that will mail in signed easements. Easements were resent to property owner because spouse had not signed.
1412 Wilson Ave	Steven & Christine Meyer	6101 Bentpath Dr, Columbia	Bought property 8-2-13, First letter 8-29-13, Second letter 10-2-13, Phone messages 12-9-13 & 1-2-14.	Has not responded.
1416 Wilson Ave	Paul & Michelle Ray	347 Chesterfield Oaks, Chesterfield, MO	Phone conversation 10-9-12, First letter 4-29-13, Second letter 7-29-13	Property owner wants to be paid for easements. Can pay for DRAINAGE easement, but not sanitary sewer easement.

Note:

The IP meeting was held on 10-8-12. The Public Hearing was held on 2-18-13.

All property owns with the exception of Meyers should have received the letters notifying them of both the IP Meeting and the Public Hearing. Meyers did not own their property at the time of the IP Meeting or the Public Hearing.

Log reflects contacts with property owners up to 1-6-14.



CITY OF COLUMBIA, MISSOURI

DRAFT

PUBLIC WORKS DEPARTMENT

January __, 2014

TO: Property owners along Wilson Avenue and Ross Street

RE: Wilson Avenue and Ross Street Private Common Collector Elimination (PCCE) #17 Project

The purposed of this letter is to update the property owners on the status of the PCCE #17 project.

On February 18, 2013 the City Council held a public hearing concerning construction of the PCCE #17 Wilson Avenue and Ross Street Sanitary Sewer and Stormwater Improvement Project. At that time Council directed Staff to proceed with final plans and specifications. The project would consist of constructing approximately 1,300 linear feet of gravity sanitary sewer in order to eliminate the private common collector sewer and the construction of approximately 1,120 linear feet of stormwater pipe to replace the failing stormwater system.

Costs for design and construction of PCCE projects are 100 percent funded by the City. Property owners connected to the private common collector are not tax billed for the project (prior to March of 2008 property owners were tax billed 50 percent of the project costs). Property owners are requested to donate the permanent sanitary sewer easements and the temporary construction easements. The easements are required in order for the project to be constructed and for the City to maintain the public sanitary sewer system and the stormwater system in the future.

Letters requesting the donation of the easements were initially mailed to property owners in April of 2013. Letters requesting easements donations were mailed again in June and July of 2013 to unresponsive property owners. Attempts to contact property owners were also made by phone, email, and in person when possible. At this time, there are still owners of ten properties who have not donated easements for the project. Currently, work on projects such as this is discontinued if the property owners are unwilling to donate the easements necessary for the project and resources are redirected toward other PCCE projects. The City Council was made aware that work on this project was suspended at the January 21, 2014 Council meeting. The project can proceed in the future if the property owners decide to donate the easements required to complete the project.

Should you have any questions, please contact Allison Anderson of my staff at 573-874-7250.

Sincerely,
DEPARTMENT OF PUBLIC WORKS

John D. Glascock, P.E.
Director