City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Gerald L. Clausen, City Manager

FROM: Randall M. Krauel, Director of Public Works RMK

DATE: March 21, 2016

SUBJECT: Sanitary Sewer Connection Request
Carroll County Solid Waste Management Commission

CC: Mary Wittry, Carroll County Solid Waste Management Commission

The Carroll County Solid Waste Management Commission (Commission) has requested consent to connect the Solid Waste Administration/Recycling Center building to the municipal sanitary sewer system. The building is located at 19111 Kittyhawk Avenue, outside the corporate limits.

City Code of Ordinances Section 95.06 prohibits sewer service to any customer outside the corporate limits, except by agreement of the Council. The customer must also sign a service agreement to be bound by ordinances, rules, and regulations applying to sewer service.

The City and Commission have a Department of Natural Resources Treatment Agreement for landfill leachate. The Solid Waste Administration/Recycling Center building is served by City water. The Commission is currently funding over one-half of the construction cost of the Industrial Park Road Sanitary Sewer. Any connection fees to that sewer will be waived for a Commission connection.

RECOMMENDATION: Mayor and City Council consideration and passage and approval of the Resolution Approving the Sanitary Sewer Connection and Service Contract Agreement with the Carroll County Solid Waste Management Commission.

RMK:ds

attachments (2)

RESOLUTION NO. _____

RESOLUTION APPROVING THE SANITARY SEWER CONNECTION AND SERVICE CONTRACT AGREEMENT WITH THE CARROLL COUNTY SOLID WASTE MANAGEMENT COMMISSION.

WHEREAS, the Carroll County Solid Waste Management Commission (Commission) has requested connection of the Solid Waste Administration/Recycling Center building to the City sanitary sewer system; and,

WHEREAS, the City Code of Ordinances Section 95.06 requires agreement of the Council and a service contract agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLL, IOWA that the Council agrees to serve the Commission's Solid Waste Administration/Recycling Center building with sanitary sewer; and,

BE IT FURTHER RESOLVED the Service Contract Agreement is approved; and,

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute the Agreement.

Passed and approved on this 28th day of March, 2016.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

By_____
Eric P. Jensen, Mayor

ATTEST:

By: _____
Laura A. Schaefer, City Clerk

SANITARY SEWER CONNECTION AND SERVICE CONTRACT AGREEMENT

This Agreement is made between the Carroll County Solid Waste Management Commission (Commission) and the City of Carroll (City).

The City and Commission agree to and acknowledge the following:

1. Commission desires to connect its Solid Waste Administration/Recycling Center building to the City's sanitary sewer system located near Industrial Park Road, at no-cost to the City.

2. Commission's Solid Waste Administration/Recycling Center building is located outside the corporate limits of the City.

3. Section 95.06 of the City's Code of Ordinances provides that sanitary sewer service "shall not be provided to any customer located outside the corporate limits of the City, except by agreement of the Council".

4. This document shall act as the City's consent to provide sanitary sewer service to the Commission and shall also act as a service contract agreement wherein the Commission agrees to be bound by ordinances, rules and regulations applying to sanitary sewer service established by the City, including but not limited to right of entry, fees, charges, permits use, connection, use of easements, excavation, inspection, and penalties for violation of the City's ordinances, rules and regulations.

5. Commission and City shall approve this agreement by Resolution, which Resolutions shall authorize the Mayor and City Clerk of Carroll, and the Chair of the Commission to execute this Agreement.

6. This Agreement shall be effective from and after the date on which this Agreement is approved and executed by the City and Commission.

7. This Agreement contains the entire Agreement between the parties.

IN WITNESS WHEREOF, City of Carroll has caused this Agreement to be approved by Resolution of its Council and executed on this 28th day of March, 2016.

CITY OF CARROLL

By_____

Eric P. Jensen, Mayor