



## Board of Aldermen Request for Action

**MEETING DATE:** 2/6/2024

**DEPARTMENT:** Finance

**AGENDA ITEM:** Resolution 1310, Approving a Water and Wastewater Leak Adjustment Request

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**REQUESTED BOARD ACTION:**

Motion to approve Resolution 1310, approving a water and wastewater leak adjustment request.

**SUMMARY:** The City has received notice from Shawn Clarkson, a residential utility billing customer, of a repaired water leak and his request for a water leak adjustment. All requirements set forth in Ordinance 2989-18 have been met.

On or about 30 October, 2023, the Utilities Division obtained electronic reads of water usage for the month of October. Those reads were uploaded to the billing system and staff was alerted to the accounts that had no, little or high usage.

Following the month of the October billing cycle, Shawn Clarkson had started the cycle with a read 3,879 of and finished the October cycle with a read of 4,523, which resulted in consumption of 44,200 gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Shawn Clarkson has provided proof of repair/maintenance of the service lin which caused the high usage during the October billing cycle.

On or about 29 Novemver, 2023, the Utilities Division obtained electronic reads of water usage for the month of November. Those reads were uploaded to the billing system and staff was alerted to the accounts that had no, little or high usage.

Following the month of the November billing cycle, Shawn Clarkson had started the cycle with a read 4,523 of and finished the November cycle with a read of 4,965, which resulted in consumption of 44,200 gallons. This amount was more than twice the established monthly average. As required by Ordinance 2989-18, Shawn Clarson has provided proof of repair/maintenance of the service line which caused the high usage during the November billing cycle.

If approved, the leak adjustment would issue a credit of \$352.28 to Shawn Clarkson's utility account.

**PREVIOUS ACTION:**

The Board has approved previous leak adjustments in this fiscal year when conditions have been met.

**POLICY OBJECTIVE:**

Click or tap here to enter text.

**FINANCIAL CONSIDERATIONS:**

Reduce utility revenues by \$352.28.

**ATTACHMENTS:**

- Ordinance
- Resolution
- Staff Report
- Other: Repair Documentation
- Contract
- Plans
- Minutes

**RESOLUTION 1310**

**A RESOLUTION APPROVING A WATER AND WASTEWATER  
LEAK ADJUSTMENT REQUEST**

**WHEREAS**, the City approved Ordinance No. 2989-18 amending Section 705.110 of the Code of Ordinances on February 6, 2018; and

**WHEREAS**, Shawn Clarkson, a residential utility billing customer with account 02-005880-10, has notified the City of a water leak and is requesting a leak adjustment; and

**WHEREAS**, the conditions set forth in Section 705.110 of the Code of Ordinances as amended have been met; and

**WHEREAS**, the adjustment calculation set forth in 705.110 of the Code of Ordinances as amended has been determined to be \$352.28.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

A water and wastewater leak adjustment in the amount of \$352.28 shall be credited to account 02-005880-10 of residential utility billing customer Shawn Clarkson.

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 6<sup>th</sup> day of February, 2024.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk



Water and Wastewater Leak Adjustment Request

Utility Customer Name: Shawn Clarkson

Utility Service Address: 400 E Woods Street

Utility Account Number: 02-005880-10

The residential utility billing customer referenced above has notified City staff of a water leak and is requesting a leak adjustment. City staff has verified the water consumption of the month(s) in question is more than two (2) times the monthly average for this property, no other leak adjustment has occurred in the previous thirty-six (36) month period, covers a single event and repair receipts have been provided.

In accordance with the Leak Adjustment Ordinance No. 705.110, the Board of Alderman may consider a leak adjustment calculated to be \$352.28 at the Board of Alderman meeting on February 6, 2024.

I, Shawn Clarkson, agree to attend the Board of Alderman meeting referenced above, and understand that my failure to be present is cause for the Board of Alderman to deny my request.

Upon resolution by the Board of Alderman, I, Shawn Clarkson, shall make payment in full or make formal payment arrangements with City staff no later than ten days (10) following the Board of Alderman consideration. I understand that failure to do so will result in imposition of late fees and/or disconnection of service.

[Handwritten Signature]  
Customer's Signature

1-25-24  
Date



**Full Nelson Services**  
 1015 East 14th Avenue  
 North Kansas City, MO 64116  
 Ph: 816-420-9697  
 Fax: 816-420-9450

**Invoice** 51561107  
**Invoice Date** 11/22/2023  
**Completed Date** 11/22/2023  
**Customer PO**  
**Payment Term** Due Upon Receipt  
**Due Date** 11/22/2023  
**Job Address**  
 Cockrum, Aaron  
 400 East Woods Street  
 Smithville, MO 64089 USA

**Billing Address**  
 Cockrum, Aaron  
 400 East Woods Street  
 Smithville, MO 64089 USA

**Description of Work**

Upon arrival customer showed me a hole he had dug in the back yard where the water line is just below the water line is the sewer line that we installed earlier this year you can see when the water is turned on that the pvc fitting is cracked and that the copper line is no longer above the sewer line it is touching it. From what I'm seeing when we backfilled the hole before we put enough pressure on the pvc pipe it cracked at the fitting. I talked to Harold and he said we will get out tomorrow morning. Thank you for choosing full Nelson services your friendly professional Ray

11/22/2023

Upon arrival continued to hand dig a 2 feet back to the house to expose more of the 1 inch pvc. Found problem the 1 inch pvc male adapter had sheared off. Cut off a foot past the break and ran 2 feet of 3/4 copper to the 1 pvc and tied in with a 1 inch pvc to 3/4 cts pack joint. Pressurized the water service and it is holding pressure and no leaks. Added gravel around the pipe and then we backfill. Your Full Nelson Expert Serf.

<b>Sub-Total</b>	\$0.00
<b>Tax</b>	\$0.00
<b>Total Due</b>	<u>\$0.00</u>
<b>Balance Due</b>	\$0.00

Thank you for choosing Full Nelson Services. We appreciate your business!

I hereby authorize the work described above and agree to the terms and conditions. I have read all terms & conditions of this contract. NOTICE TO OWNER: FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 429, RSMO. TO AVOID THIS RESULT YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIAL TWICE.

11/22/2023

I have inspected all of the work done by Full Nelson Plumbing, Inc. pursuant to the contract terms agreed by me. I find that all work has been completed in a satisfactory and workmanlike manner. I have been given the opportunity to address concerns and/or discrepancies in the work provided, and I either have no such concerns or have found no discrepancies or they have been addressed by Full Nelson Plumbing, Inc. to my satisfaction. My signature here signifies my full and final acceptance of all work performed by the contractor pursuant to the contract as agreed.

11/22/2023



## Terms and Conditions

After excavation, Full Nelson Services shall backfill holes and trenches. Full Nelson Services will not be responsible for final grading, seeding, or planting of grass or plants.

Should Full Nelson Services encounter rock, shale, water, frozen ground, or other unusual subsurface conditions at the time of excavation and the cost of correcting these conditions exceeds \$100.00, the price of the contract shall increase by an appropriate amount to be agreed upon by the parties prior to completion of excavation.

If work is provided by Full Nelson Services, that is backed by a warranty, said warranty will be void if tampered with or worked on by anyone other than Full Nelson Services.

I recognize that nature cannot be controlled, and that I cannot hold Full Nelson Services responsible for such acts as freezing, etc.

I recognize that delinquent payment will void any warranty to any work provided by Full Nelson Services.

I recognize that aged and deteriorated plumbing fixtures, piping and appurtenances may no longer be serviceable, and I agree to hold Full Nelson Services blameless for any damage or destruction to those items as a result of these conventional repair efforts. I agree to pay for all work good and services received at the completion of and/or receipt of same said work good and/or services unless prior arrangements have been agreed upon. Payments will be in the form of cash, check, credit card, debit card, or financing. A service charge of 1.5% per month or 18% per annum will be charged on balances 30 days or more past due.

In case of suit by Full Nelson Services to enforce this contract or any of the obligations, terms and conditions hereof, then, in addition to damages and other relief, Full Nelson Services shall be entitled to recover reasonable attorneys fees and expenses, including efforts to collect and fees for liens and time spent to file any documents to put a lien on property.



## Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Shawn Clarkson**

Utility Service Address: **400 E Woods St**

Utility Account Number: **02-005880-10**

### Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

- The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons):           \$9.04            
 Average monthly water usage for this property:       **4,300** gallons      

- Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons):           \$5.40          

- If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.  
 If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons):           \$7.69            
 Average monthly wastewater usage for this property:       **2,700** gallons        
 Was the leak inside or outside the home:       **outside**        
 Was the wastewater billed winter average or actual usage:       **winter average**      

### Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1	
Original Water Bill Amount	
64,400 gallons @ 9.04 per 1,000 gallons =	582.18
Adjusted Water Bill Amount	
8,600 gallons @ 9.04 per 1,000 gallons =	77.74
+ 55,800 gallons @ 5.4 per 1,000 gallons =	301.32
	379.06
<b>Water Discount =</b>	<b>203.12</b>
Original Wastewater Bill Amount	
2,700 gallons @ 7.69 per 1,000 gallons =	20.76
Adjusted Wastewater Bill Amount	
2,700 gallons @ 7.69 per 1,000 gallons =	20.76
<b>Wastewater Discount =</b>	<b>0.00</b>

MONTH 2 (if applicable)	
Original Water Bill Amount	
0 gallons @ 9.04 per 1,000 gallons =	0.00
Adjusted Water Bill Amount	
0 gallons @ 9.04 per 1,000 gallons =	0.00
+ 0 gallons @ 5.4 per 1,000 gallons =	0.00
	0.00
<b>Water Discount =</b>	<b>0.00</b>
Original Wastewater Bill Amount	
0 gallons @ 7.69 per 1,000 gallons =	0.00
Adjusted Wastewater Bill Amount	
0 gallons @ 7.69 per 1,000 gallons =	0.00
<b>Wastewater Discount =</b>	<b>0.00</b>

**Total Discount = 203.12**



## Water and Wastewater Leak Adjustment Calculation

Utility Customer Name: **Shawn Clarkson**

Utility Service Address: **400 E Woods St**

Utility Account Number: **02-005880-10**

Breaking down key figures in Ordinance 2989-18(C), Adjustment Calculations

- The adjusted bill(s) shall charge the City's normal water rate on all water volume used up to two (2) times the average monthly water use for this property.

City's normal water rate (per 1,000 gallons): \$10.40  
 Average monthly water usage for this property: **4,300** gallons

- Adjusted bill(s) shall also charge the City's wholesale water rate on all water volume used greater than two (2) times the average monthly water use for this property.

City's wholesale water rate (per 1,000 gallons): \$6.21

- If the leak is inside the home, the wastewater bill(s) shall not be adjusted because the water volume used will have drained into the sanitary system of the home.

If the leak is outside the home, the wastewater bill(s) will be adjusted to reflect the average monthly wastewater usage for this property.

City's normal wastewater rate (per 1,000 gallons): \$8.84  
 Average monthly wastewater usage for this property: **2,700** gallons

Was the leak inside or outside the home: **outside**

Was the wastewater billed winter average or actual usage: **winter average**

Calculating the adjustment amount using Ordinance 705.110(C), Adjustment Calculations

MONTH 1	
Original Water Bill Amount	
44,200 gallons @ 10.4 per 1,000 gallons =	459.68
Adjusted Water Bill Amount	
8,600 gallons @ 10.4 per 1,000 gallons =	89.44
+ 35,600 gallons @ 6.21 per 1,000 gallons =	221.08
	310.52
<b>Water Discount =</b>	<b>149.16</b>
Original Wastewater Bill Amount	
2,700 gallons @ 8.84 per 1,000 gallons =	23.87
Adjusted Wastewater Bill Amount	
2,700 gallons @ 8.84 per 1,000 gallons =	23.87
<b>Wastewater Discount =</b>	<b>0.00</b>

MONTH 2 (if applicable)	
Original Water Bill Amount	
gallons @ 10.4 per 1,000 gallons =	0.00
Adjusted Water Bill Amount	
0 gallons @ 10.4 per 1,000 gallons =	0.00
+ 0 gallons @ 6.21 per 1,000 gallons =	0.00
	0.00
<b>Water Discount =</b>	<b>0.00</b>
Original Wastewater Bill Amount	
0 gallons @ 8.84 per 1,000 gallons =	0.00
Adjusted Wastewater Bill Amount	
0 gallons @ 8.84 per 1,000 gallons =	0.00
<b>Wastewater Discount =</b>	<b>0.00</b>

**Total Discount = 149.16**