MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA **NOVEMBER 16, 2010**

The Ames City Council met in special session at 7:00 p.m. on the 16TH day of November, 2010, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. *Ex officio* Member England was also present.

RESOLUTION ENDORSING IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT APPLICATION FOR FINANCIAL ASSISTANCE FOR BOEHRINGER INGELHEIM VETMEDICA, INC., WITH LOCAL MATCH IN THE FORM OF A $61,000 FORGIVABLE LOAN: Moved by Mahayni, seconded by Wacha, to endorse the Iowa Department of Economic Development application for financial assistance for Boehringer Ingelheim Vetmedica, Inc., with local match in the form of a $61,000 forgivable loan.

City Manager Steve Schainker clarified that the Ames Economic Development Commission (AEDC) will share equally in the local match. Council Member Larson asked if Boehringer Ingelheim Vetmedica, Inc. (BIVI) must create a certain number of jobs. Dan Culhane, Ames Chamber President and Chief Executive Officer, said that 41 jobs will be retained in Ames, and 20 new jobs would be created within three years. Mr. Culhane said that $61,000 would be coming from the Iowa Department of Economic Development (IDED), and the local match would be split between the City and the AEDC. Mr. Culhane thanked the Mayor and Council for taking action on this item during a workshop. He said this application is very unique in that the project represents other communities, and the 20 jobs created will have an average annual salary of over $70,000. Mr. Culhane said in many communities similar to Ames, there are not as many opportunities. He stated that this is a great project by a great corporate citizen, and thanked the Council for its consideration. Council Member Mahayni said he was thankful for new jobs, and would not be opposed to a special meeting to approve projects such as this one.

Dr. Michael Roof, 3222 Tupelo Circle, Ames, introduced the BIVI staff members present. He said the company has attracted 12 new full-time equivalents this year, and an additional 20 will be added over the next three years. Dr. Roof explained that the corporate headquarters are in St. Joseph, Missouri and that BIVI has been in Ames for some time. Dr. Roof said the company continually receives offers to expand, and that Ames is a great place for their company. He thanked members of the AEDC and IDED as well as the City Council for this opportunity.

Council Member Larson said it is unusual for a research business to be as involved in the community as BIVI, and that he would be very supportive of returning the favor.

Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

WORKSHOP ON WATER & POLLUTION CONTROL DEPARTMENTAL INITIATIVES: Water and Pollution Control Director John Dunn thanked the Mayor and Council, and explained that he and his staff would be providing an overview of two departmental programs currently underway, the Backflow Prevention Program and the Industrial Pretreatment Program. Mr. Dunn said both

programs are required by state or federal regulators.

Mr. Dunn introduced Scott Cunningham, Cross-Connect Control Coordinator. Mr. Cunningham explained that the State of Iowa requires all cities with a population of 15,000 or more to enact a backflow prevention program with containment. He said to provide good, safe drinking water, several things must be done, including preventing backflow. Mr. Cunningham reviewed the possible ways backflow can enter the potable water system. He said when backflow occurs, one thing is always certain - there is always a difference in water pressure. Mr. Cunningham explained that backflow can occur in the home, industrial facilities, or commercial facilities.

Mr. Cunningham said isolation, which prevents backflow by providing protection at the point of use, is the first step in stopping backflow. Containment protects water in the water main, preventing anything that gets back into the water system from getting into the water main, and affecting other businesses or residences. Mr. Cunningham said isolation and containment are separate, and together provide a two-layer system to protect public health. He said isolation is required at any location water is used, and on every point of use.

Mr. Cunningham said that containment is required on every water service that does not qualify for an exemption. He reviewed the conditions for exemption, of which all must be met. Mr. Orazem asked for an example of a business that would qualify for an exemption. Mr. Cunningham said that most businesses meet the criteria for an exemption. Council Member Wacha asked about a residential boiler system with a backflow device installed in relationship to the containment exemption. Mr. Cunningham said that would be an isolation device, so the home would still qualify for a containment exemption since the water use would be protected. Mr. Larson asked about the condition of one service line. Mr. Cunningham said it is not desired to have water coming in through one service and back out to the water main through another service. Mr. Cunningham reviewed the order of implementation when the program began, and the status of the implementation currently. He reviewed the division of responsibilities of which the Water Meter Division and the Inspections Division share.

Mr. Cunningham said backflow prevention assemblies are tested annually to identify deficiencies, and that the testers must be registered by the Iowa Department of Public Health, have received specialized training, and must attend continuing education classes to maintain registration with the State. He said annual tests range in price from $50 to $75. He reviewed the effects of backflow when it does occur, and the impact on the community. He said many lawn irrigation systems have been installed in the last 10-12 years, which account for the number one use of backflow prevention assemblies, and are tested on installation and annually thereafter.

Mr. Orazem asked how the systems are tested. Mr. Cunningham said systems are tested in place using a differential pressure gauge that compares the pressure at two points. He said a minimum pressure drop across the check valve must be at least one Pound per Square Inch (PSI). Mr. Orazem asked how often they must be replaced. Mr. Cunningham said the devices are made to be repaired, but sometimes may be replaced if it is less expensive to replace than repair the device. Mr. Orazem asked if the devices on the sewer systems are regulated. Mr. Cunningham said back water valves on sewer lines are regulated in the Plumbing Code.

Council Member Larson asked how residential customers, particularly new residents, are notified they

need to have a backflow device tested. Mr. Cunningham said they would receive a letter approximately 30 days before the due date along with a test form explaining the requirement. Another letter is sent ten days after the due date if nothing has been received. Then a phone call would be made. Mr. Cunningham said when backflow devices are installed, the information on that property is put into the system. Mr. Orazem asked how the City receives notice of new irrigation systems that are installed. Mr. Cunningham said a plumbing permit must be taken out, so at that point they would know a backflow prevention device is needed.

Mr. Dunn introduced Environmental Engineer Matt Hawes, who administers the Non-Domestic Waste Pretreatment Program and the High-Strength Wastewater Surcharge Program.

Mr. Hawes explained that all Publicly Owned Treatment Works (POTW) treating more than 5 million gallons per day or accepts wastewater from industrial sources must have a Pretreatment Program. He explained that the program was originally implemented in 1983, revised in 1992 and 2005, and the new National Pollutant Discharge Elimination System (NPDES) permit requires additional revisions in 2011.

Mr. Hawes said the purpose of the Pretreatment Program is to prevent introduction of pollutants to the POTW that would pass through to the environment untreated, interfere with or inhibit operations of the POTW, create unsafe conditions for sanitary sewer workers, or prevent reuse of wastewater and biosolids. Mr. Hawes defined domestic wastewater as compatible with the Water Pollution Control treatment processes, and typical as seen from residential households. He defined industrial wastewater as higher in strength and sometimes requiring "pretreatment" before discharge to the sanitary sewer.

Mr. Hawes explained how pretreatment generally works, saying that industrial users must first be identified, which can be done by reviewing newspaper articles on new businesses, or by receiving notification that a permit has been given. Mr. Hawes said an industrial waste questionnaire is then administered, so the need to monitor can be determined by the potential to impact the POTW. Once it is determined that an industry needs monitored, a pretreatment permit and a contract for wastewater pretreatment are issued. He said the permit and the contract constitute legal authority to enforce the program and continue monitoring the industry under the Pretreatment Program.

Mr. Hawes said the permit includes the industry's effluent local limits, what type of pollutants to monitor, and a compliance schedule, if necessary, and is valid for no more than five years. He reviewed some industries that are currently monitored. Council Member Goodman asked about the pollutant limit and about the possibility of more than one business producing a particular pollutant. Mr. Hawes said safety factors are considered, and that an industry could consist of multiple businesses.

Mr. Orazem asked where the waste is taken that is removed by the industry during its pretreatment. Mr. Hawes said if the company knows the wastewater facility cannot handle some of their waste, they collect it and have it picked up as hazardous waste. Mr. Orazem asked how the removal of that waste is monitored. Mr. Hawes said during annual inspections, the industry is asked about the waste removal, and about the documentation of the waste removal. Mr. Dunn said some industries, depending on the type of waste, may be required to track the disposal of its waste through another environmental program. He also said that the Department of Natural Resources (DNR) requires staff to ask about the waste, and if there is any suspicion, then that is shared with the DNR.

Mr. Hawes reviewed the consequences of a permit violation. He also reviewed the Pretreatment Streamlining Rule, which must be implemented by September, 2011. The Rule will reduce the regulatory burden on industries and the City, but will not adversely affect environmental protection. Mr. Hawes explained that there will be required and optional program changes.

Mr. Hawes said staff will be reviewing code changes and will present the proposed code changes to Council for review and approval, and then to the Iowa Department of Natural Resources. Mr. Goodman asked if the streamlining aspects are mandatory or at the discretion of the municipal utility. Mr. Hawes said there are certain changes required, and the optional changes are any changes that would be seen as more lenient. Mr. Larson asked if businesses would be able to express their comments when the proposed code changes are brought back to Council for approval. Mr. Dunn said staff would like to speak with businesses before the proposed changes are presented.

Mr. Hawes then explained the High Strength Wastewater Surcharge Program, and said that high strength wastewater is defined as compatible wastewater with concentrations higher than that seen from typical residential households. This type of wastewater requires additional treatment which results in higher treatment costs. He said the purpose of this program is to recover the additional treatment costs from the source of the waste, which keeps the rates low.

Mr. Hawes said surcharge rates are published in the Code, and are based on the cost per pound to treat Chemical Oxygen Demand (COD), Total Kjeldahl Nitrogen (TKN), and Total Suspended Solids (TSS). The rates are recalculated every six months, which allows industries to implement changes to reduce or eliminate the surcharge.

Mr. Hawes explained some future changes that may take place, including implementation of a "threshold bill," meaning that if a surcharge bill is below a certain dollar amount, no surcharge would be billed. He said this would eliminate sending bills for negligible surcharge amounts. The definition of "normal domestic waste" will be updated as a result of testing currently taking place. He said changes may be occurring because of how new water efficient fixtures are affecting the collection system.

Mr. Goodman asked if there is regularity in updating the cost per pound. Mr. Dunn said the surcharge is reviewed every year.

Mr. Larson asked how grease influences the treatment plant. Mr. Dunn said there is not a parameter for grease right now, as it is a compatible waste. He said that if it is received at the plant without a problem in the collection system, it is beneficial at the plant. Mr. Dunn also said there are instances where grease does cause problems in the collection system. Mr. Dunn said several communities are starting to implement oil and grease control programs as a part of their pretreatment programs. He said there is a wide variety of approaches taken by these communities.

Mr. Larson wondered where the responsibility of keeping the grease trap cleaned and maintained falls. Mr. Dunn said Code requirements for maintenance of the system require the customer to keep it in good repair. He said it would be helpful to add language to the Code about maintaining grease interceptors. He also said customers need to be educated on maintaining them.

COMMENTS: There were no comments by the Council.

ADJOURNMENT: The Special Meeting adjourned at 8:15 p.m.

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Diane R. Voss, City Clerk Ann H. Campbell, Mayor

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Erin Thompson, Recording Secretary