

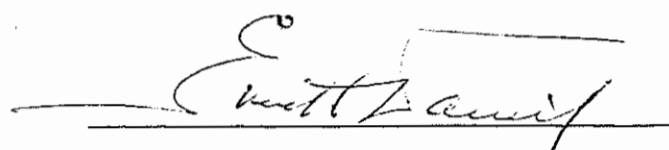
11:00 p. m., Tuesday, June 19, 1979, with Willie Hampton absent and all other members present

Ken Smith moved, seconded by Harold Ray Johns to go into Executive Session to discuss personnel matters. Same passed unanimously.

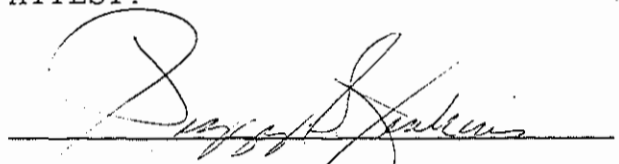
Ken Smith moved, seconded by Harold Ray Johns to go out of Executive Session. Same passed unanimously.

Gary Woodlee moved, seconded by Bill Greer to approve the final application for the Community Development Block Grant funds as proposed by the Barren River Area Development District Office. Motion passed unanimously.

Bill Greer moved to adjourn the meeting, seconded by Edie Martin, passed unanimously.


MAYOR

ATTEST:


CITY CLERK

REGULAR MEETING - BOARD OF COUNCIL
JUNE 19, 1979

The City Council of the City of Russellville met in regular session in City Hall at 8:30 a. m., Tuesday, June 19, 1979, with all members present.

Minutes of the previous regular and special called meetings were read and approved upon motion of Gary Woodlee, seconded by Bill Greer.

After much discussion Edie Martin moved to adopt the following Ordinance No. 79-9 relating to the installation and/or extensions of water and/or sewer lines. This motion seconded by Ken Smith reads as follows:

ORDINANCE NO. 79-9

AN ORDINANCE PROVIDING FOR THE PROCEDURE FOR REQUESTING WATER AND/OR SEWER INSTALLATION(S) AND/OR EXTENSION(S), THE RESPONSIBILITY FOR THE PAYMENT OF THE ACTUAL COSTS THEREOF, DEFINING "ACTUAL COSTS", METHODS OF APPROVAL AND PAYMENT AND SECURING PAYMENT AND ENFORCING PAYMENT, APPROVING PAYMENT, SECURING EASEMENTS AND OTHER INSTRUMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RUSSELLVILLE THAT:

- 1. From and after the effective date of this Ordinance, all requests for water and/or sewer line installations and/or extensions shall be made in writing to the City Clerk (or his/

her desingee) of the City of Russellville (hereinafter referred to as Clerk) b. the person(s) so requesting (hereinafter referred to as customer) and all actual costs of water and/or sewer line installation(s) and/or extension(s), including all integral parts thereof, shall be the responsibility of the customer.

2. "Actual costs" as used herein is defined as the total costs of all labor, equipment and materials.

3. The procedure thereafter followed is the following:

- (a) The Clerk shall advise the Superintendent of Public Works of the City of Russellville (hereinafter referred to as Superintendent) of the request by giving him/her a copy thereof.
- (b) The Superintendent shall thereafter prepare and give to the Clerk an estimate of the actual costs thereof.
- (c) The Clerk shall present the request for consideration at a council meeting as soon as practicable thereafter and the council may approve, disapprove or not act thereupon. All such requests shall receive council approval prior to the issuance of a work order and commencement of work.
- (d) The Clerk shall keep a written schedule of requests in the order in which they are approved. As a project is completed, that project shall be marked off the schedule. Only after a project is completed, and the requirements of Section 4 hereof are complied with, with regard to the next scheduled project, will a work order be issued by the Clerk to the Superintendent directing commencement of the next scheduled project. However, if the customer upon request fails to comply with the requirement of Section 4 hereof, the Clerk may skip to the next request on the schedule and so on, until a customer complies with the requirements of Section 4 hereof. The skipped requests shall be considered for work orders thereafter. In no event shall a request receive priority over a request already approved by the council unless such priority is granted by a duly passed motion of the City Council.
- (e) After a project is completed, the Clerk, as soon as practicable thereafter, shall submit for approval to the City Council a report of the project showing the details of expenses of and income to the project, the details to include, but not be limited to, such matters as hours spent on the project, hours various equipment used, list and cost of materials and dates and methods of payment by the customer.

4. The customer shall prior to issuance of a work order deposit with the Clerk:

- (a) cash or equivalent in the amount of the estimated costs.
- (b) a bond with approved corporate surety to pay the full amount of the actual costs of the installation(s) and/or extension(s); or
- (c) a first lien on the property to be serviced by the installation(s) and/or extension(s) to secure the payment of the actual costs thereof, only if the value of the property shall be equal to or greater than the amount of the estimated costs, and further provided that if the property consists of ground with buildings thereon, and the ground alone would not fully secure payment of the lien, then the buildings thereon shall be insured against fire; wind and rain to the extent of the estimated costs less the value of the ground, with a first loss payable clause in favor of the City of Russellville with a copy of the effective policy provided at that time and thereafter to the Clerk.

5. That if the deposit referred to in Section (a) hereof is inadequate to pay all actual costs of installation(s) and/or extension(s) the customer upon completion shall pay the full amount of the deficiency. If the deposit exceeds all actual costs, the excess shall be refunded to the customer.

After full payment of all actual costs, the bond referred to in Section 4(b) hereof, if any, and the lien referred to in Section 4(c) hereof, if any, shall be released.

6. The customer shall cause any easements, or other instruments, requested by the City, to be executed to the City and delivered to the City and recorded, at no cost to the City, unless any cost is approved by the city council.

7. Use of water and/or sewer lines may be withheld to enforce the provisions hereof. Any decisions in this regard may be made by the Clerk.

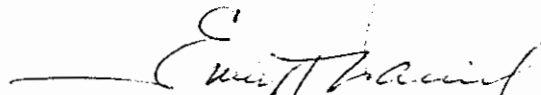
8. The City Council may adopt rules and regulations to implement this Ordinance.

9. The provisions of this Ordinance are severable, and in the event any provision hereof is or becomes invalid for any reason, such invalidity shall not affect the validity of any other provision hereof.

Any prior Ordinance, or other rule or regulations, or amendment thereto, in conflict with or inconsistent with any provision(s) hereof, are hereby repealed to the extent of that conflict or inconsistency only.

10. This Ordinance shall become effective upon its passage and publication according to law.

Adopted by roll call vote this 19 day of June, 1979.



MAYOR, City of Russellville

ATTEST:



City Clerk

Motion passed upon roll call vote with Gary Woodlee, Bill Greer, Harold Ray Johns, Ken Smith, and Edie Martin voting YEA, and with member Willie Hampton ABSTAINING.

RULES AND REGULATIONS

Edie Martin moved that the following Rules and Regulations Adopted Pursuant to Ordinance No. 79-9 be adopted:

RULES AND REGULATIONS ADOPTED PURSUANT TO ORDINANCE NO. 79-9:
AN ORDINANCE PROVIDING FOR THE PROCEDURE FOR REQUESTING WATER AND/OR SEWER INSTALLATIONS(S) AND/OR EXTENSION(S), THE RESPONSIBILITY FOR THE PAYMENT OF THE ACTUAL COSTS THEREOF, DEFINING "ACTUAL COSTS", METHODS OF APPROVAL AND PAYMENT AND SECURING PAYMENT AND ENFORCING PAYMENT AND APPROVING PAYMENT, SECURING EASEMENTS AND OTHER INSTRUMENTS.

The following rules and regulations are adopted pursuant to Ordinance No 79-9.

(1) For the purposes of computing actual costs as defined in Section 2 thereof, the following rates shall apply to use of equipment:

- A. Backhoe:
 - Smaller than John Deere 510 \$25.00 per hour
 - John Deere 510 and larger \$40.00 per hour
- B. Compressor and Jackhammer or Pavement Breaker: \$30.00 per hour.