

**City of Dyer**  
**April 23, 2019 Council Meeting**

The April 23<sup>rd</sup>, 2019 Dyer City Council meeting was called to order by Mayor Bill Morse at 5:30 pm. The Pledge of Allegiance was said, and roll was called by Lynn Hubbard Secretary and Treasurer.

Alderman Donna Staton, present

Alderman Randy Beard, present

Alderman Robert Porter, present

Alderman Myrna Burns, present

Alderman Katherine Fry, present

Alderman Nancy Smith, present

There was no public forum.

Motion was made to Approve March 26<sup>th</sup>, 2019 minutes by Alderman Robert Porter and seconded by Alderman Katherine Fry.

Roll call:

Alderman Donna Staton, yes

Alderman Randy Beard, yes

Alderman Robert Porter, yes

Alderman Myrna Burns, yes

Alderman Katherine Fry, yes

Alderman Nancy Smith, yes

Motion was made to approve March 26, 2019 Water and General Financials by Alderman Randy Beard and seconded by Alderman Nancy Smith.

Roll Call:

Alderman Donna Staton, yes

Alderman Randy Beard, yes

Alderman Robert Porter, yes

Alderman Myrna Burns, yes

Alderman Katherine Fry, yes

Alderman Nancy Smith, yes

Mayors Report: Mayor Morse reported discussion has taken place to annex approx. 160 acres north of town on the hill also known as River Vista estates.

An Ordinance was proposed. Alderman Robert Porter made a motion to suspend the reading of the rule ordinance 2019-04-23-01 and seconded by Alderman Katherine Fry.

Roll call:

Alderman Donna Staton, yes  
Alderman Randy Beard, yes  
Alderman Robert Porter, yes  
Alderman Myrna Burns, yes  
Alderman Katherine Fry, yes  
Alderman Nancy Smith, yes

A motion was made to approve Ordinance 2019-04-23-01, an ORDINANCE SUBMITTING TO THE VOTERS OF THE CITY OF DYER, ARKANSAS, AND OTHER AFFECTED PERSONS, THE QUESTION OF ANNEXATION TO SAID CITY OF CERTAIN CONTIGUOUS TERRITORY; AND DECLARING AN EMERGENCY by Alderman Robert Porter and seconded by Alderman Myrna Burns.

Roll Call:

Alderman Donna Staton, yes  
Alderman Randy Beard, yes  
Alderman Robert Porter, yes  
Alderman Myrna Burns, yes  
Alderman Katherine Fry, yes  
Alderman Nancy Smith, yes

A motion made to approve an emergency clause passing the Ordinance 2019-04-23-01 immediately made by Alderman Robert Porter and seconded by Alderman Katherine Fry.

Roll Call:

Alderman Donna Staton, yes  
Alderman Randy Beard, yes  
Alderman Robert Porter, yes  
Alderman Myrna Burns, yes  
Alderman Katherine Fry, yes  
Alderman Nancy Smith, yes

Administrative Assistant/Public Works Report was given by Veronica Robins. The digital water meters are not working as well as expected and promised by the

company. The loan that was approved for the purchase of the meters will be placed on hold until it is determined if we will continue with the digital meters.

City Attorney: Sean Brister

Ordinance to adopt new customer service policy.

A motion was made to suspend the reading rule to title and ordinance and number only of Ordinance 2019-04-23-02 made by Alderman Robert Porter and seconded by Alderman Katherine Fry.

Roll Call:

Alderman Donna Staton, yes  
Alderman Randy Beard, yes  
Alderman Robert Porter, yes  
Alderman Myrna Burns, yes  
Alderman Katherine Fry, yes  
Alderman Nancy Smith, yes

A motion to approve ORDINANCE ESTABLISHING VARIOUS POLICIES AND PROCEDURES OF THE DYER, ARKANSAS WATER DEPARTMENT AND FOR OTHER RELATED PURPOSES was made by Alderman Katherine Fry and seconded by Alderman. Randy Beard

Roll Call:

Alderman Donna Staton, yes  
Alderman Randy Beard, yes  
Alderman Robert Porter, yes  
Alderman Myrna Burns, yes  
Alderman Katherine Fry, yes  
Alderman Nancy Smith, yes

A motion was made declaring an emergency clause passing Ordinance 2019-04-23-02 immediately was made by Alderman Donna Staton and seconded by Alderman Katherine Fry.

Roll Call:

Alderman Donna Staton, yes  
Alderman Randy Beard, yes  
Alderman Robert Porter, abstain  
Alderman Myrna Burns, yes

Alderman Katherine Fry, yes  
Alderman Nancy Smith, yes

Police Report: Chief Troy Leonard report included in packet emailed to all council members.

Fire Report: Chief Jim Dapson reports 7 calls for the month, 6 medical calls and 1 mutual aid grass fire.

No new Business

A motion made to adjourn made by Alderman Robert Porter and seconded by Alderman Katherine Fry at 6:35 pm

# **Dyer Water Department**

## **CUSTOMER SERVICE POLICY**

**305 North Wshington  
Street Dyer Arkansas  
72935  
Phone: (479) 997-8557  
Fax: (479) 997-8571  
Website: [cityofdye.rar.com](http://cityofdye.rar.com)  
Revised 07-24-2018**

This document contains the rules and regulations of the City of Dyer, Water Department, hereinafter referred to as the "Utility".

Customers should read this document in full.

## **Definitions**

*Applicant* - Any individual, firm, partnership, authority, or other entity residing or owning land within the Utility's service area, or a wholesale water supplier serving another water service area applying for water service.

*Council* - The governing body of the Dyer Water Department, Dyer, Arkansas, or its authorized representative(s).

*Customer* - Any individual, firm, partnership, corporation, authority, or other entity which has applied for and is currently receiving the services of the Dyer Water Department.

*Point of Collection* - The point of collection for waste water shall be the collection pipeline (sewer) ordinarily located in or adjacent to the local street, unless otherwise agreed.

*Point of Delivery* - The point of delivery of service to each customer for potable water supply shall be at the meter, unless otherwise specified.

*Point of Use* - The point of use shall mean the precise location at which water is used or consumed (a residence, building, dwelling, business, etc.)

*Service* - The term "service" shall mean the availability for use by the customers of water adequate to meet the customers' requirements. Service shall be considered "Available" when the Utility maintains the water supply at normal pressure at the point of delivery in readiness for the customer's use, regardless of whether or not the customer makes use of it.

*Service Area* - The geographic areas served by the Utility described as: The Dyer Water Department Service Area.

*Water Service Line* - The water line that extends from the point of delivery to the point of use for each customer of the Utility.

*Water Service Connection* - A water service connection consist of a water meter and other *facilities* for supplying water to a single point of use (one residence,

dwelling, property, or premises, structure, business, etc.). A single customer may be supplied by more than one service connection if that customer has more than one point of use.

*Waste Water Service Line* - The waste water line that conveys waste from the point of use to the point of collection on the Utility's waste water main.

*Waste Water Service Connection* - A waste water service connection consists of a single connection to a waste water main owned by the Utility, for waste conveyance from a single point of use (one residence, dwelling, property, or premises, structure, business, etc.). A single customer may have more than one service connection if that customer has more than one point of use.

*Monthly Health Fee* - A fee charged monthly in accordance with Arkansas State Statutes. The fee is paid to the Arkansas Department of Health (ADH) for Public Water System oversight and water analysis.

## **Section 1. General Rules**

1.a The purpose of the Utility is to provide a safe supply of water to the customers within its service area. The supplying and taking of water shall be in conformance with these rules and regulations, the applicable city and state plumbing codes and the applicable rate schedules of the Utility.

1.b Each customer of the Utility shall be eligible to receive service from the Utility only after tap fees (if applicable) and a meter deposit have been paid by the customer, together with setting up an account. If the customer requires service at more than one point of use, a separate meter deposit shall be paid for each additional point of use. In no case shall one water meter serve two individual buildings, and/or business, unless otherwise approved by the Utility. The meter deposit shall be as detailed in Section 2. The meter deposit will be refunded to the customer after 12 months provided that the customer meets the requirements of Section 7f. Use of water prior to setting up an account with the Utility, together with appropriate payments, shall constitute theft of services. See Section 6.b.

1.c The Utility agrees to provide service to the point of delivery, and install and maintain at their expense, one metered service connection for each customer point of use.

1.d The customer will install and maintain at his/her own expense all service lines associated with the property. The customer will ensure that all necessary repairs are performed in a timely manner as necessary. For potable water supply,

service lines include any line(s) from the point of delivery to the point of use and, for wastewater collection includes the service line(s) and the wastewater connection from the point of use to the Utility's point of collection.

1.e A metered service connection is for the sole use of the applicant or customer. Customers shall not permit the extension of pipes for the purpose of transferring water from one property to another, from one point of use to another, nor share, resell, or sub-meter water to any other property. The exception to this regulation would be a public water system purchasing water from the Utility for resale within its own service area.

1.f Multiple Residential and Point of Use Properties: The standard residential rates of the system shall be applicable to all multiple residential and point of use properties. Multiple residential properties include apartment buildings, motels, housing complexes, or similar residential developments. The Council may, at its discretion, choose to serve multiple residential properties through a single master meter. In such cases, the owner must agree in writing that he/she will be responsible for payment of the monthly water bill. All property must be owned by a single owner if at any time property is split or sold on contract to an individual that master meter will become a community water system and will require its own licensed operator. All master meters will be required to have a back flow system installed.

1.g At no time shall any customer or individual connect a non-system water source to any service line or water line that is also connected to the Utility. The Utility shall have the right to enter customer's premises for the purpose of inspection and enforcement of this policy at all reasonable hours. Violations of this policy shall constitute cause for immediate disconnection of service.

1.h It is the responsibility of each customer to anticipate changes in occupancy and to have service transferred to the new customer in accordance with the policy for obtaining service (see Section 2.a). Until service is formally transferred, the original customer shall be responsible for payment of service. The Utility may refuse to transfer service until all past-due bills and charges have been paid.

1.i Customers agree to pay the established fees for water service in accordance with applicable rate schedule at the time service is provided by the Utility.

1.j Representatives of the Utility shall have the right at all reasonable hours to enter the customer's property in order to: read water meters; inspect piping; and to perform other duties for the proper maintenance and operation of service, or to

remove its meters and equipment upon discontinuance of service by either the customer or the Utility.

1.k The Utility will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extensions, or for other necessary work. Efforts will be made to notify customers who may be affected by such interruptions, but the Utility will not accept responsibility for losses which might occur due to such necessary interruptions of service caused by storms, floods, or other causes beyond its control.

1.l The customer shall be responsible for all costs incurred from work carried out by the Utility to raise or lower Utility appurtenances e.g. namely manholes, valve boxes and fire hydrants, owing to landscaping work that the customer placed around utilities.

1.m The Utility expects the customer/home owner to contact the utility to report problems with sewer backup prior to contacting a private plumbing contractor for inspection and documentation of damages. The Utility will determine if the backup is caused by a blockage in the sewer main or the customer service line. The Utility will not be responsible for the cost of engaging a private plumbing contractor.

1.n The Utility expects that customers carry a rider on the Homeowners policy that would cover damages caused by a sewer backup into the dwelling. The Utility will assume no more than \$500.00 of liability due to damage caused by sewer backup into the dwelling due to clogging in the sewer main.

## **Section 2. Obtaining Water & Waste Water Service**

2.a Applications for service shall be taken at the Utility office and must be accompanied by a tap fee when applicable (see schedule over page) and the appropriate meter deposit (see schedule over page) will be maintained in a special account to insure payment of water charges. When service is discontinued, any portion of the deposit remaining after current bills are paid will be returned to the customer within fifteen (15) days after billing. Water service will NOT be turned on unless the customer is present at the property, so as to prevent flooding to the premises. Water service will be activated between 8am-11:30pm and 3-4 pm during the normal working week.

2.b When a water tap is necessary, water meters will be set at the nearest right-away/property line from the Utility's main.

2.c The Arkansas Department of Health (ADH) requires that all request for water taps have an accompanying septic tank permit, issued by the ADH, when Utility waste water service is not available.

<b>Meter Deposits</b>	
Residential (Homeowner)	\$60.00
Contract for Sale (non deed bearing); Rented Property	\$150.00
Restaurants	\$100.00
Commercial	\$60.00
Churches	\$60.00
Car Washes	\$250.00
Apartments on Master Meter	\$250.00
Laundromats	\$250.00
Malls with Master Meter	\$250.00

### Tap Fees Residential

**Water Tap Fees** 2.d All taps to the water lines shall be made by the Utility, unless otherwise agreed. The Utility shall install the following; the service line from the Utility water main to the meter, the meter and meter box. The connection size shall be determined by the Utility. The following is the connection fee scheduled for water tap connections:

<b>Type of Connection</b>	<b>In-City</b>	<b>Out of City</b>
C) 1" Tap with 2 no. ¾" inlets and meters.	\$650.00	\$650.00
D) 1" Tap with 1 no. ¾" inlet	\$650.00	\$650.00

### **Commercial Service**

¾" Tap	\$650.00
1" Tap	\$650.00
1 ½ "Tap	\$850.00
2" Tap	\$950.00

(Larger than 2" negotiated by utility and Developer/Landowner)

2.e All water service connections (including irrigation taps) that require crossing a City, County, State or Federal Highway shall be assessed a fee of \$1500 for a road bore when such is feasible and performed by Utility Personnel. In all other cases, the Developer/Landowner will be charged actual cost for street repairs required due to a street cut and/or, cost associated with Road Bore performed by persons) other than Utility Personnel.

### **Irrigation Tap Fees**

2.f The Utility may offer customers a reduced tapping fee where a second tap is requested to a single property at the time of initial application for water service. This second tap will be provided for irrigation purposes, in addition to the tap for water supply to the dwelling. This service will only be offered for a standard  $\frac{3}{4}$ " tapping, although a 1" tapping will be utilized.

2.g The following tabulation details the various connection fees associated with an irrigation tap:

Water Tap \$650.00

### **Waste Water Tap Fees**

2.h The following is the connection fee scheduled for the waste water tap:

#### **Residential/Commercial Service**

All                **\$100.00**

2.i In addition, all connections to the System shall be made in accordance with the Arkansas State Plumbing Code and the connection to the public waste water main shall be inspected by an authorized representative of the Utility. The inspection fee for each new wastewater connection shall be \$15.00.

## **Section 3. Customer Billing**

3.a Customers will be billed monthly in accordance with the rate structure of the Utility.

3.b Water meters will be read between the 26<sup>th</sup> and 30<sup>th</sup> day of each month.

3.c Bills will be mailed on or about the 1<sup>st</sup> - 3<sup>rd</sup> day of each month.

3.d Water consumption and wastewater (sewage) will be billed as separate items on the bill.

3.e Sanitation will be billed on a separate Line.

## Section 4. Payment Terms

4.a Payment is due by the close of business 4:30 pm on the 21<sup>st</sup> day of each month. If this day falls on a weekend or official holiday, the customer will have until the close of business 4:30 pm on the next working day to make payment.

4.b Payments made after 4:30 pm on the 21<sup>th</sup> will incur a penalty of 10% of the unpaid balance. The exception to this is if the 21<sup>st</sup> falls on a weekend or an official holiday, in which case the penalty will not be applied until the close of business on the next working day. (4.d.)

4.c Customers may receive a **leak adjustment** for bills in excess of 20% of their normal average use of the previous six months caused by a leak in their service line located outside of a customer's building/dwelling. No adjustment shall be given for leaks associated with internal plumbing. The adjustment will be  $\frac{1}{2}$  of the excess usage for the month. Only one adjustment a year will be made for each separate customer account. The following conditions apply: (1). The customer must bring proof of permit and repair of the leak, into the Water Office. Customers are asked to bring sales slips, or invoices from repair personnel as proof of the leak and subsequent repairs. (2) If the customer was notified by the Utility that a leak on his system was occurring, and repairs were not made within 3 days of the notification, no credit will be given.

4.d After a **DIGITAL** meter is installed we will **NO** longer give leak adjustments. You will have the ability to set thresholds that will eliminate all adjustments. We will still offer an adjustment for pool fills once a year.

4.e Customers have the option of paying all water/wastewater and Sanitation bills on line. The customer will continue to receive a monthly bill.

4.f Customers may request, once per year, a payment extension until the 5<sup>th</sup> of the following month. This request must be made prior to disconnection notice for non-payment. However, a \$25.00 administration fee will still be applied to the customers balance upon approval of request. A one time a year \$25.00 administration fee may be waived if customer has paid the prior year's bills on time. To receive this extension, the customer must agree to pay the past due balance as well as the current balance.

## Section 5. Termination of Water Service

5.a Customers with unpaid bills by the 21st day of the month will be notified of their past-due status by mail or door hanging.

5.b Customers not paying the balance in full prior to 4:30 pm on the 23<sup>rd</sup> day of the month will be assessed an administration fee of \$25.00 and be subject to termination of water service.

## Section 6. Reconnection of Water Service after Termination for Non-Payment

6.a Customers desiring restoration of water service after termination for non-payment must; (1) pay the full amount due; (2) pay the \$25.00 administration fee. Reconnection on the day of cutoffs will not be carried out until all disconnects have been completed. Reconnection will occur only during normal business hours.

6.b It is unlawful to tamper with meters, valves, regulators or water lines. If tampering is determined, service will be disconnected, and a **\$100.00 tampering fee** will be assessed. The fee must be paid before service will be restored. Theft of Services is against the law (Arkansas State Code 5-36-104) and will result in conviction of a felony or misdemeanor together with a significant fine, in addition to payment for the services provided by the Utility.

## Section 7. Meters

7.a Meters shall be set in an accessible location on the outside of buildings, except where otherwise directed by the Utility. All meters shall be set horizontally and never connected to a vertical pipe. Meters set outside the building shall be placed in a meter box furnished and installed by the Utility.

7.b Meter tests requested by customers will be performed without cost to the customer if the meter is found to be outside the allowable limits of accuracy. Otherwise, the customer who requested the test will be charged \$35.00 for the completion of the test.

7.c The customer shall be responsible for any damage caused by other than normal wear and tear to the meter and other appurtenances installed for his/her service.

7.d Meter deposits may be refunded to customers who meet the following requirements:

1. Have had at least 1 year's continuous service with the Utility.

Have had no late payments within the last 12 months.

This refund is automatically applied as credit to the customer's account. However, customers who feel that they meet these requirements can apply to the Utility for refund, or credit of the deposit amount.

## **Section 8. Availability of Records for Public Inspection**

8.a Utility records, including minutes of meetings and financial records, are available for inspection by the public each working day during office hours.

## **Section 9. Service Charges**

9.a The Utility has set service charges as listed in the following table for customers located In City and Out of City Limits:

**Service call for turning water on and off for maintenance purposes during operational hours \$10.00**

**Service call for after hours for maintenance purposes only \$25.00**

**To avoid charges customers can install a turn off valve on the customer's side of meter. Home owners can do this but still must obtain a permit rental must have licensed plumber to install.**

## **Section 10. Changes**

10.a These policies are subject to change as required by the utility and approved by the Council. The Council shall periodically revise rates and fees for service as necessary to operate and maintain the Utility.

## **Section 11. Rates**

11.a The following water rates schedule is in effect for residential and commercial users:

Water \$15.06 first 1000 Gallons	\$7.14 per Thousand
Pure Water act .30 Monthly	

Note : Water rates will be computed by adding the monthly meter service charge to the volume used for the month, the volume is determined from monthly meter

readings. Sales tax shall be added to the water and Sanitation only bill, excluding the health charge.

11.b The following waste water rates (sewer) are in effect for residential and commercial users:

Sewage \$16.01 first 1000 Gallons                      \$2.20 Per Thousand

Note: The wastewater bill will be computed by adding the monthly service charge to the volume of water supplied to the property. The volume is determined from monthly meter readings.

11.c The following Sanitation rates are in effect for residential users: Rental facilities will be computed by total number of units

Sanitation \$14.00 Monthly

Permit's are required on all utilitie repairs that do not fall under minor repair. It's homeowners responsibility to check with City hall to see if your work requires a permit. Owners that live in dwelling may do repairs themselves with a permit. Rental and commercial properties required license HVAC, Electrical and plumbing repair personel. All license repair persons know that they are required to check with city hall about the cities permitting process. If they are caught working in the city without a permit they will be heavily fined.