

**Minutes of the Roads, Drains, Water, Sewer & Refuse
Sheffield Lake, Ohio
January 9, 2012**

The regular meeting of the Roads, Drains, Water, Sewer & Refuse was held Monday, January 9, 2012. Chairman Rick Rosso called the meeting to order at 7:02 PM.

ROLL CALL OF MEMBERS:

Present: Rosso, Podmanik, Elliott, McCullough, Stark, Belaska, Kovach

Absent: Councilman Smith (excused)

Attending: Mayor Bring, Service Director Smith, Law Director Graves

READING OF THE MINUTES:

*Motion by Kovach/Second by Elliott to approve the minutes of the December 5, 2011 meeting with any corrections. Yeas all.

CORRESPONDENCE: None.

PRESENTATIONS: None.

SEWER CREDITS/UNPAID CHARGES FOR TAX DUPLICATE: None.

OLD BUSINESS:

Projects: None.

Future Projects:

Sidewalks – REMOVE. Councilman McCullough asked sidewalks are supposed to be installed when a transfer of title takes place correct? Law Director Graves answered yes. Councilman McCullough asked is that being done consistently? Law Director Graves answered yes to my knowledge. They either have to put in a sidewalk or they have to escrow the money with the city and then when the city does all the sidewalks usually in the spring. Councilman McCullough stated the reason I asked this question is because I was asked this question, how come we didn't put sidewalks in the shopping center when we bought it. Along Lake Road there are no sidewalks on the south side of Lake Road at the shopping center. Chairman Rosso stated I think it has got to be a residence. Law Director Graves answered it is tied to the occupancy permits. Chairman Rosso asked is it when it changes title or if when the occupants change? Law Director Graves answered it is whenever there is a change in occupancy. Chairman Rosso asked so if I have a rental home and I don't have a sidewalk and I change renters, do I have to put in a sidewalk? Law Director Graves advised that is an interesting question and we have looked at that and we haven't enforced it that way, it is more like when you first open it up as a rental but

whenever it is a change of tenants we haven't. Councilman McCullough asked so the answer to the question is we don't have to put in sidewalks on Lake Road? Chairman Rosso answered no if it is not a resident, it is got to be a residency I believe.

Misc:

Water meters – Service Director Smith asked is that on there for radio reads? Chairman Rosso answered yes but funding is the issue.

SERVICE DIRECTORS REPORT:

Service Director Smith reported I will have an informational meeting with the salt dome people at the end of the week. As you know we have no sewer credits tonight. The number 1 pump is installed at Pump Station 1, Firelands Electric will be doing the components install on the starters and the starter circuit and the pump hookup tomorrow. In case any of the at-large Council people or Ward 4 people – we have a pile of dirt at pump station 1. I know the people have called twice wanting it removed; we are making accommodations to remove that pile of the dirt. It is half on the city's property and then half on their right of way. I am in the process of doing that and I sent them notification of that and just wanted you guys to be aware. After the issue and I have discussed this with you guys, we had a lot of questions with Allied Waste and I told you that I would go back and make sure that the sloppiness was addressed and that I did. I verified it wasn't just something that was touch and go. The route supervisor did talk to all the drivers and they have their own internal process to weed out the bad apples. So that if we get sloppy streets, we just need to know if it is a blue or green and they will take care of it. We will be cold patching throughout the rest of the winter and on a regular basis trying to keep up with the pot holes so we don't have to deal with waiting a long length of time until the asphalt plant opens up but for the sake of convenience so residents don't have to beat their heads up against the wall. The last 2 things are to ask Council to maybe start the discussions on the water base rate increase and the sewer base increase. As you know I supplied the fact sheet for you and I hope that you will address that. Also, Mayor Bring and I attended an engineer meeting and to give you an example of the structures that GIS can make available to us. He submitted GIS mapping sample from the City of Avon which includes full addresses on all the streets that the Fire Department can utilize. That is one layer and this map happens to have several layers on it as you see down here on the side but this is the goal of GIS. Any one of these layers that are laid on top of this can be brought out in itself. All those layers are elective layers, in other words the city decides what layers they want to create and what layers they want to keep at that specific time and you just keep adding to it. The Mayor and I have discussed several possibilities to get to that and it is something we wanted to bring up to you guys. Mayor Bring advised actually if there is a water break, it shows all the tributaries, water courses and all the piping. Also the addresses can be used via the Safety Forces but there is about 10 layers of this that is very, very detailed and this company is in house. I just thought it was worthwhile to show you guys so you would

know what Len is talking about when he was talking about doing this mapping system. Chairman Rosso answered he was talking about doing it with K&S right? Service Director Smith advised this happens to be not with K&S but it is a great example to you a visual. The Fire Department can utilize the addresses and any layer can be brought up on a computer and Police Dispatch would have access to the same layers. If you say you have one layer that has got storm pipe, well not only will it show locations of the storm pipe when you click on the indicator by that are it would tell you the size of pipe, the number of manholes, what is going into each manhole. Chairman Rosso asked where do they get their information to build this? Service Director Smith answered we supply it to them. Chairman Rosso asked where would you get it to supply it to them? Service Director Smith answered our maps, some of the stuff that I have dug out already. In 1992 we had a sanitary sewer survey done which has a listing of every sanitary sewer in the City of Sheffield Lake, every manhole. Chairman Rosso asked what is the costs? Service Director Smith answered I don't have a costs at this time. Councilman McCullough asked is this going on a computer or on paper? Service Director Smith answered that is a physical look at if you were to print a screen. The same information would be available to any screen that would be hooked up to the system. Law Director Graves asked is the idea that this would be readily amendable – as we do projects we could update the maps and it would always be a current view of where we are? Service Director Smith answered yes it is a way of keeping all your mapping and records, you can convert your old street maps to this so that information applied and it is a time consuming process. Chairman Rosso asked they store all the information? Service Director Smith answered there are several options with that. Like I said we can have a proprietary issue or we can have a hosting situation. There are a lot of different options here. Law Director Graves asked have you heard any more of the possibility of a county wide system? Service Director Smith answered the county has GIS started, the county GIS basic is available and we use it in the Building Department, at least 1 layer. We have access to a computer that has their GIA's but we don't have access to all the other layers, we have access to only the area maps and that is your base layer – that is what you start with. Mayor Bring advised they physically went out instead of using county maps, they physically went out and got all the addresses and made sure they were correct and they found out the county was actually incorrect on a lot of addresses so they did fix that. Also they use it for flooding because they have all the water tables so if they have a flooding problem and they see that they can isolate it on this and then go back and see how they can fix it. If they have infiltration again, they know where it is coming from and if they have a water break they can isolate it to what pipe it is and what size pipe. Everything is done in house over there but it does take a lot of time and the information is only as good as information that you give them. They do not have to go through the county. They sat down with their Fire Department, their Water Department, their Police Department sit down and go over all of this and this is how they came up with this. This engineer offered to make a map of the top layer of this, we will find out how much that is going to costs and that is not saying that we are going to do it. I have instructed Len to call

K&S to see how much they would charge and then this firm just to get a comparison price as we were told prices are a little lower. This is kind of a show and tell today. Service Director Smith advised that is a great example of the way Avon did it, Avon had each department within the city do they own data collection – Water Department, Sewer Department, Police, Building Department etc. and then they went out and they did other bits of information that they elected to do and added it to it. That is what Dennis is saying when they did it in house it was to save money and do it that way but there are some requirements – like I said there are storm water map requirement which we have to meet which is really not that bad. We have our hydrant map which we already have current and based off of 1980 maps and most of you have not seen the map situation over there. Councilman McCullough stated you keep talking about layers, how many layers are there? Service Director Smith answered as many as you want. Councilman McCullough stated 3000? Service Director Smith answered you can have 3000 right. Councilman McCullough asked how many layers does Avon have and did anybody ask Avon what they paid? Mayor Bring answered 11. Service Director Smith answered I have no idea what they paid but is that the end result of layers? Mayor Bring answered that is not the end but is what they have right now. Service Director Smith advised they have layers within layers for small detail boxes that you can pull up on each layer that has different data and criteria that has been manually entered on it. Councilman Elliott asked are we going to be able to update our information because I know through some of our talks, we really don't know what is out there. A lot of the stuff that they did in the past wasn't really mapped? Service Director Smith answered we are the ones giving them the information if we were to go with this system, we would supplying information. Councilman Elliott asked this is computer based right? Service Director Smith answered yes. Councilman Elliott asked are we able to update? Mayor Bring answered it is not going to go to the county like they did, this is going to be strictly in house – into this engineering firm and they would collect and input the data there. They would print out as many maps as we want, that was kind of the thing that caught my eye when I asked Len to ask him and he got a big smile on his face because they did a presentation and K&S told everybody that the presentation of this company could not do this and this guy said there you go, so much for not being able to do. They were very, very proud of this and obviously a lot of work, I just wanted you to see the possibility of this. Len was talking about getting the money to start this but I just think instead of us going to the county and having somebody else store it, at least we have access to this right now. Service Director Smith advised this is another hosting operation but this is actually better than what I first brought to you as a discussion phase and this option here is a lot better. When we got into the discussion phase of it it was almost like don't say a word – we know exactly what you are talking about because we have just done it. Not only have they done it for the City of Avon, they did it for the City of North Ridgeville. It is just that the amount of data and the amount of record keeping is digitized and once it is created and once it is there than how much we do, how many layers we create is all going to depend on our municipal needs that we have. Councilman

McCullough stated you keeping talking about hosting, if we make an investment like this we really need to look at an investment where it is not hosting but on computers here, it is on our computers and the reason being is I am going to tell you this in case of a natural disaster and God forbid a tornado comes through – we are not going to have internet, we are not going to have phone service, we are not going to have any way to grab any feed. So if it is hosted somewhere and we have all these line breaks going on and all this other stuff going with sewers that we need to get taken care of and sit there and read it. I would think with something like this we got to be able to be able to readily pull that up ourselves. Chairman Rosso stated we have talked this in the past, obviously everyone on Council is I would say for it or at least interested in it. Obviously funding is always the issue and you have a lot more research to do, we could talk about it for another 30 minutes here and we are not going to get any farther. I think you have given us all the information we need, tonight is not the last meeting on it. President Podmanik asked is this a subscription service, one-time fee and when you have to alter is there a costs involved for alterations? Service Director Smith answered we don't have all the financial data on this, this was actually a product comparison. Mayor Bring advised this wasn't actually even why we went to this company, we got there and we said can you do this also and he pulled out the map and said yes.

NEW BUSINESS:

Ditch cleanings; Day Ditch by Holl/Shoemaker Ditch – north of Richelieu, east side by Buckeye – ADD.

Sewer & Water Base Rate increases – Service Director Smith advised I gave committee the breakdowns as requested. Councilwoman Stark stated I know you gave us the \$4.00 and the \$5.00, just out of curiosity ideally if Tammy were sitting here, how much do we need to raise it to cover the bill for last year? Mayor Bring stated more than that.

Councilman Stark asked how much more? Mayor Bring answered another dollar, \$180,000.00 with what we propose and you would have to have another dollar two hundred and some thousand dollars and that is where we would be breaking even.

Chairman Rosso stated that is if this year was like last year. Mayor Bring advised we are still way behind, we have sent all the money we have. We had to borrow money for the last one and that is why that last appropriation we moved everything around. Chairman Rosso stated so if next year is not as wet as this year and it is back to an average year you would be okay if we don't do anything? Service Director Smith answered no because we are currently giving a \$2.00 credit per water bill and currently not collecting an additional \$2.00 per water bill. Chairman Rosso clarified you are giving a \$2.00 credit because we over-charged so we should have a surplus and what is the other \$2.00? Service Director Smith debated no, our budget was based on the incoming revenue of that fund and when discovered that we were overcharging, we immediately stopped overcharging. Chairman Rosso asked so you budgeted at the wrong amount? Service Director Smith answered no we immediately charging the \$2.00 overcharge and we immediately starting rebating it, so

that is \$4.00 less per water bill. Chairman Rosso stated right but you over collected \$4.00 for the whole time prior to that. Law Director Graves stated we over collected \$2.00. Service Director Smith advised it was worked in with the budget with those dollar amounts. Chairman Rosso stated but you are not giving up \$4.00. Law Director Graves answered yes you are. Chairman Rosso stated no because you weren't supposed to have the \$2.00 to start with, you can't say I am losing the money I wasn't supposed to be getting. Service Director Smith stated you can say though you are not collecting the money you were projected to collect and that is what I meant. Chairman Rosso stated but you projected wrong, you projected at the wrong rate. Law Director Graves asked the shortfall is really in the sewer right? The sewer base rate is \$3.00 which all goes to capital improvement and then everything is based on what we are charged but we are collecting enough to pay the sewer bills because of all the inflow and infiltration. So the problem is with the sewer bill. Now when we are talking about the refund of the \$2.00 and all that – that is all water. Chairman Rosso stated I thought we were talking about water and you wanted to raise the water base rate \$2.00 back from \$3.00 to \$5.00, is that not true. Service Director Smith stated I put it in writing what I felt, I felt that we have to raise and I gave you options because I am not a legislator. Chairman Rosso stated forget about all that, you want to take the water rate from \$3.00 to \$5.00. Service Director Smith stated yes, it is a \$2.00 increase. Chairman Rosso stated you want to do that because we are rebating the \$2.00 to offset the over-billing for X period of time. Service Director Smith answered the \$2.00 that we were over-billing we are not collecting but your choice of words. Chairman Rosso stated so for a period of time we overcharged \$2.00 and we still didn't have a surplus left at the end, so we charged more than we should have charged but we still didn't have enough money to cover the water bills – is that what you saying? Service Director Smith answered I can't specifically state that without conferring with Tammy on the numbers on that fund line. Chairman Rosso stated wouldn't you think if I budgeted for \$3.00 and I did everything on \$3.00 and I collected \$5.00 for 6 months, I could go down to \$1.00 for 6 months and be even. Service Director Smith requested clarification. Chairman Rosso stated when we budgeted we said our water expense was going to be X and \$3.00 a month base rate covers it right? Service Director Smith answered I believe those budgets were budgeted for \$5.00 and not \$3.00, even though you did your ordinance back than it was never corrected over there so the dollars figures that were used to formulate the budget numbers were based on \$5.00. Chairman Rosso clarified which was wrong? Service Director Smith answered yes. It was very complicated to figure it all out. Chairman Rosso asked how long do we have to still do the \$2.00 credit? Service Director Smith answered I believe it was 14 or 16 months. Chairman Rosso stated all of this year and the first quarter of next year roughly. So if we raise this from \$3.00 to \$5.00 you are still only going to collect \$3.00 for the next 14 months. Service Director Smith answered the end result is physically \$3.00 per base rate. Chairman Rosso asked that will cover expenses for the sake of this argument, then 14 months from now we should passing legislation to reduce from \$5.00 back to \$3.00 because you will have a surplus? In theory if nothing changing,

obviously we could look at the end of 14 months but I mean obviously every year costs go up. Law Director Graves stated you understand the problem with the water base rate is that the base rate in water which is different than sewer includes the first unit of water, so now that we are not collecting that we are short on our water bill. That base rate is what the city uses to pay the first unit of everybody's water, we don't enough money now so that fund is drying up and yes it was based on an error but we have to pay that water bill. Chairman Rosso stated right but if we raise it to \$5.00 or whatever we raise it to in theory we could reduce it \$2.00 whenever the credit runs out and be the same. Service Director Smith answered you could, you could re-evaluate barring you bring that fund money back up. Chairman Rosso stated well that is what we are hoping the extra \$2.00 should do if we calculate it correctly this time, our feeling is it should do it. Service Director Smith stated I am just saying that if you raise \$2.00/from \$3.00 to \$5.00 – that is \$3.00 in water base rate and \$2.00 rebate – you are collecting \$3.00 which is what you were originally were collecting. Chairman Rosso stated we are going back to where you were. Service Director Smith stated the rate increase from Avon Lake we put into effect because we do an automatic on the volume rate. Chairman Rosso stated but to David's point because we pay for the first unit that digs into that even more. Service Director Smith advised we are just learning to live with less. Law Director Graves stated that is why the water needs to be adjusted is because we can't make the water bill charging basically a \$1.00 base rate because we are down from \$5.00 to \$1.00 so by bringing it up \$5.00 we would get the \$3.00 was intended originally. Sewer is tied to rainfall and infiltration and that is something that we are going to have to correct as well. Chairman Rosso stated we are going to move onto that as soon as I ask anyone on the base water rate, do you have any questions? Councilman McCullough asked other than raising this, is there a way we can just cut off this rebate and end this? Chairman Rosso answered the thought behind that was because we incorrectly collected it we should issue it back over the same amount of months and it works out the same. It just looks better if you issue the credit over the same amount of time. Councilman McCullough stated now it looks like we are raising their water rate rather than saying you know what here is the way it is going to have to be, we are talking \$28.00 over 14 months per household. Chairman Rosso stated you are right it is just which way doesn't look like you are trying to pull a fast one. Councilman McCullough stated I think maybe we should consider resending the rebate that we have been offering and just say hey the costs of water has gone up, that \$2.00 rebate that you prepaid your water bill all this time and we still give you a 10% discount for paying before the 15th. I would rather raise it a dollar and say listen your water bill is going up a dollar. People aren't going to hear well it is really only going up \$3.00, they are going to hear that it is going up \$5.00. Chairman Rosso stated no it is only going to go up \$2.00, their base rate will go from \$3.00 to \$5.00. Councilman McCullough stated but they are going to hear the \$5.00, they are not going to hear it is going up \$2.00 – they are going to hear \$5.00. If you tell them a dollar, people will dollar themselves to death, they don't think about a dollar but \$5.00 for some reason it's a crooked number and it jumps in their head. I know what

you are saying you are trying to give everything back over the same amount of time because it would have broke the city just to give everybody a free month of water. Chairman Rosso stated we had that discussion of what was the best way to do it. Councilwoman Stark stated legally can we now resend it though because you have already put it on there and it is on the bill and the public knows about the bill, can you legally resend to take it back off. Chairman Rosso stated we can always change water rates. Does anybody remember when we passed that, did we put a time limit on it or did we just put it on there? Service Director Smith answered on the credit was an administrative decision. I can remove the credit but the process when that was previously discussed and the residents knowing and being able to physically account how much money they got back. Councilman McCullough stated granted I haven't been to all these Council meetings, I don't ever remember my water bill going down. You don't notice it that is what it is, it seems like my water bill keeps going up because I have children leave the water bill is getting higher and I don't know why. Chairman Rosso stated so actually Council could take no action and administration could remove the \$2.00 credit. Law Director Graves stated the reality of it is for nearly 2 years the city charged an excessive fee and that now needs to be rebated to the residents and a retroactive increase or something like that because we really didn't have the authority to charge that fee at the time. Chairman Rosso stated I think that is how we ended up giving it back over the same time. Councilman McCullough stated I am not saying that this is a legal argument or not David but we have people who are running their downspouts into our sewers which is causing this problem. Chairman Rosso stated this has nothing to do with the water bill. Councilman McCullough stated it is causing a shortfall is what I am saying. Chairman Rosso stated it is not causing a shortfall in water, it is causing a shortfall in sewer. Law Director Graves stated because the water base rate whatever we want to make it, that includes the first unit of water. So when we are refunding part of that, we are not collecting enough to cover the water bill because of the credit. Sewer is different, the base rate on sewer all goes to capital improvement. Service Director Smith added which is fixing the system. Chairman Rosso stated I think David's point is if we – Kerry I asked the same question why don't we take the credit away and we are done with it, I think then you open yourself up that you potentially end up in court and the courts could rule you did overcharge and give that money back on top of it. Where this way shows we have a plan in place and we are refunding over the same amount of months that it was overcharged, I think is how we ended up by saying it is better to raise the base rate and let the credit continue. Basically someone could take us to court and say you overcharged me for 18 months. Councilman McCullough stated you are right they could take us to court, they are going to fight us for \$28.00 and what is the going rate for attorney fees. Chairman Rosso advised the bottom line on that water bill isn't going to change no matter how we do it. Councilman McCullough asked was this a purposeful overcharge or we just made a mistake? Service Director Smith answered mistake. Councilman McCullough asked so there was no malice intended right or nobody can answer that because none of that administration is around.

Service Director Smith answered all we know is what happened. Chairman Rosso advised let's say in the transition between several prior Service Director's there was a miscommunication that could be used as a reason why it came out the way it did. Service Director Smith advised in correcting the water bill and breaking it down into all the individual parts so that we all have a record of what each individual part consists of – everything was compared to ordinances to back it up and we found some things that didn't add up. Councilman Elliott asked can't we just temporarily suspend it until we get things caught back up? Chairman Rosso answered I think you run into the same issue. Councilman Elliott stated I don't see anybody suing us over \$28.00. Chairman Rosso advised my personal opinion is the best way to do it is just the way we talked about or the way the Service Director has proposed. Councilman Elliott stated I with Kerry here, it just seems like you are making it harder than what it needs to be. Law Director Graves advised I would almost like to discuss this in executive session if we are going to talk about litigation but this could possibly fall into the definition of taxpayer lawsuit, where a taxpayer could make a demand on me as City Law Director to bring this action and if I refuse they could hire someone and collect all their attorney fees. Mayor Bring advised it could be a class action suit and do it all at one time. Councilman Elliott asked so basically we have to do it this way to get it correct? Law Director Graves answered yes. Service Director Smith explained the error was brought out into the open and accounting for the rebate and getting their money back was discussed in the open. There is nothing that was hidden. Chairman Rosso concurred it just keeps it all there and says we made a mistake, we are fixing it, it is all out here – you can see it every month and if you take it away. Service Director Smith advised it is the end result that tallies on their water bill and when they ask we are just going to answer their questions like we do now, when they ask what is this credit and we explain it they just oh and they are not upset about being overcharged because we are being very open and honest with them about giving it back, I think it has its positives. Chairman Rosso asked in your write-up that you passed out, you have in here where you recommend raising the water base rate back up to \$5.00 and then you say the additional \$3.00 could compensate – shouldn't that be the additional \$2.00? Service Director Smith answered yes \$2.00 that is a typo – I do my own typing. This is a topic that the Administration was hoping to get addressed relatively quickly, I am not saying that we have to make a decision tonight but we need to address this soon. Do we want to move on and discuss the sewer fund, at this point I am sure that everyone still wants to maybe wait to think about it and talk about it in Worksession next week and then try to get some direction there and Tammy would be here. Councilman McCullough stated this is directed more to Dennis, Rick had asked prior and you said no, six is enough. Mayor Bring answered I was talking about sewer. President Podmanik stated Tammy will be at Finance, clue her in on it so that she can have numbers. Service Director Smith stated for the record since part of this miscommunication over this was due to discussions like we had in here tonight, you brought up after 14 months or after that charge that we can go back and resend that. I would just ask for the record that you don't tie your hands and you say that

we could review it at that time. That would be the recommendation because if you remember right, the previous Administration if it wasn't for you bringing it up the issue of no we are going to go down back to \$3.00 and then going through that whole fiasco if they use that what was the intent when this was over. What was the intent when the \$5.00 was up, I just want to ask you guys if you would clarify it that's all or not tie your hands or if you are going to tie your hands make it infinitive that you are going to tie your hands when you do address this. You know when we do address this, we will this or that and so that intent is there and can't get messed up.

Chairman Rosso moved onto the sewer base rate which is currently \$3.00 and you want to go to a minimum of \$5.00. Service Director Smith answered yes but the distribution would change, we wanted to steer the distribution of the amount which is hence \$2.00 on the recommendation, \$2.00 going directly into the sewer capital improvements that would be for I&I, upgrading, pump stations and stuff like that because you have to maintain the system and then the other going into the regular fund. Chairman Rosso asked so \$3.00 in the sewer fund, strictly into the sewer fund to say the sewer bill would be enough to cover it as long as we had the other \$2.00 for capital improvement. Service Director Smith answered it would generate \$108,000.00. Chairman Rosso asked prior to last year, in 2009 what was our sewer bill. Service Director Smith answered I actually was going to get that but I ran late tonight and I have in my office – 2011, 2010 and 2009 the monthly rate breakdowns. As I stated here in the beginning, we had expenses over \$225,000.00 more than what we had in previous years. The generation out of just the regular fund and that is the sewer fund – not the sewer capital improvement. The sewer fund which pays the sewer bill - \$3.00 would generate \$108,000.00, \$4.00 would generate \$144,000.00 and \$5.00 additional dollars would generate \$180,000.00. You guys choose what you want but I would love to see the \$5.00 but I understand, I am just looking at revenue. Councilman McCullough stated I won't vote for any sewer increase until we have an action plan of getting this, for lack of a better word; illegal immigration of water into our sanitary sewers. If it is supposed to be going to storm then it has got to go to storm. We are asking people to spend money because of the mistakes that were made years ago. I am not saying go out on a witch hunt but we have to have some kind of action plan to stop these downspouts from going into our sewers because people don't take more showers when it rains, they don't flush the toilet more when it rains. This stuff is coming from the rainwater and the only thing is the capital improvement fund is going to help with new piping and stuff and help keep our sanitary separate from any leashing water. I can't think that that much water is leashing in, I think it has to be coming through downspouts. Chairman Rosso debated no it is not coming down from downspouts and I would say it is very few of any downspouts that are tied into the sanitary sewer. Service Director Smith advised we are going to start smoking this year. Chairman Rosso advised this is mainly because our sewer lines are so bad and they are leashing in all over the place. It could be very easy to plan to replace all the sewers it is just multi-millions of dollars that we will never get. Mayor Bring advised downspouts is one aspect but almost all your houses built back in the 50's all had clay tile

and they are all going out to the streets. Almost every one of those houses along Lake Road including mine, they are all clay tile and all that water goes into those and that is just part of it. In doing some of the testing like we did over on Irving Park and people were flooding back there and popping manholes and all the water was going in there, it was a tremendous amount of water leaking in there. So the downspouts over on Warwick and some of that other stuff is a minor problem in comparison to what we have in the rest of the city. You are talking, I think it was 16 million dollars that Bill projected on Irving Park alone. Chairman Rosso advised Len and I had this discussion after one meeting when we talked about – I think Kerry when you mentioned about downspouts were the issue, I say very few downspouts tie into your sanitary. However I will agree with Len when he says it is not technically the downspouts but it is the footer drains around the house that are tying into your sanitary. Service Director Smith advised you have to remember all the pipe is surrounded by stone, stone is a French drain so if your clay tile has got a gap in it or a broken chunk out like the sewer truck sucks out on a regular basis out of the sanitary – little pieces of orange tile, when that water is filling up the water table underground and the water table raises up and encapsulates the pipe it is going one place. Now imagine, the amount of storm water from 5 – 1500 square foot homes coming off the roof, just off the roof alone will totally fill a standard sanitary sewer line. 5 houses is all it takes during a heavy rain according to the data that I see. This situation has been on-going in this city since probably before I was born, the problem was they have 20-year expectancy. They put in a project and all this has a 20-year life, it doesn't have a 70-year life. We are already expanding into the 70's and 80's. We got water lines running Kenilworth that were put in in 1927. But we still have pressure, it is just they are old sanitary – that capital improvement, you got to maintain it. Like Rick said there are some serious issues that we have to find a different way of dealing with which I have been trying to do for the last 16 months and I think we have a plan and I think that the Sewer and Water Department have bought into the approach on how we are doing it. We need equipment, we want to smoke this year – it would be great to start smoking. Once you start smoking you can physically see those leaks in those clay tiles, you will be able to literally see it coming up out of the ground. You say to yourself how can smoke be coming up out of the ground, through the air cracks the same way water goes through. Rick corrected what I said before and you are right, I think that using so much stone in our town has worked against us and like I said I have discovered it around driveway pipes; you got stone going around a driveway pipe and you got a concrete driveway on top of it. The ditch water rises and goes into the stone; French drains underneath the driveway and works it way back to the foundation of the house and goes down to footer drains and into the sump pump just like it is supposed to do until the sump pump can't keep up because it is draining so well, because there is so much stone. Clay dams weren't something that were used and those are all issues that we have to address. We have a unique problem, we have a lot of open ditches in this town compared to storm sewers as other cities do. A lot of challenges. Councilman Elliott advised as all of you know my basement was one of the basements that flooded back in February and it

came up through the sanitary line; one of the biggest things that came up through the sanitary line was road salt. I think it is a bigger problem than just leaky sewer lines, there is a big problem out there and we have got to fix it because infiltration right now is killing us. It is not just one problem – it is a number of problems and that is why I do think that we need to raise this rate enough to where we can once we find the problem because we really don't know where. There is a number of problems out there, we got to find the problems and then we have to have the money to fix the problems so this doesn't happen again. Service Director Smith advised it doesn't happen overnight either, the road to fixing it is a long one. Councilman Elliott stated you said you have already fixed like 3 or 4 problems out there already and there is more out there; the problem is once we find the problems we have to be able to fix it. Service Director Smith advised a big one was Tennyson School, we had a septic system that has been in the schoolyard since 1961. Our own Water Department piped through it and never disconnected the drains in the base and never collapsed the walls – never did anything, so when their sewers started backing up at Tennyson and they brought in a sewer company and basically found hey there is a septic system here that is from the original school. What it was doing was sitting out in the front yard just sucking down rain water underneath the tree going right into the storm sewer, right at the intersection of Kenilworth and Richelieu through an 8-inch pipe.

Councilwoman Stark asked did they increase our sewer rate this year, were they talking about increasing our sewer rate this year? Service Director Smith advised you will have before you this year at some point coming up as our contract will be over with the City of Lorain as of December 31, 2012. Councilwoman Stark asked how much did we have to borrow on the budget to pay our sewer bill in December? Service Director Smith answered I don't have that exact figure, I don't know what the end result on the short or of what she did. Mayor Bring answered it was a \$57,000.00 bill and we had \$15,000.00 in the account. Chairman Rosso advised so we are talking a minimum of \$3.00 and obviously the more we raise it the more you can do things. We are talking a minimum of \$3.00 and we are already talking about a \$2.00 increase so we are talking a minimum of raising everybody's water bill \$5.00 which is either 5% or 6% total. Service Director Smith advised that is not taking into consideration any rate increase that is going to be given to us by the City of Lorain when the contract expires. Councilman McCullough stated like I said unless there is an action plan, I wouldn't support anything but I want as much as we need. We shouldn't have to go through what we are going through right now, we need to make sure that we give them the tools to do the job or the ability to do the job and hopefully you have the right people in place and the tools to do the job to get it done. One of those tools is going to have to be the money. Chairman Rosso stated the one thing we have to be careful of and we will all sit here and say \$5.00 or \$10.00 isn't a big deal to us, it is a big deal to some of those people out there and you can't just say I need \$10.00 a month in order to fix it right so everybody has to come up with it and that is the issue. Law Director Graves advised just to clarify I believe it would be \$4.00/a minimum - \$2.00 increase on water and \$2.00 on sewer. Mayor Bring advised the only way we are going to be able to do it is if we have

money and right now we are way behind. Service Director Smith advised also remember that I am looking at trying to eliminate our outflows into the lake, raw sewage every time we have a major rain event and K&S is still in the process of evaluating the pump station 3 data for us to see if in the future, if we re-routing 1/3 of sanitary sewers to either Ridgeville or Avon Lake or Lorain through an interceptor would be beneficial to us. That information will be forth coming in the next several months. Chairman Rosso stated to recap and I think to add onto to Kerry's previous statement – we really should seriously consider going to \$3.00 and not \$2.00 to give it a little bit of leeway versus \$2.00 as just cutting it close. My opinion and obviously everyone has got their own thoughts and since we are going to talk about it next week we will go from there but if we are going to hit ourselves in the head, let's just do it once. Councilman McCullough stated the thing about it is the people that are going to hit themselves in the head more are the Ward Council people because you guys are up for election next. The rest of us can make decisions for 4 years down the road and go well it finally worked, see it is going good. Councilman Elliott stated you just got to do what you got to do. In the end if it means somebody doesn't get re-elected then somebody doesn't get re-elected – you got to do what you got to do. President Podmanik stated we are in the hole, we obviously can't do a whole heck of a lot until we get out of the hole so we better make some moves to start getting out of the hole. So we can at least as Kerry said, he is right start formulating a plan. So when we are out of the hole we can actually do something, we got to start somewhere and it might as well be now. Even if it were \$10.00 I would pay it. I am like Kerry I don't even look at the water bill we just pay it. Mayor Bring stated it does hurt a lot of elderly people, that is something that we do have to look out for. Councilman McCullough stated maybe there is something we can do and maybe we need to look at an extra \$.50 (cents) and I don't know a hardship clause or something – that people can apply for a hardship or leave it out of there and let people apply for a hardship. I mean how many elderly are we talking that is going to costs us if we go to that extra dollar that we really need. Do we have that many elderly water bills out there that it is going to hurt us in the long run if we say you know what we can put in a hardship clause or something? Chairman Rosso answered the only way that we are going to find out is as the water bills become past due. Service Director Smith advised I have policies in place, when I took this job if you remember right I compared to what was the policy before I took this job and I made no changes until I was able to evaluate how things were being done. I did make a policy change in trying to help structure a re-payment planning schedule that is fair and equitable and even across the board which we do. Any payment plan that ends up being due to a hardship case is put in writing now and before it wasn't, that way if there ends up being an issue the Law Department can go through. It is done on a case-by-case basis. Councilwoman Belaska asked do we have individuals that have outstanding bills? Service Director Smith answered we have and I have gone over them and attacked them. The policy is after 2 months arrears and 1 month more – it is an automatic shut-off. So in theory there shouldn't be anybody there unless of course they are on a payment plan or have structured or special circumstances. The

ordinances that are in place allow me to make variations on payment plans depending on the circumstances of each case. I take it very, very seriously – going with the history of the Water Department. I don't mean anything bad about it, the Water Department has been through a lot over the last 20 years and it is verifiable hardship, signed and dated. Anything outstanding brings up flags – why is this. There are accounts that previous payment schedules were made with other Service Directors and those are an on-going issue that I try to deal with in bringing it into my fold but there is no paperwork, there is only the history of what the city has accepted as payment. I can only isolate those as I see as we cannot generate a report but we still have to go in and tear into each bill. It is to a certain point and then it is off, with the exception of those that have already had a payment arrangement that had an old balance that is added because on the billing it is still going to come up in arrears. Councilwoman Belaska asked now you get a turn-off notice and then if you want a fee? Service Director Smith explained you get the notice then you have that 10-day period. Councilwoman Belaska asked a fee for the shut-off. Service Director Smith answered I have a whole fee schedule and I would be glad to give it to you that has all the breakdowns of all the charges – there is a whole series of fees. That was the thing that I did was breakdown all the charges. Councilwoman Belaska asked do you think we could increase some of those to help with these other situations? Chairman Rosso answered if they are behind because they can't afford it, increasing their re-connect fees doesn't help them any bit. Councilman Elliott stated if you were going to ask me 2 or 3 years ago what I would have rather have had; either raise my sewer rates so I may be able to prevent my basement from flooding or not paying it and my basement floods? Which is cheaper in the long run? I am still not in my basement now. Chairman Rosso stated but and I am going to counter that with – hey, my basement doesn't flood and don't want to pay \$2.00 to keep yours dry. Councilman Elliott stated you are rolling the dice because on my street this one flooded and that one didn't – you are rolling the dice. Chairman Rosso stated I don't have a problem paying it but that is the mentality we are going to run into. Councilman Elliott stated in the long run it is cheaper to do it this way then if your basement does flood because you are going to be paying like I am paying now. Hindsight is 20/20 but I am just saying we have got to fix it, there is just no other way. Chairman Rosso stated as we talked about the elderly/low-income and that is an issue – there is no legislation that allows Council to forgive any part of a water bill. Sewer credits – yes but the actual water bill – no, so keep that in mind as you go forward and say when grandma is going to come because she can't pay her water bill – we do not have a legal way to do anything with it. I am not sure that we want to do that or not but there is not much we do there. Law Director Graves clarified just so there is no confusion in regard to the question posed earlier by Mr. McCullough; we have applied that sidewalk to commercial in the past – it is not just for residential and we can look into the shopping center issue a little further. On other businesses on Lake Road it has been applied.

MEETING ADJOURNED: With no further business before this committee, *Motion by Kovach/Second by Elliott to adjourn at 8:03 PM. Yeas All.

CLERK OF COMMITTEE AFFIRMATION: This Meeting Of The City Committee Of The City of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And Regulations Governing The Sunshine Laws OF The State Of Ohio As They May Apply. All meetings are recorded and available in council's office.

CLERK OF COMMITTEE

Kay Fantauzzi

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake, DO HEREBY CERTIFY that this is A true and exact copy of the Minutes of COMMITTEE Of January 10, 2012.

CHAIRMAN OF COMMITTEE

Richard Rosso

PRESIDENT OF COUNCIL

Edward R Podmanik

and/or

COUNCIL PRO TEM

Richard Rosso