

**Drainage and Sewer Control Committee**  
**December 3, 2008, 7:00PM, Macedonia City Center**  
**Regular Meeting**

- I. The meeting was called to order at 7:03PM.
- II. **Attendees are as follows:**  
**Members:** Amanda Coon, Dennis Mulac, Jean Gagné, Cathy Loya, Julia Henderson, Tom Loya, and Rosemary Filisky  
**City Representatives:** Kelly Luecke (GPD Group/City Engineer), Jan Tulley (Council Rep), and Jim Crevar (Service Director)  
**Others in Attendance:** Mike Bucci (Deputy Executive Director, NEORS), Bob Hollis (Summit County DOES), Frank Greenland (Director of Watershed Programs, NEORS), and Peggy Spraggins (Council Member)
- III. Minutes from the November 5, 2008 meeting were unanimously approved.
- IV. **Q&A for Residents:** There were no residents in attendance.
- V. **New Business**
- A. Frank Greenland – NEORS:** It is NEORS's position that the judge's intent at the time of the original court ruling was to solve flooding and erosion issues with a regional approach. They have been working on wastewater, and are now ready to move on with the storm water issues.
- Mike Bucci (NEORS) advised that the current court order states the makeup of the board, currently with 7 seats. There are 60 communities outside of Cleveland in the NEORS service area. The Mayor of Cleveland appoints 3 seats, one of which cannot be a municipal employee. The Suburban Council of Governments appoints 3 seats as follows: 1 for communities over 25000, 1 for communities under 25000, and one additional that cannot be a government employee. The Cuyahoga County Commissioners appoint the last remaining seat on the board. The composition of the board will be revised when the court order is opened. An alternative that will be presented at that time will be a seat designated for a person residing outside of Cuyahoga County.
- Mike also addressed some questions that were raised by Mayor Kuchta:
1. Could Macedonia do the billing for NEORS? This would be possible, but would require purchasing meter reads from Cleveland Water. NEORS currently pays North Royalton to perform the billing in this manner.
  2. Local storm sewers are not considered in the current NEORS plan? Mike believes this could be optional work that NEORS could take on. Most

communities have their own local sewer department. They could evaluate this and see if it is a feasible and cost effective option for Macedonia.

Frank went on to discuss the fact that there will be separate accounts for storm water and sanitary projects. Each will have a separate budget to maintain. He advised that funding for the combined sewer overflow project will come from the sanitary budget.

They also want to develop a mechanism to ensure that the money kicked back to the communities each year will be used for storm water projects. They are trying to make sure the regional system functions as it should. The question was raised about how NEORSRD will differentiate between regional and local storm water projects. Frank also noted that NEORSRD intends to begin projects in 2010, with these projects likely coming from communities that have information and data in place to understand and begin the projects.

Foreclosures create an issue for both storm water and wastewater divisions. The cost of this causes rates to go up for other homeowners. NEORSRD also advised that they cannot promise credits for residential customers. They say that many large utilities do not offer these. They are discussing the possibility of using a 3-tiered system for billing of residential properties. (This would mean that the owner of a property with 1000 sq. ft. of impervious surface would pay less than the owner of a property with 3000 sq. ft. of impervious surface.) It is estimated that the utility will generate about \$40 Million annually district-wide.

Other questions that were brought up in the meeting:

1. There were no internal NEORSRD discussions about opt-outs? What are the criteria for a community to opt-out?
2. Will non-profits be exempt? No, according to Frank.
3. Will municipalities/cities be exempt? At this point, if they have impervious surface, they will pay. There is a possibility that fire stations and city halls will be exempt.
4. Are residential street exempt? Yes
5. Are private roads exempt? They may be paying, but it is unclear at this point.
6. Why are you using 8 year old information from the RIDE study? Frank noted that they updated the costs to 2007/2008 dollars, and added information about new problems that were brought up by communities. To update the RIDE project completely would be a massive project costing millions of dollars.
7. Will the fees be permanent? Will they be raised or lowered? There are currently proposed 5 year increments for increases.
8. Does Cuyahoga County have mandates from EPA to fix the combined sewers? Yes, they are currently in negotiations (since 2004) to correct this. They have agreed on a portion of the plan. This, however, will be funded by the sanitary fund, which means that wastewater fees could potentially be raised as well.
9. Is there a plan for rising the funding coming back to the communities from NEORSRD? No.
10. Macedonia was identified in the RIDE study, so why won't NEORSRD commit to a CIP (capital improvement project) in Macedonia? NEORSRD is using some of the

rankings from the RIDE study. Frank sees Indian Creek was a possibility for one of the initial projects in 2010.

11. Will we know the projects before NEORSR goes to court in 2009? Yes, according to both Frank and Mike.
12. Why do you have to go to court? NEORSR was originally formed by a court order, so they need to open the court order to make the storm water portion clearer. For 30 years they only focused on wastewater, even though they feel that the original court order covers storm water as well.
13. The current plan calls for 3 additional years of modeling, from 2010 to 2012? NEORSR is looking to the communities to prioritize projects in this time period.
14. We have \$3M in improvements. If we move forward and cannot opt-out of the NEORSR plan, will NEORSR take over the debt? (I do not believe there was a clear answer for this question.)

Additional information: The original date for court was March of 2009. This will most likely be pushed back. Frank has the 2 studies from Macedonia and will get input on them from their consultant. At that time, we can discuss it will NEORSR further.

## VI. Old Business

- A. **Utility Presentation:** Per Jan, there is no feedback from the committee's utility presentation. At the December 11<sup>th</sup> council meeting, someone should attend to ask council about this publicly. We also need to give an EPA update at the council meeting if possible.
- B. **High School Fields:** No feedback from HS yet. Jan received a copy of the letter that was sent to the schools regarding storm water mandates. The HS property went from being in the floodplain on the old FEMA maps to suddenly no longer being in the floodplain. Currently no one on the committee is sure if there were major grade changes on the property.
- C. **Mound at the Crossings:** There was a JEDD meeting on Monday. Gene noted when it developed, after the conservancy was created. This could make it a JEDD problem. Northfield Center did not want to discuss it. They will they are not responsible. Summit Soil and Water sent a letter to DeBartolo telling them they needed to seed the mound. One interested contractor will be sampling the dirt to determine if they can use it or not. There have been discussions with DeBartolo concerning the mound.
- D. **EPA Phase 2:** The city received another letter from the EPA. Kelly and Rob met yesterday. They are meeting with Kelvin Rogers tomorrow to finalize the 2007 annual report, after which it will be sent to the EPA. The 2008 annual report will be due sometime in April of 2009. There are currently no fears of EPA penalties, as the city has been working closely with them on all issues.
- E. **Discussion:**

1. Steve Brunot (finance director) is leaving to work for the new county engineer. Loren and Steve are working on the budget to finalize it. Loren will become finance director in interim.
2. Kelly provided a copy of the RIDE study pertaining to Macedonia.
3. Bob Hollis of DOES provided copies of letters and inspection reports that were sent to homes that were determined to be candidates for a backflow preventer. These letters outlined the procedure for obtaining quotes and having DOES reimburse the homeowner for the cost of the backflow preventer and the installation.

**VII. Calendar**

**12/11/08, 7:00PM:** Council meeting. Committee representative to ask about the storm water utility presentation and bring up the current EPA status.

**1/7/09, 7:00PM:** Regular meeting

**VIII. The meeting was adjourned at 9:32PM.**