

Board of Municipal Utilities  
**Work Session Minutes**  
**October 9, 2018**  
201 Miller Road  
Avon Lake, Ohio

***Call to Order – Roll Call***

The meeting was called to order at 6:00 PM.

Present: Mr. Abram, Mr. Dzwonczyk, Mr. Phillips, Mr. Rush, and Mrs. Schnabel

Also present: CUE Danielson, CUO Munro, resident Jackie Kish (arrived at 6:25 PM), and resident Bill Joy (arrived at 6:55 PM).

***Sewer Lateral Path Forward***

Chairman Dzwonczyk asked CUO Munro to update members regarding the status of houses having lateral inspections and those preventing clean water sources from entering the sanitary sewer. The CUO indicated that there are currently 174 homes in Group A (November 30, 2018 deadline) where it is known or believed some work must be done to comply. It is noted that approximately 25 of the 174 customers are questionable as to whether they needed to disconnect but that they should proceed with additional investigation. Those 25 were part of 96 homes city wide that need further investigation.

Members indicated that they believed these outstanding questions were leading to uncertainty on behalf of some customers and that staff should investigate the potential for putting together a request for bids for camera inspection services. Members discussed whether the cost of these services should be borne by the utility or the residents and indicated that it might become a cost of doing business to achieve compliance.

Members then discussed that positive movement must be made regarding those who will not comply with the requirement to assure that clean water is prevented from entering the sanitary sewer. Consensus was formed regarding those who have not responded to inspection requests. Members requested staff send out a certified letter indicating that if a customer has not had an inspection by the November 30, 2018, deadline, staff would immediately perform a camera inspection of the lateral to determine if clean water must be removed from the sanitary lateral. If staff is unable to determine whether this is the case, an administrative search warrant would be sought from a judge to allow staff to investigate inside the house and on the property to determine if clean water must be removed from the sanitary lateral.

Members then discussed whether any deadlines should change. Consensus was reached that the Group A deadline of November 30, 2018, should remain for inspections and that Group A customers would have until April 30, 2019, to complete the work. If work was not complete by April 30, 2019, a court order would be sought to allow Avon Lake onto the property to complete the work and assess it back to the homeowner. If the

work was completed by Avon Lake, the resident would no longer qualify for the loan or the \$1,000 wastewater bill credit.

After discussing what would need to happen if customers/homeowners did not complete the work by the required deadlines and Avon Lake was forced to seek legal action and do the work, Board members agreed that Group C compliance should be moved up to its original deadline of June 30, 2019, along with Group B. Additionally, both group B and C must complete inspections by April 30, 2019. If they did not complete the inspections by April 30, 2019, or the work by June 30, 2019, then operational and legal steps similar to those stated for Group A would be pursued.

Members indicated that though there had been some discussion about potentially shutting off water to customers who did not comply with these requirements. For public health and safety, members would prefer to address these issues through the legal channels described above. Members asked the CUE to draft a revised path forward upon which the Board may act on October 16, 2018. That revised path forward could then be reviewed by the Council's Sewer Committee so that the Council may consider updated resolutions to reflect this path forward.

### ***Adjourn***

With the sewer lateral path forward discussion taking as long as it did, members opted not to discuss affordability, and Mr. Dzwonczyk adjourned the meeting at 7:18 PM.

Approved October 16, 2018

John Dzwonczyk, Chairman

Todd Danielson, Clerk