

AGENDA

For

WORK SESSION

Tuesday

October 9, 2018

6:00 PM

1. Call to Order
2. Sewer Lateral Path Forward
3. Affordability
4. Other Items
5. Adjourn



Board of Municipal Utilities' Sewer Lateral Path Forward

Revision Date: October 9, 2018

Background

Avon Lake is one of approximately 860 communities across the United States (72 in Ohio) served by combined sewer systems that collect both sanitary wastes and storm waters from residences and businesses. The 1972 Clean Water Act required communities to address combined sewer overflows, and several EPA policies since that time gave communities the ability to best choose how to do so. In 2004, Avon Lake and Ohio EPA came to agreement that all combined sewers within the city would be separated by 2020 so that storm water and sanitary wastes are captured and managed differently.

Initially, as sewers were being separated in Avon Lake, customers were allowed to keep their foundation drains connected to what became their sanitary lateral that discharged into the sanitary sewer. However, several extreme rain events led Avon Lake (through its Board of Municipal Utilities and Avon Lake Regional Water) to investigate and determine gravity foundation drains may provide significant quantities of water to the sanitary sewer during rain events. This led to changes in Avon Lake Regional Water's Regulations to no longer allow foundation drains to be connected to the sanitary lateral and a City Council ordinance supporting the requirement.

In consultation with the City Council, the Board of Municipal Utilities established three deadlines (the first being February 1, 2018) for customers to assure foundation drains and other clean water sources are prevented from entering the sanitary sewer. Due to a variety of reasons, one month prior to the first deadline of February 1, 2018, approximately 230 customers with that deadline still have not had their free inspection to help determine if they have clean water entering their sanitary lateral and nearly 300 customers who know they have a problem have not yet prevented clean water from entering their sanitary laterals. Board members and Avon Lake Regional Water staff have been told by some that they are trying to comply; however, contractors are backed up due to excessive work.

On January 16, 2018, the Board relaxed the three deadlines from February 1, 2018; February 1, 2019; and June 30, 2019; to November 30, 2018; June 30, 2019; and November 30, 2019. This has allowed many more people to complete inspections and/or the work necessary. In the eight months since the Board last revised this policy, the list of customers with the first deadline needing inspections has dropped by more than 200 and is now 15. And, even with the 200 additional inspections, the number of known problems has dropped by more than 100 and is now 179 (as of 9/21/18). This is great progress.

Similar to as when the last deadline was approaching, customers are indicating that they want to comply. However, contractors are unable to complete projects on their properties before the deadline. The Board's ultimate goal is compliance and is willing to allow those with signed contracts with contractors to have additional time to have their projects completed. However, the Board also realizes it has a hard deadline with Ohio EPA, where all sewers must be separated before 2020.

In order to be responsive to customer requests while also adhering to Ohio EPA requirements, the Board of Municipal Utilities is revising the Sewer Lateral path forward to the following:

Sewer Lateral Path Forward

The Board of Municipal Utilities wants to grant as much time as possible to allow customers to assure clean water is not entering sanitary laterals but also must adhere with Ohio EPA requirements. In order to best balance these, the Board will do the following:

1. Customers must determine by the dates below whether clean water sources such as foundation drains, yard and/or driveway drains, and downspouts are discharging into sanitary laterals:
 - a. November 30, 2018, for homes in the "Group A" area,
 - b. June 30, 2019, for homes in the "Group B" area, and
 - c. November 30, 2019, for homes in the "Group C" area.
 - The Group C area entails homes in the 45 Area Combined Sewer Separation Project (Forest, Grove, Lakeview, Lakewood, Oakwood, South Point, and Tomahawk) and on Avondale.
 - The Group B area entails homes in the Fairfield-Brookfield Sewer Separation Project (Berkshire, Brookfield, Fairfield, Inwood north of Redwood, parts of Lake, and parts of Electric), as well as homes on streets with formerly combined sewers that do not have storm access including Avon Belden (north of Redwood), Beachdale, Beck, Curtis, Fay, Forest Hill, Groveland, Hermann, Karen, Sunset, Vanda, Vineyard, and Woodstock (Electric to Lake).
 - The Group A area includes all other homes on formerly combined sewer area streets including the Belmar project area (Artsdale, Ashwood, Belmar, parts of Electric, parts of Lake, Mooreland, and parts of Redwood), the Moorewood project area (Beachwood, Crestwood, Parkwood, Moorewood, parts of Electric, parts of Redwood, and Vinewood), Avon Belden area (south of Redwood), Bellaire, Belle, Burton, Cherry, Dellwood, Drummond, Duff, Electric (parts), Glenview, Harvey, Inwood (south of Redwood), James, Jaycox, June, Lake (parts), Lear, Miller, Moore, Mull, Norman, Parkview, Redwood (parts), West Shore, Woodstock (south of Electric), Yoder, and York.

Avon Lake Regional Water will perform a free inspection to, hopefully, determine whether clean water is entering the sanitary lateral. If Avon Lake Regional Water is unable to confirm a home is not discharging clean water into the sanitary lateral, then the customer will need to confirm through another source, possibly an outside contractor with some sort of video device or by digging. If this is done, then Avon Lake Regional Water staff must be present to review the video or inspect what is unearthed.

2. If Avon Lake Regional Water determines work must be done to prevent clean water from entering the sanitary sewer, then the customer must either complete the work by the dates above or have a signed contract with a contractor and provide a copy of it to Avon Lake Regional Water by the dates above and then complete the work by the following dates:
 - a. April 30, 2018, for homes in the "Group A" area,
 - b. September 30, 2019, for homes in the "Group B" area, and
 - c. November 30, 2019, for homes in the "Group C" area.

Note that the Group C timeline has not been relaxed any further. This is because all sewers must be separated by no later than December 31, 2019, and work on the part of Avon Lake Regional Water must be completed after customers have completed any work they must undertake.

3. If customers do not comply with Items 1 and 2 (above), the following will occur:
 - a. The customer will no longer be eligible for the \$1,000 wastewater bill rebate if the customer separates in a manner that ends up with two separate laterals leading to the respective storm and sanitary sewers, and
 - b. The Board may begin issuing fines that will be waived if it is determined that the home is in compliance preventing clean water sources from entering the sanitary lateral.
 - c. That address will be included in legal filings with the court.

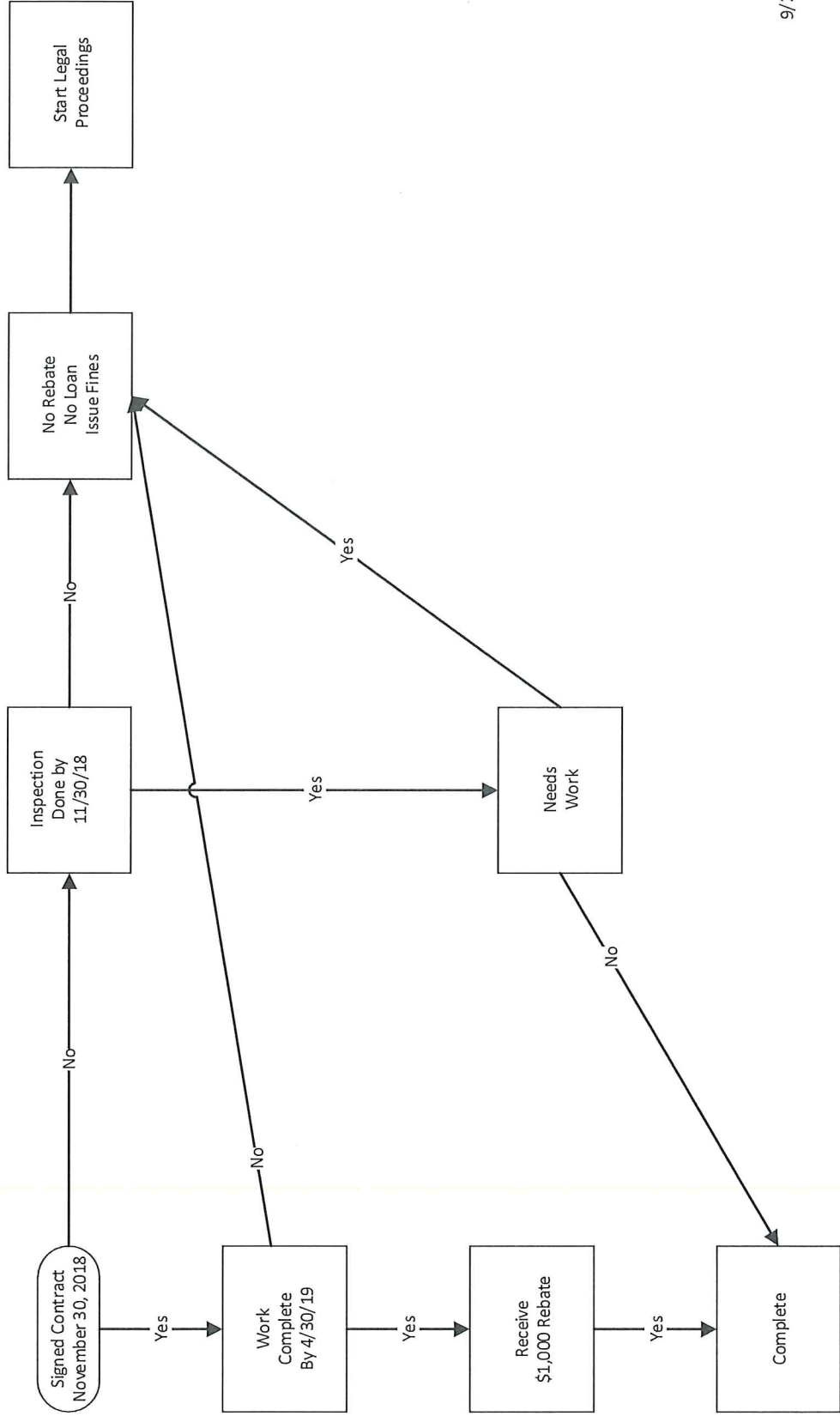
4. If an inspection and, if required, a contract have not been obtained by the dates in Item 1(above) or the work has not been completed by Item 2 (above), documents will be filed with the court to:
 - a. Grant access to Avon Lake Regional Water, the City of Avon Lake, and/or its contractors to inspect the property to see if clean water sources from that property are discharging into the sanitary sewer and,
 - b. If so, grant authority to address the issue by removing all clean water sources from the sanitary lateral and redirecting them to the storm sewer or another appropriate discharge point at the discretion of Avon Lake Regional Water and/or the City of Avon Lake.

As described in the 2017 Council resolution, all costs for that work, plus an additional 5% will be assessed to the owner of the property where the work will be completed.

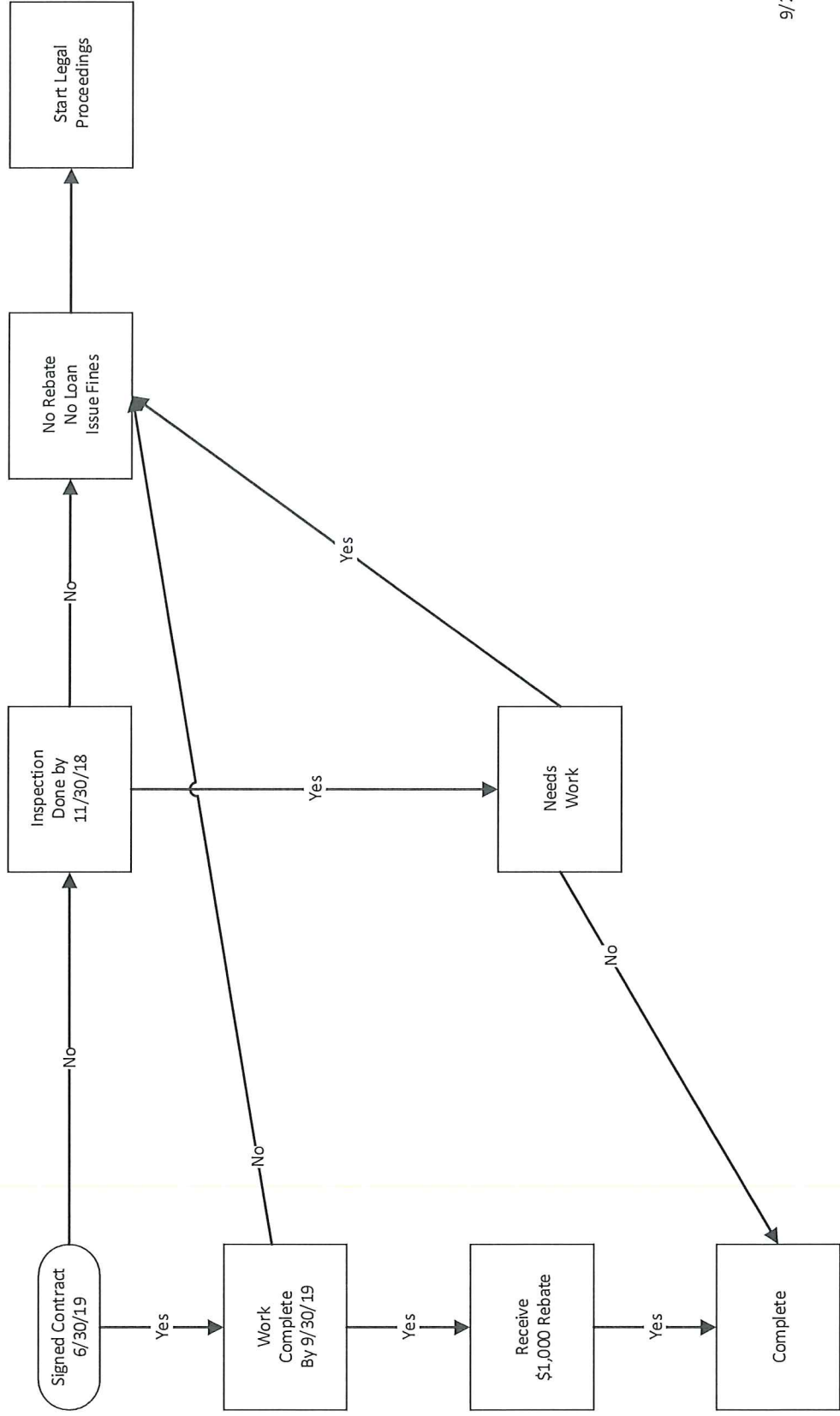
Future Work

It should be noted that all investigations to date have focused on currently and formerly combined sewer areas. The next areas of focus will include streets that never had combined sewers but may have homes discharging clean water into the sanitary sewer including Armour, Avon Point (Electric to Lake), Bonnieview, Colony, Coveland, Electric (parts), Edgewood, Englewood, Gra Gull, Highland (north of Lake), Lake (parts), Maplecliff, Moore (parts), North Point, Parkland, Redwood (parts), Rice Park, Webber, West Shore, and others.

Lateral Separation Path Forward Group A



Lateral Separation Path Forward Group B



Lateral Separation Path Forward Group C

