

# City of Bay Village

Council Minutes, Special Meeting  
Council Chambers 8:00 p.m.

June 29, 2015

Paul Koomar, President of Council, Presiding

Present: Henderson, Clark, Koomar, Lee, Lieske, Tadych, Vincent, Mayor Sutherland

Also Present: Finance Director Mahoney, Police Chief Spaetzle, Operations Manager Landers

President of Council Koomar called the meeting to order at 8:00 p.m. with a roll call and Pledge of Allegiance led by Paul Vincent, Councilman of Ward 2.

## ANNOUNCEMENTS

**Mayor Sutherland** stated that she would like to give an update on the flooding issues that many have experienced over the last ten days or two weeks. The Mayor advised that it all started back on June 14 and 15, when we received about 2 ½ inches of rain. On June 23, we received between 2.5 and 3.8 inches of rain. In the event over the weekend, on the 27<sup>th</sup>, we received another 3.5, almost 5 inches, depending on where you were in the City. Over the last two weeks we received anywhere from 8.25 inches to 10 inches of rain. The ground is completely and totally saturated. The first event that we had on the 14<sup>th</sup> and 15<sup>th</sup> of June, we had about 45 flooded basement calls. On the 23<sup>rd</sup>, we made a concerted effort to reach out to our residents to get them to report back to us if they had issues; we ended up with about 424 reports of flooding. Some of that was basement flooding and some of it was yard flooding. We have begun to reach out to those folks on Saturday, the 27<sup>th</sup> with the last batch of rain storms received. We had about another additional 40; a lot of those may be repeat events. We are continuing to reach out to our residents and try to pin point exactly what the issues are. On Tuesday, most of the incidents were concerning a lot of basement flooding and a lot of yard flooding. On Saturday, we really started to look at the big picture issues, like the creeks were running really high, the pool was on the verge of overflowing, and again that would complicate the whole storm sewer issue. We also had issues with retention basins, one of which was in Avon Lake, and it was also a problem on the school property. It was just simply due to the volume of rain and the fact that we had that much rain in a short period of time with very saturated soils. We are continuing to reach out to our residents. I have had extensive conversations with Mayor Bopst of Rocky River regarding the operation of the Rocky River Wastewater Treatment Plant, and that ran perfectly fine. However, the normal volume during any normal day is about 40 million gallons per day. Saturday morning we ran 160 million gallons per day. This is way over capacity which necessitates opening the flood gates. In essence, the Rocky River Wastewater Treatment Plant just acts as a flow through. Nobody likes to do it, but if you close the gates you have very extensive flooding.

The Mayor continued, stating that she knows there were rumors floating around that the pump stations weren't working properly. That was just a rumor; they were working. If you ever see a

red light it just means there is high water and we certainly had high water at all of our pump stations. On Saturday, while we were worried about our creeks and the retention basins, we also had a tree fall and there was a brief power outage down at the Longbeach and Huntington Pump Stations, but it ran on generator so it flawlessly just kicked over. To make matters even more complicated the carneys showed up. I've got our engineer Bob Greytak here so I just want to let residents know there really wasn't any type of mis-cue with our system; it was just the amount of rain we received and very saturated conditions.

Mr. Bob Greytak of CT Consultants, Inc., stated that the rain the last two weeks was extraordinary. I almost get tired of saying they are 100 year storms because they seem to come every year. But, the fact is that three inches of rain in two hours is a 100 year, or one percent chance of a storm in any one year. There is not a storm sewer in this town that is designed for that kind of flow. Typical storm sewers are designed to carry two, five, or ten year storms at the most. These types of storms are far in excess of those that the sewers are designed to carry. Storms are happening more often at a higher intensity than these sewers are designed to carry.

### Bay Days

The Mayor advised that because the grounds are so wet, they cannot set up the equipment in the usual place that we do for Bay Days. It will be on the paved areas around the Community House. Our folks have been meeting with Tony Dostal and the head of the carneys to make sure everyone is safe. However, we also will not be allowing parking on the entire west side of Cahoon Memorial Park because it is so wet. Those are the soccer fields and we have a big soccer tournament in September. We are not going to have the parking that we will normally have so we will be urging everyone to either walk or ride their bikes because parking will be at a premium. There is limited parking at the police station, and at the middle school, but it will be challenging.

### Donation of League of Women Voters

Claire Banasiak, President of the League of Women Voters of Bay Village, and in memory of Joan Hirsh, presented President of Council Koomar a check to the City of Bay Village in the amount of \$10,000 to improve the microphone and recording system in the Council Chambers and in the Committee Room, but only for public meetings. A round of applause followed. President of Council Koomar stated that the City appreciates the donation. In some of these meetings it can be difficult to hear in these rooms. The ultimate purpose is to post these recordings on the City's website. While this has been started, sometimes the quality of the recordings is marginal and we want to make sure we post something for the public that is high quality and easily understood.

### Presentation by Eric Eakin representing the Bay Fireworks Committee

Eric Eakin stated that the citizens of Bay Village came together to raise the other monies that were needed to have the fireworks every year. The Bay Fireworks Committee has been selling raffle tickets, and they can't thank the Mayor's Assistant Sue Kohl enough for raising money through the sale of t-shirts, pull-over shirts, bags, and magnets. Mrs. Kohl has done a great job

and the amount being contributed through that effort is in excess of \$2,500. Mr. Eakin presented the City of Bay Village with a check for \$5,500 for fireworks, raised through the sale of raffle tickets, and other fund raising efforts. A round of applause followed. The rain date for the fireworks is Monday, July 6.

## **AUDIENCE**

The following audience members signed in this evening: Penny Dolski, David Hulligan, Ernie Minichello, A. Paulus, Walt Van Tilburg, Pam Cottam, Dick Majewski, Jerrie Barnett, Marty Mace, Conda Boyd, Mark Harms, Julie Lipka, Ned and Sharon Topping, Susan Murnane, Tom Gorgas, Michelle Haas, Don Rudden, Bob Dvoroznak, Joe and Jenny Knapp, Lydia DeGeorge, Denny and Tara Wendell.

Mr. Koomar called for comments from the audience.

Conda Boyd, West Oakland Road, stated that the Bay Days are very important for many of the civic organizations of the City as fundraisers. Is there anything that can be done about setting up a shuttle service from the high school parking lot or other parking lots? The Mayor replied that the high school parking lot is under construction. Ms. Boyd asked if there is anywhere else from where we can shuttle. The Mayor stated that all the school parking lots are under construction, other than the middle school which is walkable to Bay Days. A person in the audience suggested the church parking lots.

Nancy Brown, Wolf Road, announced that the Friends of the Bay Village Kennel would like to acknowledge and thank Mr. Enovitch for his donation of softly used toys from the Recreation Department to the Bay Village Kennel. A round of applause followed.

Alan Rego, Wolf Road, asked permission to approach the Mayor and Council to show part of a topography test that was done of his property in 2010. Thirteen acres to the north of Mr. Rego's property drains right to his property. Since 2008 he has been through five devastating floods, two this past week. Mr. Rego just lost his swimming pool and there is nothing that has been done. He would like some help. Mr. Rego pays five figures in property taxes and nothing is done. He has approached the City. They have the plans; they have the results from this, and he has seen nothing. Mr. Rego asked for the City to please help him. Mayor Sutherland stated that she will put someone in touch with him.

Bob Dvoroznak, East Oakland Road, stated that he has been having flooding for thirty years. This Council has done nothing to help him; no one has ever contacted him or returned his phone calls. The past two weeks he has had three floodings. We have people on our street that are senior citizens; we have heart patients on the street. I have come to terms that the City is not going to do anything to help its residents. My question to you is that if the sewers are not large enough to handle what we have, why are we building more houses and adding more stress to our drain system. Why won't you stop building houses and correct the problems that we have? For thirty years you people have done nothing. You don't even offer the courtesy to return our phone calls. The guys in the trucks don't even get out of the trucks anymore because they have run the camera so long. What does the camera do? The neighbors on East Oakland have come

to terms with living with water in their basements. I have called the Service Department, the Mayor, and the Councilman. How can I sell my house when I have had flooding? I'm stuck; I can't even move. Maybe we need to have the City do something and reach out to us.

Mayor Sutherland stated that they have sent the trucks there because they have also had street flooding. We have invested \$7.4 million in our sewer system since 2003.

Tom Gorgas, Carlton Road, stated that he is present representing the entire street of Carlton because all were flooded. Two years ago the City came out and did an excellent job finding the blockage in his sewer system. Mr. Gorgas hired a plumber, he dug up everything and put in a brand new sewer system. He still had water this time. From the rumors he heard, contrary to what the Mayor said, it was a lift station problem. The Mayor stated that it was not. Mr. Gorgas stated that this was a qualified plumber that told him this. The Mayor stated that he is wrong.

Fred Kasunick, Plymouth Drive, stated that the Mayor's email stated that there was an issue. Mayor Sutherland stated that there was an issue. There are two pumps; one pump was running hot so our guys changed it out. That was the issue. But, at no time did it ever stop.

Mr. Koomar asked Mr. Gorgas if the flooding this time was through the drains or the basement walls. Mr. Gorgas stated that it was the basement walls. It was the footer drain that caused the problem. I had both the storm and sanitary sewers replaced. The City did a good job for me finding the problem, and I appreciate that.

Mayor Sutherland stated that that is pretty much what happened to her at her home. The footer drains could not handle the amount of volume of water that was coming down the foundations with very saturated soil. So then you will get that foundation water in your basement. I disconnected my downspouts to get it out of the system. But, you have to send it out five feet from your foundation.

Mr. Gorgas stated that he bailed out his window wells but as soon as he bailed it out the water went right back in. The Mayor stated that the window wells are another issue. If you get the plastic covers over them...It is just saturated soil.

Mr. Tadych asked if this happens all the time. Mr. Gorgas stated it was happening before he had the entire sewer system taken care of because the City found out the cause which was the tree that had been planted 40 years ago. We have had no problem since two years ago when I put the new system in.

Kevin Brickman, Wolf Road, stated that he has been calling the City for over four weeks now. Prior to all the flooding that has been occurring, he has been calling the Service Department, asking them to come out because the sewer in front of his house is blocked. It is a City sewer. Every time it rains it floods and nobody from the City will call him back. Very similar to all the other stories that you've heard, nobody will call you back, nobody will email you, and nobody will text you. And guess what, we've had flooding and water backed up into my house and now I have to foot the bill for it. The City won't call me back. I am here to ask, who is going to call me. It is the City sewer. Who is going to call? Mayor Sutherland stated that Rick Kuznik will

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call. Mr. Brickman stated that Rick called on Friday. He said he would call back today. He did not call. Mr. Brickman stated that if nobody wants to fix it he will send the bill to Council. Somebody has to foot the bill and it's not the taxpayers anymore.

Don Rudden, Carlton Road, stated that he can well understand the issues with the flooding. He has a sewer in front of his house. He has lived there for 14 years and this is the second time he has had water in his basement. He had water on Tuesday and on Saturday. One of the comments heard here is the City has reached out to people who have tried to get information about flooding. How does the City reach out? I have not heard or seen anything from the City. My street, literally, more than half of it was under water up to the middle of the lawns on Tuesday. Two hours later it was gone, but, how does the City reach out to residents?

Mayor Sutherland stated that they have three things going right now. There is information on the website and an email blast went out on Wednesday afternoon. Four hundred and twenty four (424) flooding calls were received between Tuesday and Wednesday and our guys are going down the list. If you haven't heard back it is just possible you are farther down the list. I am also getting ready to send out my quarterly newsletter and there will be a very specific list of dos and don'ts about the sewer system on the private property side to try to help residents maintain the system. We are asking people to call the Service Department and register your address because it helps the City to plot and figure out if it is a neighborhood issue, or a private property issue. The more input from residents received the better the fix can be.

Mick Banasiak, Nantucket Row stated that their backyard flooded over the weekend. There is a swale that goes between their property and Plymouth Road that does not show up on the City map. There are drains, sporadically, and we have people that pile mulch a foot deep into those swales. Joe Knapp (Plymouth Drive) and I went out Saturday and found the last two pumps in the County to try pump out our yards. Tom Henderson (Ward 4 Councilman) answered his phone and came out to look at the five houses flooding from landscaping. What do we do about people dumping mulch in these swales? Mr. Ebert stated that if there is landscaping that has created a dam to prevent a natural flow, that is something the City can look at. Everyone's property is supposed to drain their own water, not to drain yours on other's property. A swale was set up when that was designed when the houses were built that can be maintained. The City can help in that situation. Mr. Banasiak noted his yard was draining but flooded from the neighbors' landscaping that is blocking the swale and is overflowing and flooding his yard. Mr. Ebert stated that the City can take a look at the landscaping of the neighbors.

Joe Knapp, Plymouth Drive, stated that his house is the long home on Plymouth between Nantucket and Narragansett and the flooding is not something that started this week. This is something that has been going on for over twenty-five years. The City did get a drain four houses to the east of my house. The water is not getting to the drain due to the landscaping. Councilman Henderson has taken photographs to verify. Mr. Ebert stated that the City will come out and televise that drain to see if it is clogged or blocked. Mayor Sutherland asked if their homes get flooded. Pumps were used to keep water from coming into the home. Mr. Knapp noted there are eight homes along that swale. Mr. Koomar asked if the issue of neighbors piling up mulch is considered a property maintenance issue. Mayor Sutherland stated that they will have to see if the City has an easement. Mr. Koomar asked if the information can be sent out as

an email blast regarding mulch. Mayor Sutherland stated that she will prioritize those cases where people have water in their basements and then go to property maintenance issues. It is a valid one but she would like to focus first on basement issues.

Michael Fay, Carlton Road, stated that they had about two inches of water in their basement, relatively mild in comparison to their neighbors. Mr. Fay stated that his wife was walking Saturday afternoon when the City crews were at the pumping station at Walmar and Walker Road. She actually witnessed a rather animated discussion regarding settings and “that shouldn’t have been that way” etc. That doesn’t jive with the Mayor’s comment that everything was fine and nothing stopped working. Mr. Fay asked that the Mayor look into that and report back to the residents. Only one house on Carlton did not get flooded. Mr. Fay said that he understands that there truly has been a lot of rain, but, in light of the \$7.4 million invested in sewers and drains, we seem to have had more than our share of these 100 year storms. Why aren’t we building bigger drains to drain out to the lake in the event of these storms?

Mayor Sutherland stated that if we lived in a perfect world where we could build all new infrastructure we would be happy to do that. But, we live in a mature community where a lot of the infrastructure was put in 40 to 60 years ago. We’ve got two separate systems. We’ve got the sanitary system, and the storm system. One of the issues that we have is the infiltration into the sanitary system of clean water. The storm water goes out into the creeks and eventually out into the lake. But, the sanitary sewer water that we treat at the Rocky River Wastewater Treatment Plant, seventy percent of it is clear water because of all the infiltration into the system.

Mr. Bob Greytak of CT Consultants stated that we have two issues. One is the sanitary sewer; the other is the storm sewer system. A lot of what I am hearing today is that it had a lot to do with the storm sewer system than with the sanitary sewer system, although I am sure there are issues on both ends. None of these storm sewers are designed to handle these kinds of storms. When these storm sewers were originally designed back in the 1930’s and 1940’s the design criteria was completely different than it is today and they weren’t seeing the kinds of storms we are seeing today. What is the answer? The sewers can be rebuilt, but we would be talking about new pipes, and new streets because the streets are the primary conduit in getting the water from the street into the storm sewer. You are talking about all new inlets, more inlets, and I wouldn’t even hazard a guess as to what the total cost of what that kind of thing would be. But, in order to design for a 100 year storm, we are talking about pipes that are huge and there is always a bigger storm. If we design for a 100 year storm there is always going to be that 200 year storm. Three and a half inches of rain equates to 175 year storms. It can be done; it is a tremendously expensive thing to do; it is going to disrupt every road and every resident of the City. But, it can be done. It is just a matter of what is the will of the community and how much are you willing to spend.

Mayor Sutherland stated that the City has 66 miles of roadway. So, you can estimate that we’ve got approximately 66 miles each of sanitary and storm sewers. So, you are talking \$150 million? Mr. Greytak stated that a low estimate is \$500 per foot.

Lydia DeGeorge, West Oakland, stated that one of the complaints about the flooding she keeps hearing is communication. Back in 2012 there was a hurricane and almost three full years later

you said you had a special way of communicating with people who don't get the email blast. In an emergency like this, nothing has come of it. Is there a reason why?

Mayor Sutherland asked Ms. DeGeorge if she does not get the email blast, or not on the website. Ms. DeGeorge said this is not what she is asking. What happened to the plan that the Mayor was going to implement after Hurricane Sandy, almost three years ago, when you discussed that not everybody is on a computer. The Mayor stated it is still in process. As I mentioned, I am sending out my newsletter tomorrow and that is the paper version that will go to every single resident and business owner.

Ms. DeGeorge stated that residents need to know in a timelier manner than waiting for a newsletter. We have discussed this before and if it is still in process after three years, I have no comment for that.

Fred Kasunick, Plymouth Drive, stated that he understands it is an antiquated sewer system, but, it seems that at the corner of Walker and Walmar is a state-of-the-art station that pumps water for such a flood. I was out of town and when I came home, our street and Carlton Road was a lake. It seems that it cannot be a coincidence that there was not something going on that pumping station that is state-of-the-art. There has to be some type of correlation between that pumping station and the lake that formed on Carlton Road. That station is not an antiquated system. I bought a house on Plymouth. I contacted the previous owners and they said they never had water in 25 years. My neighbor has never had water in 35 years. The neighbor to the south of me has never had water; they disconnected their sump pump, a 35-year resident. We don't have water where we are. We just don't. All of a sudden, this new technology, this pumping station, this red light, all of this stuff going on, you've got crews there, they are arguing. At 6:26 I get an email from the neighbor saying they are back. They are at that pumping station again. What is going on at the pumping station? The neighbors are aware that there is something fishy at this pumping station. Is there a problem there or not? If there is not a problem you should not have crews there all day Saturday and again on Saturday night.

Mr. Greytak stated that the pumping station being referred to is a sanitary sewer pumping station and has nothing to do with storm water. There is not one drop of water from the storm sewer system that goes into that pump station. If there was flooding on the street the pump station had nothing to do with it because that water is not intended ever to get into that pump station. It is only for sanitary sewage.

Paul Gluck, Lincoln Road, stated that the Mayor pointed out before that we had infiltration issues with the sanitary where the storm was infiltrating into the sanitary, so how can you say it is not going into that system.

Mr. Greytak stated that the reference was surface water, and storm water is getting into the sanitary but that doesn't address flooding on the streets and flooding in the yards. That is not what that pump station is designed to pump. It is designed to pump sanitary. Mr. Gluck stated that after he put in \$12,000 worth of waterproofing and got a Cadillac warranty it all backed up into the sanitary sewer. I live at a high point. Many of our residents flooded. There is a problem with the sanitary, where storm water is getting into the sanitary all throughout the City. Mr.

Greytak stated that the system was designed to be a combined storm system, which meant that at one time there was one pipe on each street and that pipe took both storm and sanitary sewer water. Sometime in the late 1950's or early 1960's there was an effort to separate the sewers so they built sanitary sewers, and converted the old combined sewer into a storm sewer. The problem was that when they put the new sanitary sewer in all the houses that were connected to the combined sewer had their foundation drains, roof drains, and sewage all in one pipe. They planned that when you build a new sanitary sewer, if you run across a singular connection coming from a house, connect it to the sanitary sewer. If you had a larger, combined sewer that was turned into a storm sewer, they built a smaller sanitary. They connected all of these houses to the sanitary sewer and there is a lot of extraneous water getting into the sanitary sewer. So much so, that the Mayor said on an annual basis, 70% of the water that goes into the Rocky River Wastewater Treatment Plant that you pay to have treated is clean water coming from the downspouts, foundation drains, and leakage between the sewers.

Ned Topping, Winston Road, stated that he realizes that the City sends a truck around periodically to remove the grates and clean out the sewers. Can you tell me if all of the sewers just before the rains completely cleaned and totally efficient so that they could handle the water that came through?

Mayor Sutherland stated that they undertake regular maintenance, but they don't have the equipment or the manpower to make a pass through the entire City and do all of the catch basins prior to a storm. We constantly maintain sections of town. Mr. Topping stated that prior to the last election, the Mayor laid off some people in the Service Department. Was the reason, and I am sure it looked good when you were running for reelection, but did you lay off people in the Service Department that should have been there in order to clean out those sewers and prevent this problem from happening? The Mayor stated that she laid off internal janitorial.

Mr. Topping asked if all the sewers were completely clean and 100% efficient in order to handle the storm waters that came through just before the storm arrived. Mayor Sutherland stated that all she can tell Mr. Topping is that we did not have blockages in the sewer system. We have not found blockages. We found some quirks, but we have not found blockages.

Mark Harms, Lane Drive, stated that for those that live on the western border, he found in the Hunt Club Development in Avon Lake a retention basin that was draining into the Bay sewer system on Saturday. The crews came out and looked at it with him. The retention basin at the Hunt Club is designed to flow north. There are three basins. There is a south basin behind Kimerly Court, and Aldrich Court. There is a third basin close to a second basin behind Lane Drive, close to the big basin on the shared park near Walker. There is a pipe, approximately 12 inches wide, underneath the Hunt Club basin, which I understand from crews isn't really supposed to be there, which is draining from the Avon Lake basin into our sewer system. There is also the Hunt Club basin and the houses are all about two to six feet higher than the Bay Village land, so a lot of water from the basin when it gets high and doesn't drain forward north comes into Bay Village land and goes into the drain along with our homes on the western border. The Avon Lake Service Director was out there today. The other thing that strikes me is that there seems to be a lack of creativity. Could we consider giving the residents each \$100 for a rain barrel? That would prevent some water from going into the system. When I moved here 15

years ago there was a big effort to find these combined sanitary and storm issues. We had four times the amount of water going into the sanitary sewer than the storm sewer. It is frustrating that my house has flooded three times. I put in a new drain system two years ago, but I just had water coming into my house.

Mr. Koomar asked the Mayor if she could give a resolution on the comment regarding the pipe coming from the Hunt Club. The Mayor stated that she tossed it over to Mr. Greytak to take a look at it as well so that we have somebody from our side looking at it. It is part of that whole network that feeds into the Walker Road Park Retention Basin. So, it is designed to flow north at a low rate so that it doesn't swamp the system. Mr. Koomar confirmed with the Mayor that she has the contact information she needs for communicating a resolution of this situation.

Michelle Hobbs, Carlton Road, asked if the sanitary pump station will have an official investigation so we know nothing happened. Mayor Sutherland stated that they would definitely take a look because of some of the comments tonight. Just like with anything mechanical, they cannot guarantee it will never happen, but she is pretty confident. Even though there might have been, let's just say some Testosterone going off in arguments, the pump station never shut down, but they did change a pump out. The red light does not mean it stopped; the red light means it is high water and that is what brings the guys out to monitor the water levels.

Jerrie Barnett, Bayview Road, stated that she is retired so she has time to watch her street. The places where water is supposed to be draining has not been cleaned out for weeks. I see Service Dept. trucks driving up and down the street and sometimes they aren't even picking tree limbs or anything up. Just going down the road. Who is responsible for coming out and cleaning those drains out of leaves and debris so water can go down? Mayor Sutherland stated that the Service Department is responsible but we've got an awful lot of catch basins. I just saw one on my street and I went over and cleaned the stuff out myself. Mrs. Barnett stated that should be a high priority. Mayor Sutherland stated it can be but the highest priority is really taking a look at the basement flooding. Just because the drain is blocked does not necessarily mean it is going to be backing up into homes. In fact, sometimes when it is being held in the roadway it is acting as a retention basin. Mrs. Barnett asked who is to be contacted to see if the water is going down. I have two pipes that go down into the ground; I would have no clue how to have them checked out. A week before this all happened my handyman cleaned out all of my gutters. Mrs. Barnett was told that a plumber can take care of checking out the pipes to see if the water is flowing to the ground. Mrs. Barnett stated that there was a big white truck out there today with the driver starting up a lawn mower.

Dave Hulligan, Kenilworth Road, suggested that relative to the discussion about finding out through calls where all the flooding is, the officials drive up and down the streets and see where all the garbage is; that will tell you where things are flooded. If you drive down the streets you can see where the floods are. You don't need to say you had 400 calls.

Sharon Topping, Winston Road, stated that she is hearing that a pump was replaced. If a pump was replaced, it can't be running, is that correct? If there are two pumps, and one pump is replaced, there had to be some diminished service.

Mr. Greytak stated that typically pump stations are designed with two pumps, both the same size. One is a lead pump and the other is a stand-by pump. If the lead pump goes down, you have a stand-by pump to take over.

Mrs. Topping referred to the statement that storm sewer water is going into the sanitary sewers. If the storm sewer is backing up, that is not going to get better but will get worse if the correction is made to put more and more water into the sewer? On Winston Dr., the storm sewers could not take the water. The street flooded, it came up on the tree lawn, it came into the front yard, it came close to the houses, and some of that water could have seeped into the basements. We had water in our front, side and back yard, all coming from the street.

Mayor Sutherland stated that is a good point because every single neighborhood has its own nuances. Whatever solutions we look at, it is not a one-size-fits-all. When they were trying to move the clear water out of the sanitary, it may not be the best idea to put it in the storm sewer. It is going to depend on each neighborhood.

Paul Gluck, Lincoln Road, asked if somebody is looking at the situation in a comprehensive manner doing an overall storm water management model of the City. It sounds like everyone has unique problems; some of it is how they drain into the sewers, some of it combined sewers. We just can't solve a problem here and create a problem in another location. Is that being addressed? If so, who is studying that issue? Is that our engineer or another firm that has specialized water management consulting firms?

Bob Greytak stated that he is the City Engineer, and also works for CT Consultants. They are the largest engineering firm in Northeast Ohio. They have over 200 employees and are doing drain studies throughout Northeast Ohio. They are doing one for Bay Village right now, with a specific target area they are looking at consisting of about 138 homes. It is the Bruce/Russell/Douglas area. They are doing a comprehensive model of that area. There are specific questions that come up, for example, how much storm water they can get out of the sanitary system, and what will that do for the capacity of the sanitary sewers. If they get it out of the sanitary sewers, how will that affect the storm sewer system? The model will address both the sanitary system and the storm sewer system. The study is going on right now and it should be completed by the end of the year.

Mr. Gluck stated that there is information on the City website talking about personal storm water management such as rain gardens and the use of barrels. As one gentleman said if one person on the street has a rain barrel that is not going to solve the problem. Could there be a comprehensive study to educate all people on how to help better manage this if we all pitch in together and we all do this on some small part to help the overall system and save our property values? I personally look at what I can do more on my property. I have pulled my drain pipes off going into the sanitary sewer.

Mayor Sutherland stated that starting with her newsletter they will put in some dos and don'ts. Some of it is very simple – don't put grease down your garbage disposal. The Mayor distributed a copy of literature borrowed from the City of Rocky River to help homeowners with water collection systems. The information will be placed on the City's website as well. The Mayor

expressed appreciation to the cities of Rocky River and Westlake for this informative literature.

Mayor Sutherland stated that it seems like Bay Village got hit the hardest and had the worst flooding, but this was really system-wide. Avon Lake and Rocky River got hammered. I don't think they reached out to their residents to try to get those addresses in. I have driven around but in order to get contact information we really need those people that experienced flooding to call us. We can also identify if there are clusters of issues in a neighborhood. Just because somebody has garbage out, maybe they were renters and just moved, or maybe somebody passed away and they threw everything out. We also want to talk to residents to see if it was foundation flooding or sewer backing up the drain. That information is very helpful.

Mr. Gluck stated that understanding you are in the process of studying these issues, you are looking at a comprehensive storm water management model at this point, at some point will you look at the overall city, city-wide, and out of this there will be some recommendations in each of the neighborhoods? Would it be acceptable if there is a citizens' committee that would help get the word out in various neighborhoods on how to best manage their own personal home water practices? Mayor Sutherland stated that would be a good idea. Going into the recession the City had 142 employees and we now have 92. We did not lay off anyone from the sewer crews.

Julie Lipka, Lane Drive, referred to the retention basin in nearby Avon Lake, and stated that she needs to mention the water coming up through their drains on their property. On Lane Drive on Tuesday morning and Saturday morning, there was standing water in the street. The manhole covers were bubbling because the water was backing up through the manhole covers. The sewers were not taking any more water down. That is a big problem. The storm sewer system is not working and those properties back there are going to be ruined.

Conda Boyd, West Oakland, would like to follow up on what Lydia DeGeorge said about the communications plan. I got a very prompt message from my Councilman, Paul Vincent, because he is on top of things, hours before receiving the Mayor's email. We need to go back and look at the communications plan because we had a problem with Hurricane Sandy. We had people who didn't know where to go, we had people who had problems that they couldn't solve. We talked about communicating through sign boards for people who don't have computers, and communicating through the website. Not everybody is on the Mayor's email list. Luckily I was on Mr. Vincent's so I got some information from him. We need to have a plan; we need to test that plan every year and we need to enhance it and change it as necessary. We can't predict what the next emergency will be. How are we going to communicate with people and help them understand where to go for information?

Michelle Hobbs, Carlton, stated that since our pumps can't handle a lot of water at once and our sewers are backing up, was the Environmental Protection Agency (EPA) contacted to make sure we are following the regulations of the Clean Water Act?

Service Department employee Matt Nocella stated that for storms all proper reporting is done. I am one of the guys responsible for it. We report sanitary sewer overflows. At the end of the year we do a yearly report that consists of reporting to the Rocky River Wastewater Treatment Plant how many water and basement complaints we have. I've been doing it 22 years. I, as a

worker am a little overwhelmed. This is one end of town to the other. I've never seen it like this and I've seen a lot. All of the reporting is being done according to the EPA guidelines. We think we are probably going to get a visit from our friends in Chicago some time later in the year. Beyond that, in everything we are doing we are trying to comply with their regulations.

Mark Harms, Lane Drive, asked if it would be possible to post the addresses of those that had flooding on the City's website. Mr. Ebert stated that some might not want that information posted. Mark Harms asked if there is some data to indicate where the flooding took place. Mayor Sutherland stated that it was everywhere. Mr. Harms stated that some data regarding those areas west of Walmar would be helpful. As an engineer, Mark Harms asked if there is a logging system that the pump maintains to report on what it does every second. Mr. Greytak stated that there is a telemetry system that dials out if there is a problem, but it doesn't log its operations. They did a log last summer for one month and were not happy with the information they received. It tells only if the pumps are running. Mr. Harms questioned whether additional pumps are needed, four rather than two. Mr. Greytak stated he is not hearing that the pump station itself is causing any problems. We are talking about surface flooding and roadway flooding, and the pump station is not there to take care of that issue. The pump is there to pump sanitary sewage. There are no storm pump stations in the City. We had city-wide flooding; to put in a storm water pump is not going to be very effective.

Mr. Henderson stated that he agrees with Mr. Harms' interpretation of the public records law. Mr. Henderson informed Mr. Harms that if he formats the request properly he will get a response; that's the law. If he wants that data he can get it through the City. Mayor Sutherland suggested he send it to her.

Don Rudden, Carlton Road, stated that the drain in his basement pumped water high into the air. Is that sanitary, or is that storm water. I have no foundation water. Mr. Greytak stated that he cannot tell because he didn't physically see what happened. Mr. Rudden stated that the sump pump next to the drain could not handle what was coming out of the drain. Mr. Rudden ended up with 11 ½ inches of water in his basement. It was the other end of the street that was under water. There is a sewer at the end of his driveway. Across the street they had three inches. Mr. Rudden noted that his property is at the lowest point.

A resident asked how much confidence we have that the Rocky River Wastewater Treatment Plant is taking all of the water we send them. Is there an air gap? Mr. Greytak stated that the plant takes water from four communities. There are three interceptors that come out of Bay Village. There is no air gap; it goes into a common mixing chamber with Westlake, Fairview Park and Rocky River. The treatment plant is not backing up any sewage into Bay Village; I can guarantee that. When they get too much flow and they can't treat it they have bypasses that take it right out to the lake. This last couple of weeks it will be important to the EPA that they had to open up the gate.

Mr. Tadych addressed Mr. Greytak. He stated that nobody here said they had feces in their basement. I've had people on Lake Forest that called and said they had feces in their basement. I was lucky enough to get clear water, and what causes the difference on that. People want to know why they are getting raw sewage versus clear water. Can you give us some description of

what is going on? Mr. Greytak stated that if you have feces in the basement that is an indication that the sanitary sewer is backing up. If you have clear water it is an indication that the storm sewer is backing up, but not always. There could be so much water going through the sanitary sewer that you are not going to have anything that is recognizable backing up into your basement. You may think it is clear water but it could still be sewage.

Mr. Tadych stated it certainly isn't as thick sewage as people who can actually see feces and toilet paper in their basement. Mr. Greytak stated that certainly is an indication of sanitary sewer. On a case by case basis, there could be a number of different reasons. Mr. Tadych stated he just doesn't have an answer to give to them. Mayor Sutherland stated it is very difficult because every single home could have its own issue. Service Director Scott's home backed up. He found out that his downspouts are hooked into his sanitary line so when all that water came it flooded. He lives on Canterbury. When you have homes that are more than 50 years old, they were constructed in a certain way and that was acceptable back then. After the Clean Water Act of 1977, all that changed and the EPA keeps ratcheting down and require more and more out of the Rocky River Wastewater Treatment Plant. You can get storm water, like in my case, where we had a plugged up gutter, it overflowed, and it ran right down into the window well, down into the foundation and into the house. Mr. Tadych stated when it comes through the drain it is very hard.

Mr. Greytak stated that if there is feces it is probably from your own house. With a sanitary sewer, when that water gets down the street it is just dirty water. There is nothing recognizable in it.

Hugh O'Donnell Bayfair Court, asked why the sewers on the street are labeled with a blue sign that says sewers drain directly to the lake. If they drain directly into the lake, they shouldn't be flowing into the sanitary line. The Mayor stated that the flooding is caused by volume; the pipe is full and it is holding it in the street.

Mr. Henderson stated that only God can control how much rain falls into Bay Village. But the Mayor can control how quickly people get back to people when they call. Many people were upset that they didn't get a call back for a very long time. Mr. Henderson asked the Mayor if there is anything she can do during a storm situation like this from a procedural situation to expedite call backs at least.

Mayor Sutherland stated that it is difficult when there are 450 floodings and eight guys on the sewer crew. Do you have them stay on the phones, or do you put them out in the field where the issues are?

Mr. Henderson stated that it is something to think about. People would appreciate it, even if it is just an acknowledgement that would probably help a lot of people.

Rick Kuznik, head of the City Sewer Team, stated he came in Saturday at Noon, because of the rain event. He attempted to sit at a desk and call upwards of 500 people. If they are home they want to talk about the system for six to eight minutes, then you have to take notes. I got four calls down and was out in the field until 6 p.m. opening manholes and looking at the lift stations.

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We couldn't get away from residents who wanted answers and everybody's sewer is an important topic. There are six of us, and on any given day, only four or five of us.

Mr. Henderson stated he appreciates the information. He would definitely appreciate fixing problems rather than making calls. He noted that this is why he addressed the comment to the Mayor because she has more control across the City's overall resources. As the emergency response plan is finished it is something to be considered incorporating, reallocating resources as necessary just to respond. Mayor Sutherland stated that she doesn't know who she would reallocate because it has to be somebody who understands the nuances to the sewer system.

Mayor Sutherland noted that this week the shout-out would have to go to the Service Department, Gordon Evans, Rick Kuznik, Donny Landers, and all the guys who worked around-the-clock, over the weekend. All the trash was picked up. We did reallocate resources to that because we pulled everyone to pick up trash with front end loaders and dump trucks. It is a tough issue and I don't know if there is a good answer or another community that has a really good answer.

Mrs. Lieske suggested that this may be a topic for a Town Hall Meeting in the fall between Council and the administration. There might be some additional information obtained. Picking up on what Mr. Gluck said in terms of some ideas of what we might do as a community, it might be timely to show what we are doing going forward. Mayor Sutherland said there might have to be some ordinance tweaking because right now we don't really address rain barrels or their placement. There might have to be some update on what we have to do on disconnecting downspouts. There are various items at the home improvements stores, such as a home downspout diverter with an extension on it that you can actually mulch over.

There being no further flooding comments, a five minute recess followed.

After the recess, Mr. Koomar called for approval of the minutes of the Special Meeting of Council held June 22, 2015. **Motion by Clark** to dispense with the reading of the minutes of the Special Meeting of Council held June 22, 2015, and approve the minutes as prepared and distributed. **Motion passed 6-0 and one abstention.**

**Mr. Lee** read **Ordinance No. 15-54** amending Section 129.02 of the Codified Ordinances of the City of Bay Village, Ohio entitled Division of Police, Members, and declaring an emergency, and moved for adoption.

Mr. Clark thanked Mr. Lee, Police Chief Spaetzel and the administration for working diligently to get this done in tandem with the compensation ordinance, giving the Police Department the ability to move forward with something that has been discussed for 18 months. Mr. Lee stated that the community will benefit greatly by the reallocation of police resources and the additional patrol officers on the street. It will be a large benefit and at a cost neutral basis.

There being no further discussion, Mr. Koomar called for a vote on adoption of Ordinance No. 15-54.

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Roll Call on Use of the Emergency Clause:

Yeas- Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent

Nays -None

Roll Call on Adoption:

Yeas- Clark, Henderson, Koomar, Lee, Lieske, Tadych, Vincent

Nays-None.

Mr. Koomar announced adoption of Ordinance No. 15-54, an emergency measure, by a vote of 7-0.

**Mr. Clark** read **Ordinance No. 15-51** amending Section 1 of Ordinance 15-16 regarding rates of compensation for the officers and employees of the General Administration Department and those employees of the City not covered by separate labor contract for the Calendar Year 2015 and thereafter, and declaring an emergency, and moved for adoption.

Mr. Henderson asked Police Chief Spaetzel if he will have job descriptions done before he hires personnel. Chief Spaetzel stated he would have the job descriptions completed prior to hiring.

There being no further discussion, Mr. Koomar called for a vote on the motion to adopt Ordinance No. 15-51.

Roll Call on Use of the Emergency Clause:

Yeas- Henderson, Koomar, Lee, Lieske, Tadych, Vincent, Clark

Nays -None

Roll Call on Adoption:

Yeas-Henderson, Koomar, Lee, Lieske, Tadych, Vincent, Clark.

Nays-None.

Mr. Koomar announced adoption of Ordinance No. 15-51, an emergency measure, by a vote of 7-0.

**Mr. Clark** introduced and read **Ordinance 15-56** fixing the salary of the President and Members of Council and repealing Ordinance No. 13-44, and declaring an emergency.

Roll Call on Suspension of Charter Rules:

Yeas- Koomar, Lee, Tadych, Vincent, Clark, Henderson

Nays -Lieske

Roll Call on Suspension of Council Rules:

Yeas-Koomar, Lee, Tadych, Vincent, Clark, Henderson

Nays-Lieske.

Roll Call on Use of the Emergency Clause:

Yeas- Koomar, Lee, Tadych, Vincent, Clark, Henderson

Nays -Lieske

Roll Call on Adoption:

Yeas-Koomar, Lee, Vincent, Clark, Henderson

Nays-Lieske, Tadych

Mr. Koomar announced adoption of Ordinance No. 15-56, an emergency measure, by a vote of 5-2.

**Motion by Tadych** to not request a Public Hearing on the Request for D1 and D2 Liquor Permit for Dover Bay Enterprises, Inc., dba Panorama Deli & Restaurant, 583 Dover Center Road.

**Law Director Ebert** advised that any school within 1000 feet of a proposed liquor license has the ability to object to the State of Ohio and will receive notice. It does not mean the objection will be upheld; it is based on the circumstances. Mrs. Lieske stated that with the information that was given previously at the committee meeting of Council this evening, she will support to not hold the public hearing because there are opportunities for people to still file a complaint.

**Motion passed 7-0.**

**Motion by Clark** to accept the donation of \$10,000 from the Joan Hirsh Education Fund of the League of Women Voters for the Council Chambers/Committee Room Microphone Project.

Mr. Clark stated that this has been discussed quite a bit in the past. Finance Director Mahoney stated that the money will be put in Fund 240, and the Council will track that as well as we work our way towards the implementation of the project. Mr. Clark thanked Claire Banasiak, Conda Boyd, and the entire membership of the League of Women Voters for providing this financial assistance.

**Motion passed 7-0.**

**Motion by Henderson** to accept the donation of \$5,500 from the Bay Village Fireworks Committee for Fourth of July Fireworks.

**Motion passed 7-0.**

**Motion by Tadych** to authorize the Director of Public Service to advertise for bids for the City Hall Green Parking Lot Improvements.

Mayor Sutherland reminded Council that the City actually received \$120,000 grant from the Ohio Environmental Protection Agency for this project. Mr. Clark confirmed with the Mayor that this grant will be received in the form of reimbursement for half of the project cost, upon completion of the project.

**Motion passed 7-0.**

The Executive Session that was included on the agenda this evening has been deemed unnecessary at this time and will not be held.

There being no further business to discuss, the meeting adjourned at 9:30 p.m.

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Paul Koomar, President of Council

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Joan Kemper, Clerk of Council