



## COMMITTEE WORK SESSION OCTOBER 19, 2015

Committee Members Present: Scott Pelot  
Dennis McGlone  
Dennis Pierson  
Paul Tousley  
Charlotte Whipkey  
Rick Rodgers

Also Present: Mayor Mike Zita  
Valerie Wax Carr  
Ron Messner  
Justin Markey  
Fire Chief Schultz  
Karla Richards

The Committee Work Session convened on Monday, October 19, 2015 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

### **General Topics of Discussion:**

#### **Noise Ordinance Review**

Mr. Rodgers discussed the issue adding that he received numerous emails and phone calls from business and residents. He went out and talked with several people regarding race track. For lack of a better way to word this there is a lot of misinformation for whatever reasons. Mr. Rodgers stated that this Council in no way has any intention of closing the speedway they were welcome back. Mr. Rodgers moved to table this issue until the speedway owners can get the track to the conditions they want to see and possibly next spring we can look at it again, seconded by Mr. Pelot. Mr. McGlone asked when does the season start and Mr. Rodgers stated that he spoke with Mr. Knox and was told sometime in April or May. Mr. McGlone stated as he understood it the City was to get with the owners to discuss their plans. Mayor Zita concurred adding that we have met and the owners were very receptive. Mr. Mike Anthony Mazzagatti, who owns the Speedway with his brother Patrick Mazzagatti, spoke relating to the noise, and this was an exceptional event with more than expected as they had an attendance of 4,000 and instead of the normal 60 cars they had over 124 cars racing that weekend from three states. In addition, there were 75 laps instead of the normal 20-30 laps per race; in the past there was a signage wall on the south west end of the track that is no longer there.

There will be a new wall installed at 15-20 feet high and this will be a continuous wall twice as long as the former wall. One problem was his inexperience at promoting the race schedule, starting at 3 PM on Sunday instead of 1 PM, and we had some issues to work out. They had fans still lined up trying to get in at three, so delayed the race for an hour to allow people to enter, in addition to a rain delay for over an hour and a half. Due to the delays and record attendance we added more races the entire weekend, Mr. Mazzagatti stated in the future there will be practice on Wednesday nights only and racing on Saturday and perhaps a Sunday for only three (3) to four (4) hours. There may be an occasional special event. If a race does not start by 10:30 PM there will be no race that night and it will start earlier the next week. Mr. Mazzagatti stated it was awesome to see such an overwhelming turnout and we will work on making it better. Normal races are done by 10 PM and their goal is to get back to that. Mr. Mazzagatti stated we are looking for starting to practice in April with the first race scheduling in May and ending about the same time kids get back to school. At the end of the year we will have a special event. If we even do a Sunday racing it will be done by 6 PM. Mr. McGlone noted stated it seems like we have a reasonable business owner and we need to continue the negotiations with the Administration. Mr. Rodgers stated he wanted to table bringing a noise ordinance this evening and they should continue to talk with the Administration. Ms. Whipkey asked Mr. Mazzagatti if he is a resident of Norton and he replied no, he lives in Clinton, and has rental properties in Norton and Barberton. Ms. Whipkey stated she does agree with Mr. Rodgers and we don't need to legislate specifically to this. Ms. Whipkey stated her family has been racing at the track for many, many years, and considered this an American sport and a family event. Mr. Mazzagatti agreed and noted that we have had over 600 kids turn out for two weekends in a row for an event. We have plans for the kids to put in a playground and possibly an arcade if permitted. Mr. Pelot thanked them for coming back to the community and giving back, that's great. Mr. Tousley stated if you were here to speak you can simply slip your hand up and asked to be recognized.

Mr. Steve Brookens, 303 East Tuscarawas, Barberton, Ohio, stated that some of you may know him as the Green Hornet and Bhudda from his WW wrestling years; he has been at the speedway since 1975 as a safety crewmember and he has been there ever since. We employ the Norton Police Dept and it's great to see you supporting the new owners and hope the community will get out and support them. Mr. Brookings talked about the high costs for families to attend an Indians game and that at the Speedway you can afford to take your entire family, they have even built an all family section with no smoking or no drinking. Mr. Brookings handed out a packet full of support from local businesses (see attached). Mr. Brookings discussed the increase of racing fuel purchased at the Duke and Dutchess gas station for this weekend's event that they had never seen in the past during a summer.

Mr. Dave Hale, 74 Lake Street, South Akron, spoke about racing at the speedway since he was 17 years old and received a trophy in 1950 by Mrs. Dobbs former Mayor of Barberton. We really should do the right thing here and take donations for the new owner, because he has been trying to do the best for the track and the racers. Mr. Hale said if you don't get used to the sound of a race car, you're really missing something and it might make you want to go to church.

Ms. Barb Bertram, 609 Cole Avenue, Akron, Ohio, discussed the bonding this brings to children and now her Grandson at 14 can race and now its Grandpa, Dad and Grandson. Her 94 yr old Father has not missed seeing her son or Grandson racing. Ms. Bertram stated that it was stated by someone at a past meeting to consider an entertainment tax and that is not a good idea, and asked you not to do that. It would be the worst thing you could do as the increase would need to be trickled down to the spectators and could cause some families to not afford to attend.

Mr. Kenneth Gibson, 234 Portage Trail, Cuyahoga Falls, Ohio, stated he represents the clients of the speedway and would rather defer his comments until this comes up again.

Mr. Jim Thompson, 3030 Clark Mill Road, Norton, Ohio, stated that he has lived in Norton for 62 ½ years and that he lives on Clark Mill and has talked to most of his neighbors and they are supportive. Since they were closed there has never been anything fun going on in Norton and he is thrilled to see them back as it gives the kids something to do on Saturday night. Mr. Thompson added he had never seen such a well attended event at the track before and Mr. Mazzagatti did a wonderful job. Mr. Pelot suggested when the owners get all up and running to display NORTON at the speedway and Mr. Mazzagatti stated new signs are being made now to state that this raceway is in Norton.

Roll Call: Yeas: Rodgers, Pelot, McGlone, Pierson, Tousley, Whipkey  
Nays: None

Motion passed 6-0.

#### Stray Cats

Mr. McGlone stated that he does not want to spend a lot of time on this and asked if we have any new information. Mrs. Carr stated she has been working with the owner of the trailer park and they are being advised not to feed animals at the evening. Mayor Zita stated one resident of the trailer court has been collecting the strays and advised to stop. Mr. Rodgers his complaint was from a resident on St. Rt. 261 and may be a separate issue and Mrs. Carr responded that would likely involve animal control. Mrs. Carr stated the reason we called the trailer court is because that seems to be where the volume of cats are coming from; the police had been out there and saw some action being taken with the resident so we are hoping it will make a difference. Mr. Pierson asked if the Administration has read the information received from Alley Cats and suggested the Administration get with Summit County on their services. Mrs. Carr replied yes she has reviewed this and there is a cost associated with this. Mr. Pierson stated it should at least be mentioned with Summit County and Mrs. Carr stated her feeling is that they would not be interested in implementing this. Ms. Whipkey stated she felt that this should be the owner's responsibility here just like it is for dogs and did not feel that legislation was necessary.

### Summit Road Sign Postings for Heavy Vehicles

Mr. Pelot stated he has discussed this with Mrs. Carr and she has supplied Council with a map listing all of the zoning in this area (see attached). Mrs. Carr wanted to be clear the area in question and Mr. Rodgers stated this is from the Barberton, and Norton city limits to the overpass on St. Rt. 224. Mayor Zita noted this is all listed in purple on the map. Mr. Rodgers stated this impacts the residents and the trucks are coming from Barberton and shortcutting down Summit and St. Rt. 261. From the residents' complaints this is their concerns, they are using a street that should have restrictions limiting the heavy vehicles. Mrs. Carr asked Mr. Rodgers what would be an acceptable new pattern to accommodate the industrial area and Mr. Rodgers stated that it should be from our City limits to the overpass on St. Rt. 224. Mr. Charlie Lemon, 4000 Summit Road, Norton, Ohio, stated they come down to the landfill on McCoy and State Street, to the Duke & Dutchess at St. Rt. 261. Mr. Rodgers suggested we should work with Barberton as this may be a problem for them as well. Mr. Pierson asked if Barberton has any weight signs posted in this area and Mrs. Carr replied she did not know for sure; Mr. Pierson wanted a local delivery restriction for the Norton area. Mr. Rodgers stated he understands some of the residents may have concerns, but it's a different zoning in some areas. Mr. Rodgers asked Mr. Markey what will it take to put up the weight restriction signs and Mr. Markey replied you would need to change your current legislation. Mr. Pelot stated he wanted to check with the business in this general facility and what impact that would have on them. Mr. Rodgers noted there are no businesses going into Barberton and beyond the overpass there are some storage businesses. Mr. Pierson stated if you limit it to deliver use only you would not have to worry about the weight limits because you have a legitimate reason for being there. The sign could state "For Local Deliveries" and it was questioned of legislation was needed for just that. Mrs. Carr stated that the legislation states specifically Summit Road in Chapter 440 and clarified the complaints were restricted to only the Barberton leg of Summit Road. Mr. Rodgers asked Mr. Markey to have something for both options at the next Work Session.

### Sports Teams Lease Agreements

Ms. Whipkey discussed the recent amendments to the lease agreements and the newer re-writes for the lease agreements prepared stating: and this is for a 10 year lease. Ms. Whipkey stated she felt we have addressed every issue asked for and concerns expressed. It is the City's right to be able to charge the non-residents a fee to use the city facilities at a current price of \$25.00. Mr. Rodgers wanted to offer one more amendment and he had spoken with Mr. Bosley and Mr. Rummer to amend from ten (10) to five (5) years and both of them were ok with this. This would satisfy everyone involved and would pass without objections. Mr. Tousley asked why do we even need to state a term and Mr. Rodgers stated he was trying to reach a compromise on this. Mr. McGlone stated if we are not happy with any portion of this with a sixty (60) day notice we can terminate the agreement and Mrs. Carr concurred. Mr. McGlone stated that he also spoke with Mr. Bosley and he was fine with this. Mr. Tousley asked about other teams wanting the fields and questioned if anyone was outside the agreement. Mr. Tousley stated that he wants to protect the fields. Mr. Markey stated they would not necessarily be violating the agreement and that you still have the sixty (60) day cancellation clause.

Mr. Rodgers moved to amend the leases from ten (10) years to five (5) years to cover all three leases seconded by Mr. Pierson. Ms. Whipkey asked Mrs. Carr if she spoke with Mr. Bosley and Mr. Rummer, and she replied that she had not. Mr. McGlone stated he spoke with Mr. Bosley and he is fine with this. Ms. Whipkey asked about a five (5) year with a renewal and Mrs. Carr replied that is in the agreement to renew yearly after ten (10) so if we change it to five (5) that would continue. Mrs. Carr stated she felt they felt the teams would support that, but she would check.

Roll Call: Yeas: Rodgers, Pierson, Pelot, McGlone, Tousley, Whipkey  
Nays: None

Motion passed 6-0.

### Nash Heights Discussions

Mr. Pierson stated that this will be moved on to the Special Council meeting. We spent almost 5-7 weeks to get this passed the first time; with the increase of cost, he felt the public needs as much time as possible and would like to go the regular readings route to give Council more time to reflect on this as we are talking possibly \$19,000. Mr. Tousley asked if there has been any more information from Mr. Bernstein about the 20-30 year life times. Mrs. Carr stated she had no further follow up. Ms. Whipkey asked Mr. Markey if he could follow up now that we have just received the email traffic from Mr. Rodgers. Ms. Whipkey stated the original estimates in the Resolutions of the \$5,000.00 and \$8,000.00 were never etched in stone to begin with and these current assessments are again not written in stone and would not be final until the bids come back. Mr. Markey concurred adding there is some protection here because if the bids come back higher you cannot increase the estimated assessments without having additional hearings. You can only decrease that amount but you cannot go over it. Ms. Whipkey stated there was a question with the proper paperwork being in order and from what she sees we pretty much have it all in order. The holdup we are having is that we cannot determine the funding source; which we need to have in order to move forward from this point. Mr. Markey stated that is really two (2) questions: the first is what the assessment level is and if lowered what source would be used, and the second is when you are taking out the loan from the EPA what is your funding source for repayment. Mr. Markey stated that what we have talked about is at this point is because of the Adair lawsuit there is a restriction on the Sewer Fund #127; and the rollback money is what you can pledge legally for the repayment of the loan. Mr. Pierson asked if we have a definitive answer if the funds in escrow relating to the Adair lawsuit could be used as he understands other cities have done so. Mr. Markey stated he has provided a memo to Council relating to that which said that you can use those funds for expansion of the system, but not laying down new lines down streets. Mr. Pierson asked how much was currently in that fund and Mr. Markey stated it's about \$1 million dollars by now in the Fund #127. Mr. Rodgers stated in his mind the trunk lines on Greenwich Road are considered an expansion of the system. Mr. Markey stated if we are looking at trunk lines and stations; there is the over sizing of the trunk line pipe and that is part of the City's portion and will be paid back by roll back.

What we are talking about is the property owner's portion, which cannot be paid from sanitary sewer funds known as Fund #127. Mr. Pierson stated the #128 account is already earmarked for sewer expansion, water, etc. Mr. Pierson stated he would like to know how the other communities used these funds in #127, and Mr. Markey stated it cannot be used at this time because of the lawsuit. Mr. Markey asked for a list of the "other communities" so he could check. Mr. Tousley asked what defines the property owners portion and Mr. Markey stated that can be rather fuzzy here and need to be very careful when looking at the use of an enterprise fund as the State Auditors are going to be looking at those. Mr. Markey stated he believed we are fuzzy on the concept of private and publicly portions, especially with the subsidizing being discussed, but if it is for a private property owner versus a general public purpose such as pump stations and trunk lines for serving more people there is an issue. Mr. Pierson stated that since the Health Dept. declared this is a health issue can you use that reasoning, and Mr. Markey stated he is not aware of any case law, it's just an argument. Ms. Whipkey if we have the second reading only and nothing is set in stone, and when it comes to the third reading we need to vote on it and Mr. Markey concurred. Mr. Rodgers argued the need for fast tracking this as that was not done that way when it was a \$5,000 and \$8,000 assessment and now that we have doubled the costs for gravity and tripled the vacuum assessments, we want to fast track it. Ms. Whipkey stated her concerns are that we have defied our time line and some may not be concerned with the EPA coming down on us, but she is concerned with that and definitely does not want to be at their mercy if and when they do as she feels they may not have any. Mr. Rodgers stated he believes we are in the time lines and the EPA understands where we are and we are not building anything until next year; a week or two will not change anything. Mrs. Carr reminded everyone of her August 24, 2015 memo with the most current time line and the resolution of Necessity, and the Resolutions should have been passed by October 12, 2015 and letters to the residents by October 16, 2015. Mrs. Carr stated that we have been in total communication with the EPA and they understand our time line; however they understand it under the original order and as long as we stay on track with these dates with the construction and the mandate orders. If we get off track too much we may upset the construction date of beginning by June 2016 and is concerned if we are not finished under the original order mandate. The June date is the later date and the expedited date is May 23, 2015 to begin. Mr. Rodgers stated he feels the people still do not understand this and he sees no reason to move this as fast as you want; we owe this to the people of the community to digest this new information. Mr. Pelot asked if we have a way to inform the residents and Mr. Rodgers stated that we could have the second reading next Monday and the third reading on November 9, 2015. Mr. Rodgers stated he hopes the press will pick up on this gets it printed as well as the people here tonight spreading the information.

Mr. Tom Winn, 3928 Corydon Road, Norton, Ohio, stated that he is in shock and still thought that we were still at the \$5,000.00 and \$8,000.00 figures. Mr. Winn stated that we still have not decided if this is to be gravity or vacuum system and if he is shocked his neighbors must be shocked as well. Where did these extravagant numbers come from and why be in such a hurry? He doesn't understand this prohibitive use of the roll back tax, but he does understand that your responsibility is to take care of the people that live here right now and not bringing in who gets this and bringing in infrastructure.

Mr. Paul Reese, 4052 Wadsworth Road, asked if there is any case history where the EPA came into a city, took over and made this happen? No one answered and that is what he thought, so let's not worry about the EPA. Mr. Reese questioned about the use of the roll back funds; he's heard different opinions on how it could be used and if that is legal to use. He's had an attorney say just the opposite and asked if that is going to take a court action? Mr. Markey explained the differences of the Sewer fund #127 is where tap ins and other revenue the city gets for sewers and is deposited into this fund. The tax credit rollback Fund #128 and it can be used for everything; it can be used to pay for the entire project. Fund #127 is the City sewer fund that has the restrictions on it. Mr. Markey added he had not said the roll back fund would not be used; it was Mr. Rodgers that stated that. Mr. Rodgers clarified the issue with the rollback funds and that it was going to be used to get to the \$5,000.00 and \$8,000.00 figures; at no time were roll back funds used to reduce that number. That was done due to the cost of the project and the deal we might have entered into with Barberton. As far as the deal with Barberton is that it's not off of the table, we are just at an impasse and we need to negotiate. Mr. Reese stated with the Barberton deal, let's not repeat what was done with the JEDD deal; we need to get something from them. What is Barberton giving us, why are we in such a hurry to jump in bed with them. They need us as bad as we need them. What does their plant cost to run it, are they in the red?

William Paluch, 3740 Shellhart Road, Norton, Ohio, asked each of you to think if you are a resident of Nash Heights, at least one of you are; think about how we feel. We were never asked if this was what we want, it's like a dictatorship and he doesn't believe in a dictatorship. Did Mayor Zita even send anything out to the residents; no he just wanted to make it happen. Mr. Paluch stated he would work hard to see Mayor Zita does not get elected. Mr. Paluch asked why we are being overcharged for a sewer project? Mr. Rodgers stated we have no idea what this project is going to cost us until the bids go out and come back in. Mr. Rodgers explained the formula used is that to take the cost of the entire project once completed, divide that among the residents, minus the City's share. Mr. Paluch asked about someone on Council making a statement to refund the residents on Greenwich and if the Nash Heights residents will be paying more for this than what they paid? Ms. Whipkey stated she has stated this more than once and she would hope not, but you had been told much less than them; right now the EPA and the Health District have jurisdiction over us and it was not Norton people that said we don't want the residents to have choice. There was discussion about the EPA's role in Akron and their residents are paying extra maintenance fees as part of the EPA fine. Mr. Markey explained it may not be a fine but they raised rates to pay for the mandate. Mr. McGlone stated they had doubled the sewer rates to pay it and Mr. Rodgers disagreed as his rental property had not doubled. Mr. Pierson stated the point is there is no money to do the project period or help pay for this and the people would have to pay for it; he would not support rushing this through or on the package plants. Ms. Whipkey stated these high numbers are what we believe will be the actual costs and she recalled Mr. Paluch stated he wanted nothing more than the actual costs. Ms. Whipkey stated that others should have a break on their assessments to the actual costs as well as the Nash Heights residents.

Mr. Paluch stated he feels this administration is rushing on something that does not need to be rushed. That's all the Mayor wants to do is over charge the residents that do not have the funds. Mayor Zita stated he takes offense to the "overcharging" reference and that he keeps getting accused of overcharging, but he does not set rates, all he can do is suggest to Council to set the rates by legislation. The Mayor went on to state he knows of the signs being placed on Mr. Paluch's behalf and he has been witnessed erecting them; however they are inconsistent and they are wrong. Mr. Paluch responded he believed they were on target and the Mayor stated he was glad Mr. Paluch admitted to putting them out. Mr. Paluch declared the signs were the property owners and the Mayor disagreed. Mr. Paluch was gaveled at this point.

Ms. Gayle Brenner, 4041 Harper Avenue, asked again what are the maintenance costs for the vacuum sewer system? She has spoken to relatives in other states, and business owners and they are telling her the costs are very expensive. Mr. Rodgers stated we don't have these costs yet and the reality is most communities do not charge these fees to the residents. Mr. Rodgers requested that Ms. Brenner share her sources if she could. Mr. Reese offered a fact sheet to Ms. Brenner but did not share it with Council. Mrs. Carr clarified that she handed out the estimates from EDG and she is still waiting for Barberton and AirVac. Mr. Rodgers stated that he understood we would to have all three entities present. Mr. Markey stated that would take place at the second phase when we have the bids all in and is several months down the road. Mr. Rodgers asked Ms. Whipkey if she had a number in mind to refund people that have already hooked up and she replied yes, \$5,000.00. Mr. Rodgers asked Ms. Whipkey if that same \$5,000.00 would apply to the residents in Nash Heights and she replied yes but they would still not be at the prior figures stated to them and would be more sustainable. Mr. Rodgers asked about those that connected to water and if this should apply to them as well. Ms. Whipkey stated she would have to go back over the assessments for the water on Long. Mr. Rodgers asked if that's the case does Ms. Whipkey intend to make that adjustment to the Nash Heights figures tonight? Ms. Whipkey asked if he could tell her where is this money going to come from? Ms. Whipkey stated since we are not in the agreement with Barberton so we do not have our surcharge money or theirs that they were putting in also; so the only thing we do have is the rollback money and no loan. This is something that we cannot sustain and she has to look at all neighborhoods, not just Nash Heights. The more lines you lay the more expensive it will be so the future connections will naturally be higher and we need to look at a way to sustain this, and tentatively she would say yes without looking at the numbers and asked Mr. Markey to advise with the reduction and Mr. Markey stated he had already supplied Council with this information. Ms. Whipkey stated we should be asking the Nash Heights if they would rather have a lower assessment rate throughout the year with a thirty (30) year bond on gravity or go with vacuum at twenty (20) year bond and end up with a higher payment. Mr. Rodgers argued we are talking about things without the facts again, because we are not sure we can get the thirty (30) year loan with the vacuum. The problem with this sewer deal and most deals in Norton is that there is too much erroneous information out there. We should not speak unless you have facts. You are telling people tonight we are going to be giving people a \$5,000.00 rebate when these people in Nash Heights will be at least getting \$1,000.00 more if its gravity and ignore them.

There is not enough money to go around that is just a fact. Ms. Whipkey stated again it would make a difference between 30 year or 20 year time. Mr. Markey stated theoretically if you have a vacuum at twenty (20) years and \$5,000.00 of that the assessment would be \$650.00 a year and you take \$5,000.00 off the gravity because of the longer loan term, vacuum it's going to be cheaper because you have less borrowing up front. Ms. Whipkey asked for clarification that the \$650.00 figure was actually \$325.00 a half and Mr. Markey concurred. Mr. Rodgers stated we need to try and get the vacuum at 30 years. Mr. Tousley asked about the chart for gravity at 1.24% interest rate for 30 years is that the same for vacuum and Mr. Markey stated he can get that for Council. Mr. Rodgers stated we have discussion going all over the place tonight and we had talked about getting a reply from the EPA on the 20/30 year and we also need the interest rates as he had head that the 30 year loan was at a higher rate. We need facts presented to us and we need a draft of the letter about the 30 year loan and send that to Council before sending the EPA. Ms. Whipkey asked Mr. Markey if he has any idea what is needed to convince the EPA and Mr. Markey stated we just need to present your evidence and present your case. Mr. Pelot asked if we have had any discussions with Barberton and does agree somewhat with Mr. Reese, and maybe look at re-opening the JEDD agreement. Mr. Pelot discussed the potential refund and it has to be sustainable. Mr. Rodgers stated that is what he has always been saying,

Mr. Tom Winn, 3928 Croydon road, Norton, Ohio, stated he thinks he understands why we went from \$5,000.00 and \$8,000.00 and up the larger number; that it is because we failed to make an agreement with Barberton and Mayor Zita concurred. Mr. Winn discussed future locations and that we can go back and look at the history of what has happened here. There can be a lot of finger pointing and unless he has it wrong; there is a law the septic systems are supposed to be inspected on a regular basis and that was apparently never done. That's what's happened in Nash Heights because several in Nash Heights failed to keep up with their systems and the regulatory agencies also failed. We should be insisting that the regulatory agencies to do their jobs and if someone is not keeping up then that's their job. We need to look and see if we can get an agreement with Barberton and look at the roll back money in the future to be fair.

Mr. Charlie Zenner, 3853 Valley Drive, Norton, Ohio, stated he was at a Council meeting where Mr. Rodgers stated we are tied into Nash Heights, we have to put sewer I there, and that everyone in Norton needs to maintain their system and we would be okay. Mr. Rodgers agreed he stated that if you were not in a sewer area and maintained your system, you probably wouldn't get any heat. Mr. Zenner he agreed, but even Mr. Pierson had suggested we should tear up the agreement with the EPA and with the new Council we should re-negotiate with the EPA then. Mr. Pierson stated that he may not have said this publicly, but the EPA proposed that in the beginning and nothing was ever negotiated; however, we have to work with what we have at this point. Mr. Zenner asked why can't we hire someone to come into all 300+ homes and inspect each septic system? Mr. Pierson stated three (3) years ago the Health Dept, did just that, several systems were failed and or failing and the e-coli counts have been tested and were above the threshold in certain areas.

Mr. Zenner again suggested we hire someone privately to do the inspections wouldn't this be cheaper, let's not sign off with the EPA and negotiate this thing, He is one of the residents that's going to be hit with \$60,000.00 in assessments. Mr. Pierson stated that was signed off in the past and what is being suggested would take the support of this Council to push the Administration to do this and he does not see that happening with some members right now. Mr. Zenner stated if things go the way it looks it's going to cost him \$60,000.00, look at these faces of the people in Nash Heights, how are we all going to pay for this? With the lower appraisal values his home is now only worth \$130,000.00 and now you are going to charge him another \$30,000.00? We cannot afford all of this, and hoped you turn this around and come up with something. Ms. Whipkey asked if it's even feasible to go to respond. Mr. Zenner stated that Akron does not seem to have a problem with the EPA and arguing with them.

#### Fire Levy Renewal

Mr. McGlone discussed the current levy which will expire in 2015 and the need for the 4.6 mills for five (5) years and is only renewal levy. This renewal levy would begin in 2016 with the first collection due in 2017. Chief Schultz stated the quicker we can get to the County the better and the election would not be until March 2016. Ms. Whipkey stated our prior levy was for four (4) years and this one is for five (5) years. The first levy started at five (5) years but it took us an entire year to get that to pass which is why it was adjusted. Mr. Tousley asked if this is typical renewal process with no increases from year to year and Chief Schultz replied yes. Mr. McGlone suggested a first reading tonight, second reading on November 9, 2015, and approve it. Once we get the numbers from the County we can have the Resolution for the levy for at possibly the November 9, 2015 for a first reading, a second reading on November 23, 2016 and the third and final reading on December 14, 2015. Mr. McGlone moved to add this to the Special Council agenda for later this evening for a first reading only, seconded by Mr. Rodgers.

Roll Call: Yeas: McGlone, Rodgers, Pelot, Pierson, Tousley, Whipkey  
Nays: None

Motion passed 6-0.

#### Unfinished Business:

None

#### New Business:

#### Topics for the next Work Session:

Ms. Whipkey noted that back in 2008 the City Parks Rules 681.16 was repealed and under the parks code we changed to allow dogs in all city parks. Ms. Whipkey wanted to have legislation to address this correctly under Section 1066 Park Rules. Mr. Pelot asked if we can take a look at dog bag dispensers throughout the park.

Summit Road Weight Limits

**Public Comment-Agenda and Non Agenda Items:**

There were none.

**Public Updates:**

There were none.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:57 PM.

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Rick Rodgers, President of Council

**\*NOTE: THESE MINUTES ARE NOT VERBATIM\***

**\*\*ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL.\*\***

**All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.**

# **Barberton Speedway**

**Local business in the  
Norton and Barberton  
area that support the  
continued operation  
of the  
Barberton Speedway**

EASTERN POOLS INC

4953 WOOSTER RD.W.  
BARBERTON OHIO 44203

Office: 330-825-2214  
Fax: 330-825-4989

SALES@EASTERNPOOLS.COM  
WWW.EASTERNPOOLS.COM

FLESHER SAND AND GRAVEL

3322 CLARK MILL ROAD, NORTON, OH 44203

SCREENED TOPSOIL • SAND • BASEBALL MIX • FILL DIRT • PEAT  
GRAVEL • LIMESTONE • CRUSHED LIMESTONE • ASPHALT GRINDINGS  
BARK MULCH • LANDSCAPE BOULDERS/FLAT ROCK

JIM FISHER  
OWNER/PRESIDENT



PHONE: 330-745-9239  
FAX: 330-745-9939

Jim Carmody  
General Sales Manager  
jcarmody@gantleyford.com



330-745-9081  
Fax 330-745-4054  
Toll Free 800-942-6305



2835 East...

The GRANDPA'S  
CHEESEBARN

125 Cheeses • Smoked Sausages • Sweeties Jumbo  
Candies • Pancakes • Pantry

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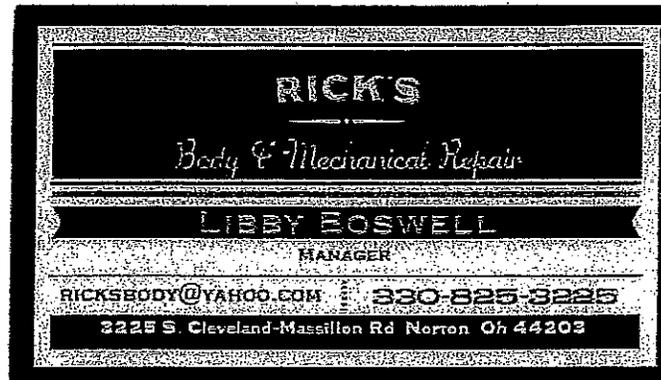
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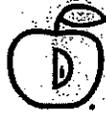


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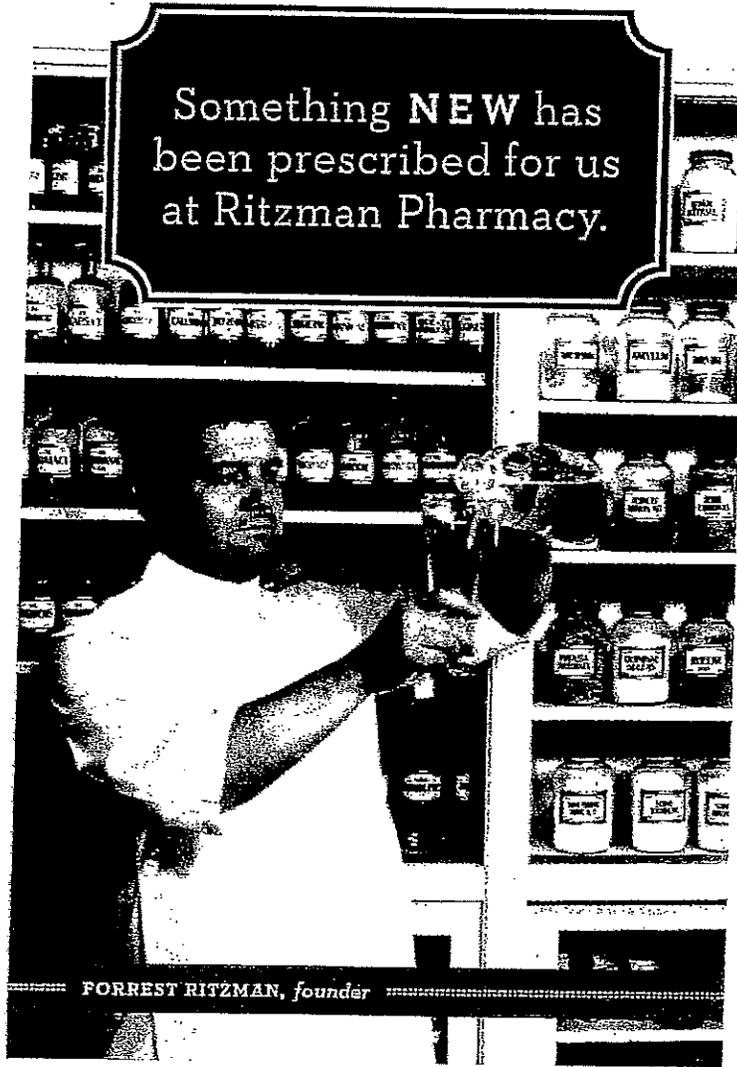
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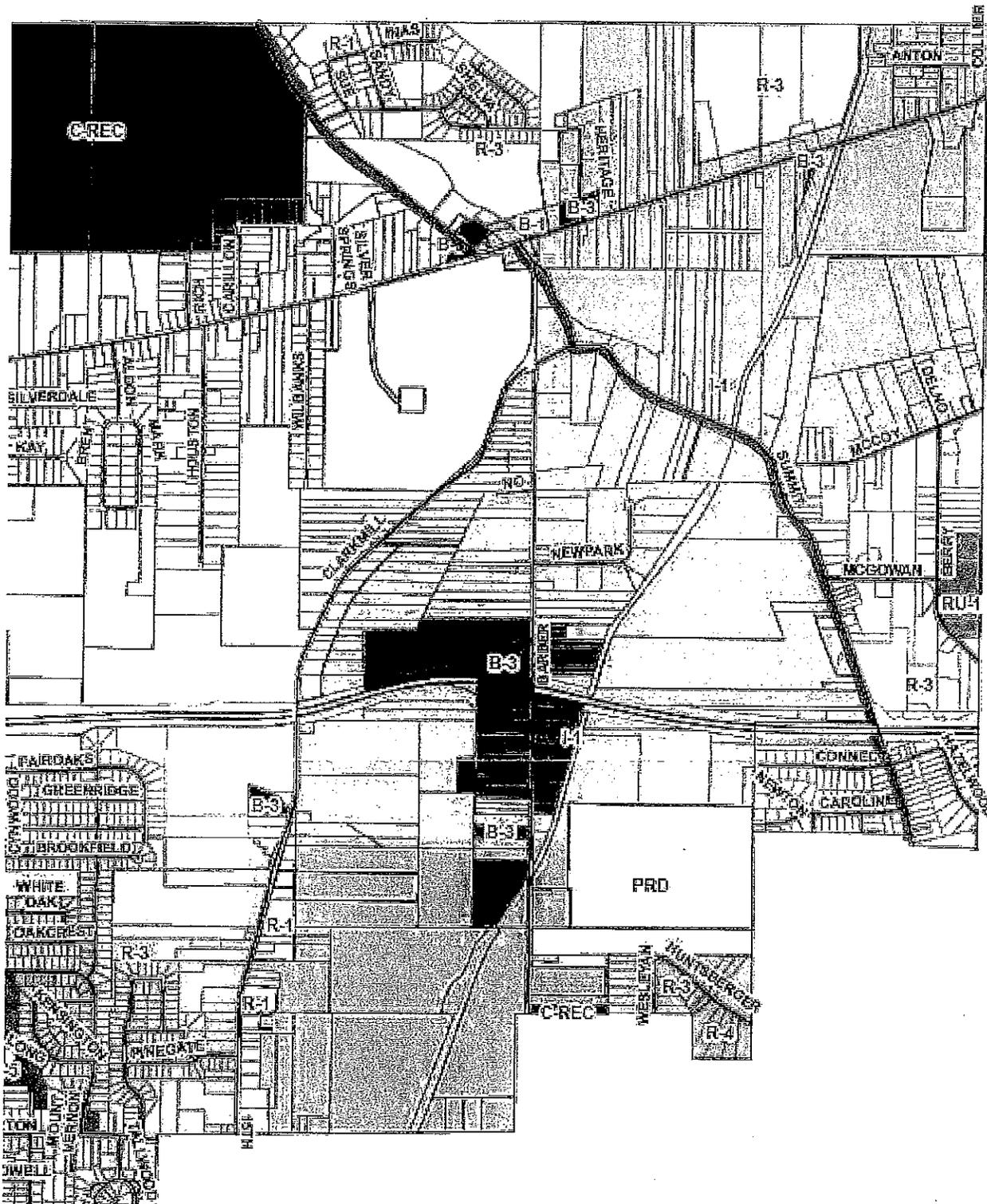
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# CITY OF NORTON

## MEMO



To: City Council Members

From: Valerie Wax Carr, Administrative Officer *WCC*

Date: Aug. 24, 2015

Re: Revised OEPA – Schedule for Nash Hts

---

Please be aware based on the answers that City Council provided the Administration regarding the Nash Heights design we have directed Jim Demboski, EDG to finish the final design work. In addition, based on this work we also asked for an updated OEPA schedule. Mr. Demboski has provided that to us and I am passing on to City Council for your information. We are submitting this new schedule to the OEPA for their approval. (See Attached).

In addition we are also in the process of preparing an update to the OPWC to continue to secure that funding. As well, we are submitting our annual place holder letter for WPCLF funding. I know some on City Council thought this letter (last August) provided evidence of the City intentionally trying to sewer the entire City. Let me be clear one more time that is not the case. We are simply nominating areas for future potential funding and this does not impact current funding requests for the Nash Heights area. Nominations just get you into a pipeline for consideration. There is no obligation and the request can be pulled at any time. In addition, City Council would have to approve legislation specially by project to apply and approve of any funding.

However, due to some of the comments and criticism last year we are only submitting the following:

Nash Heights East/West/Greenwich pump station – funding is needed to help meet financial obligations, we are seeking 20 year loans that are currently at 2.32% interest rate.

Van Hying Phase 1/ Phase 2 -- these projects provide for the abandonment of the Norton Acres and Brentwood Estates WWTPs. This makes the potential funding available even if Barberton takes over the system.

We have removed:

Hudson Run Trunk East -- this project is a trunk sewer on Limestone Drive from 31st Street to just south of the railroad. It could also include a force main north to the future Hametown Road pump station.

cc: Mayor Zita  
Justin Markey  
Ron Messner  
Dave White  
Jim Demboski  
Karla Richards

Zimbra

karlar@cityofnorton.org

---

**Fwd: Norton Extended Term Financing**

---

**From :** Rick Rodgers <rickrodgers@cityofnorton.org>  
**Subject :** Fwd: Norton Extended Term Financing  
**To :** Karla Richards <karlar@cityofnorton.org>

Mon, Oct 19, 2015 06:20 PM

---

**From:** "rhi" <rhi@neo.rr.com>  
**To:** Rickrodgers@cityofnorton.org  
**Sent:** Monday, October 19, 2015 6:19:20 PM  
**Subject:** FW: Norton Extended Term Financing

---

**From:** Docherty, Jim (Bilfinger Water Technologies) [mailto:jim.docherty@bilfinger.com]  
**Sent:** Thursday, October 8, 2015 10:05 AM  
**To:** Rick Rodgers <rhi@neo.rr.com>  
**Subject:** FW: Norton Extended Term Financing

Hi Rick

Please see the response below

Jim

---

**From:** Naret, Rich (Bilfinger Water Technologies)  
**Sent:** Wednesday, October 07, 2015 10:32 AM  
**To:** Docherty, Jim (Bilfinger Water Technologies) <jim.docherty@bilfinger.com>; Jones, Mark (Bilfinger Water Technologies) <mark.jones@bilfinger.com>; Hawn, Clint (Bilfinger Water Technologies) <clint.hawn@bilfinger.com>; Ouellette, Dean (Bilfinger Water Technologies) <dean.ouellette@bilfinger.com>  
**Subject:** RE: Norton Extended Term Financing

Rich

---

**From:** Docherty, Jim (Bilfinger Water Technologies)  
**Sent:** Monday, October 05, 2015 3:36 PM  
**To:** Naret, Rich (Bilfinger Water Technologies) <[rich.naret@bilfinger.com](mailto:rich.naret@bilfinger.com)>; Jones, Mark (Bilfinger Water Technologies) <[mark.jones@bilfinger.com](mailto:mark.jones@bilfinger.com)>; Ouellette, Dean (Bilfinger Water Technologies) <[dean.ouellette@bilfinger.com](mailto:dean.ouellette@bilfinger.com)>  
**Subject:** FW: Norton Extended Term Financing  
**Importance:** High

Gentlemen

Please scroll below to the attached e-mail where an EPA official states that, based on the attached WERF document, that a vacuum sewer system has a like expectancy of less than 25 then 20 years. This is obviously an incorrect interpretation of the WERF document. I believe he is referring to the idea that vacuum stations have equipment that must be replaced in 20 years, then erroneously concludes that the life expectancy is therefore 20 years?

We as a company need to take issue with this EPA individual's erroneous conclusion, otherwise this will be out of business in Ohio.

Jim

---

**From:** Rick Rodgers [<mailto:rhi@neo.rr.com>]  
**Sent:** Monday, October 05, 2015 3:29 PM  
**To:** Docherty, Jim (Bilfinger Water Technologies) <[jim.docherty@bilfinger.com](mailto:jim.docherty@bilfinger.com)>  
**Subject:** FW: Norton Extended Term Financing

Jim,

Here is the email.

---

**From:** Rick Rodgers [<mailto:rickrodgers@cityofnorton.org>]  
**Sent:** Monday, October 5, 2015 3:20 PM

Dear Ms. Wax Carr,

Ohio EPA offers extended-term financing through the Water Pollution Control Loan Fund (WPCLF) for projects with a design life greater than or equal to 30 years. The City of Akron expects to use extended-term financing for the Ohio Canal Interceptor Tunnel project; however, the design life for that project is well over 30 years.

Norton has presented two alternatives for sanitary sewer service in the Nash Heights area: conventional gravity with a design life exceeding 30 years and vacuum sewers with a design life less than 30 years.

"Vacuum Sewer Systems" Fact Sheet C4 (attached) by the Water Environment Research Foundation (WERF), a leading independent wastewater technology research organization, considers vacuum station equipment to have a life expectancy below 25 years. Accordingly, we consider vacuum systems to have a design life less than 30 years and consider them ineligible for extended-term financing.

A vacuum sewer system as proposed for Nash Heights is eligible for a traditional 20-year WPCLF loan. However, a gravity sewer system would be eligible for extended-term financing through the WPCLF.

Please feel free to contact me or any of the Norton project team members if you should need further information.

Sincerely,

Jon Bernstein, P.E.

Engineering Unit Supervisor

Ohio EPA, Division of Environmental and Financial Assistance

P.O. Box 1049

Columbus, OH 43216-1049

Zimbra

karlar@cityofnorton.org

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**Fwd: Funding for Nash Hts.**

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**From :** Rick Rodgers <rickrodgers@cityofnorton.org> Mon, Oct 19, 2015 06:20 PM  
**Subject :** Fwd: Funding for Nash Hts. 📎 5 attachments  
**To :** Karla Richards <karlar@cityofnorton.org>

---

**From:** "rhi" <rhi@neo.rr.com>  
**To:** Rickrodgers@cityofnorton.org  
**Sent:** Monday, October 19, 2015 6:17:09 PM  
**Subject:** FW: Funding for Nash Hts.

**From:** Rick Rodgers [mailto:rhi@neo.rr.com]  
**Sent:** Friday, September 25, 2015 9:16 AM  
**To:** 'Docherty, Jim (Bilfinger Water Technologies)' <jim.docherty@bilfinger.com>  
**Subject:** FW: Funding for Nash Hts.

Jim,

Please read this correspondence. I am concerned about the life of vacuum as stated. What's your thoughts on this?

Rick

---

**From:** Rick Rodgers [mailto:rickrodgers@cityofnorton.org]  
**Sent:** Friday, September 25, 2015 9:10 AM  
**To:** rhi@neo.rr.com  
**Subject:** Fwd: Funding for Nash Hts.

---

**From:** "Ronald Messner" <financedirector@cityofnorton.org>  
**To:** "Rick Rodgers" <rickrodgers@cityofnorton.org>  
**Cc:** "Dennis McGlone" <dennismcglone@cityofnorton.org>, "Dennis Pierson" <dennispierson@cityofnorton.org>, "Paul Tousley" <paultousley@cityofnorton.org>, "Scott Pelot" <scottpelot@cityofnorton.org>, "Charlotte Whipkey" <charlottewhipkey@cityofnorton.org>, "Valerie Carr" <adminofficer@cityofnorton.org>, "Mike Zita" <mayorzita@cityofnorton.org>, "Justin Markey" <jmarkey@ralaw.com>, "Ronald Messner" <financedirector@cityofnorton.org>  
**Sent:** Thursday, September 24, 2015 3:17:37 PM  
**Subject:** Re: Funding for Nash Hts.

Rick and Members of Council

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 **EPA FAQ Data.pdf**  
1 MB

 **Carr Memo 8-24-15.pdf**  
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540 KB

 **Loan Process for WPCLF.docx**  
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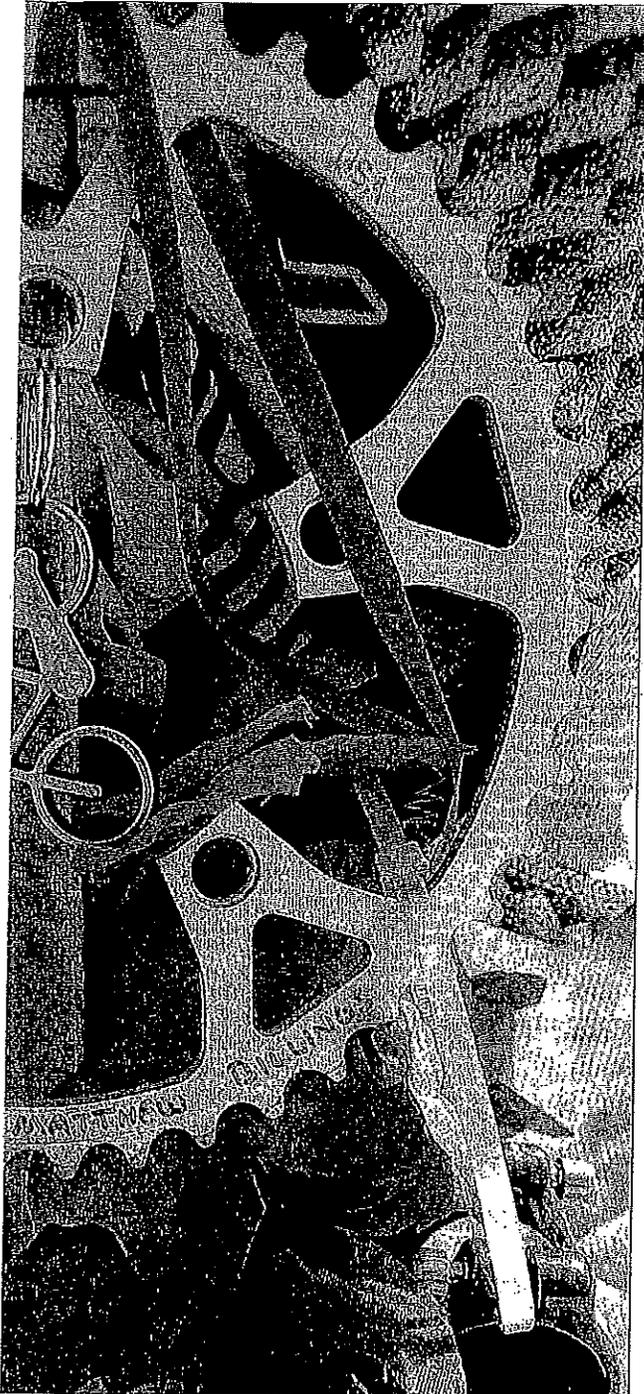
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veland complex could be named for Akron bank. B6

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## 30-year bond set to finance sewer tunnel

Akron to lower annual debt-service payments with longer state option

By Stephanie Warsmith

Beacon Journal staff writer

Akron will use 30-year financing — rather than 20-year — for the giant tunnel project, which will lower the city's annual debt-service payments.

Akron City Council approved legislation Monday to adopt the new, longer-term financing for the tunnel project, which is the priciest part of the mammoth billion-dollar-plus sewer overhaul.

Council signed off in March 2013 on the city getting a 20-year loan from Ohio's Water Pollution Control Loan Fund to finance the tunnel project. City leaders recently learned that the state is now granting 30-year financing. The 20-year financing was a loan, while the 30-year option is a bond, said Akron Treasurer Steve Fricker.

"This will allow us to spread it out over a longer period of time," Fricker said.

Fricker said the new financing will save Akron about \$3.8 million a year in its debt service. He said the

interest rate will be slightly higher, but will still be between 2.25 and 2.5 percent, which he called "a very good rate."

The city's total amount of debt is currently about \$996 million, Fricker said.

The winning bid for the tunnel project, awarded by Akron last month, was \$181.1 million, which was about \$68 million less than the city's estimate for the work. The winning bid was a joint venture between Illinois-based Kenny Construction Co. and Tokyo-based Obayashi Corp.

The tunnel will be 27 feet in diameter and will stretch 6,240 feet from near the Akron RubberDucks baseball stadium off West Exchange Street to north of the Mustill Store off West North Street. It will be capable of storing up to 25 million gallons of storm water and raw sewage and will curtail nine overflows into local waterways. The tunnel is expected to be in operation by the end of 2018.

Stephanie Warsmith can be reached at 330-996-3705 or [swarsmith@thebeaconjournal.com](mailto:swarsmith@thebeaconjournal.com). Follow on Twitter: [@swarsmithabj](https://twitter.com/swarsmithabj) and on Facebook: [www.facebook.com/swarsmith](https://www.facebook.com/swarsmith). Read the Beacon Journal's political blog at [www.ohio.com/blogs/ohio-pollitics](http://www.ohio.com/blogs/ohio-pollitics).

Frequently Asked Questions  
Regarding Extended-Term Loans  
from the State of Ohio Water Pollution Control Loan Fund

The State of Ohio, acting through the Director of Environmental Protection (OEPA) and the Ohio Water Development Authority (OWDA), have obtained the requisite approvals to enable the State's Water Pollution Control Loan Fund (WPCLF) to make loans with a term of up to 30 years (rather than the current limitation of 20 years). To comply with federal and state legal requirements, however, the State will require different documentation for these Extended-Term Loans. This document seeks to anticipate and respond to questions that local governments considering obtaining Extended-Term Loans from the WPCLF may ask.

- Q: Why are the documents for the Extended-Term Loans (ETLs) different from the loan documents that we signed for previous loans we made from the WPCLF with terms of 20 years?
- A: The relevant provisions of the federal Clean Water Act and the Ohio Revised Code (which generally replicates the Clean Water Act) define the permissible uses of money in the WPCLF. Those laws permit the WPCLF to make loans to local governments, but they limit the term of those standard-term loans (STLs) to 20 years. Another provision of those laws, however, allows the WPCLF to purchase debt obligations of local government borrowers. The Ohio EPA applied to USEPA for permission to make use of the latter provisions to purchase bonds from local governments with a term of up to 30 years to finance projects that would otherwise be eligible for STLs. US EPA responded favorably to that request. Consequently, the WPCLF may now provide 30-year financing for eligible projects, but when it does so, the payment obligation of the local government must take the form of a bond, rather than the conventional WPCLF loan agreement under which the STLs have been and will continue to be made.
- Q: How do the documents for the new bond financings differ from the standard loan agreements?
- A: The OEPA and OWDA have tried to make the substance of the transactions (other than the longer term of the ETLs) substantively as similar to those of the STLs as possible. As with STLs, the obligations of the local government (referred to as the "Issuer" rather than the "Borrower") will be payable solely from the net revenues that the Borrower derives from its wastewater system, and those payment obligations will be subordinate to the Issuer's obligations to pay debt service on other debt it has issued or may in the future issue for its wastewater system. The covenants that the local government will be required to make regarding the completion of the project, operation of the system, maintenance of financial records and other such matters will be substantively identical to those in the STL loan agreements.

into, issued or incurred. If the local government Issuer does have outstanding wastewater system revenue bonds or other such debt obligations, then the local government Issuer may specifically want to enlist its outside bond counsel to enable it to provide that assurance to the State.

Q: Will the State require that the local government Issuer take the actions required in order to make the interest on its Bond exempt from federal income tax?

A: No, the State will not require the local government Issuer to cause the interest on its Bond to be exempt from federal income tax. Accordingly, the State will not require the local government Issuer to file a Form 8038-G with the IRS as would be required in connection with the issuance of tax-exempt bonds, nor will the State require the local government Issuer to deliver the opinion of legal counsel on any tax-related matters. As it always has in connection with STLs, however, the State will require the local government Issuer to represent in the Trust Agreement that it will not permit the proceeds of the Bond to be used in a manner (e.g., by using the proceeds of the Bond for the benefit of private business) in a manner that might jeopardize the tax-exempt status of the bonds that the OWDA may have issued for the WPCLF.

Q: Will the local government Issuer be required to undertake any continuing disclosure obligations in connection with its issuance of the Bond?

A: No, the State will be the sole purchaser of the local government Issuer's Bond, and it will not require the local government Issuer to undertake any continuing disclosure obligations in connection with the issuance of the Bond unless the State otherwise informs the local government Issuer, which it would do only in the event that the total amount of the local government Issuer's obligations under the WPCLF are so great that they trigger continuing disclosure obligations related to the OWDA's bond issues under federal securities laws.

1/7/14

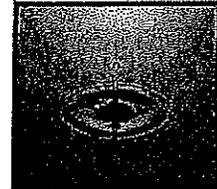
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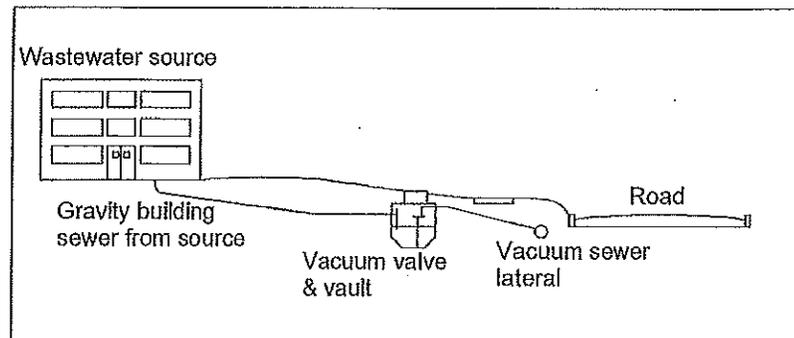
# VACUUM SEWER SYSTEMS



### What is a Vacuum Sewer System?

A vacuum sewer system is used to collect wastewater from multiple sources and convey it to a central location where it can be treated. As the name suggests, a vacuum (negative pressure) is drawn on the collection system. When a service line is opened to atmospheric pressure, wastewater and air are pulled into the system. The wastewater that enters with the air forms a "plug" in the line, and air pressure pushes the wastes toward the vacuum station. This differential pressure comes from a central vacuum station. Vacuum sewers can take advantage of available slope in the terrain, but are most economical in flat terrain. Vacuum sewers have a limited capacity to pull water uphill. The maximum expected lift is between 30 and 40 feet. Vacuum sewers are designed to be watertight since any air leakage into the system reduces the available vacuum.

Vacuum sewers do not require a septic tank at each wastewater source. All of the domestic wastewater and waste constituents are collected and transported by this collection method. Sewage from one or more homes or businesses flows by



gravity into a small valve pit. A service line connects the valve pit to the main vacuum line. Each valve pit is fitted with a pneumatic pressure-controlled vacuum valve. This valve automatically opens after a predetermined volume of sewage has entered the sump. The difference in pressure between the valve pit (at atmospheric pressure) and the main vacuum line (under negative pressure) pulls wastewater and air through the service line. The amount of air that enters with the sewage is controlled by the length of time that the valve remains open. When the vacuum valve closes, atmospheric pressure is restored inside the valve pit. The sewage travels in the vacuum main as far as its initial energy allows, eventually coming to rest. As other valve pits in the network open, more sewage and air enters the system. Each input of energy

It is generally not advisable to use this technology in areas with low population and low population densities. Because the movement of wastewater depends upon the differential pressure created when valves open, long pipe runs with few connections can result in poor performance. The same problem is seen when connections are installed but are not yet in use. As a solution for this, temporary valve pits installed at strategic locations can be fitted with timer-controlled valves that allow air to enter even though wastewater is not being generated by the source.

**Compatibility with Community Vision**

Vacuum sewers are scalable. The system can be zoned (divided into sections) to accommodate the rate of build-out as well as to facilitate maintenance. Access locations to valve boxes and cleanouts (if required) will be evident at the soil surface but are not obtrusive. Higher population densities are well-accommodated with this option. If maintaining local charm while improving infrastructure is a priority, communities can preserve assets such as historical areas or heritage trees.

Vacuum stations are centrally located within their service area. Usually only a single vacuum pump station is required rather than multiple lift stations found in conventional gravity and pressure networks. This frees up land, reduces energy costs and reduces some operational costs. No manholes are necessary and odors and risks associated with hydrogen sulfide gas are significantly reduced because the system is sealed and detention times are short. Vacuum stations are quite large and expensive compared to effluent or pressure sewer system components, but can be designed to blend into the landscape.

A particular problem with vacuum sewers is the noise and odor created by the central vacuum station. As air is drawn through the system, sewer gases are extracted. A good solution to this problem is to pass the exhaust air through a bio-filter, which can absorb much of the gas and reduce odors.

*Selecting any wastewater collection system option must be considered within the context of a community's broad, long-range plans for land use. Changes in development patterns, population density, livability, and delivery of services will occur as a result of the choices made and these must all be taken into account.*

**Land Area Requirements for Vacuum Sewers**

The land area required for a vacuum sewer system is a function of the area required for installation of the valve pit, the vacuum network and the central vacuum station. Valve pits for single-family residences

Vacuum testing of both valve pits and mains is performed over the course of the installation and upon completion of the entire system. Overall, there is a significant amount of disturbance associated with the installation, but not nearly as much as with deeper conventional gravity sewers. Once installed, most components are either below ground or flush with finish grade. Licensing requirements for personnel who install vacuum sewer systems vary, but they must typically be licensed as a public utility contractor by the state or region in which they work.

### Maintenance Requirements

Effective operation of a vacuum sewer system begins with proper design and construction, but regular inspection of system components by staff or remote monitoring is critical. Vacuum stations can be remotely monitored via telemetry or visited daily to record pump running hours and lubricant levels. A variety of tasks must be performed on a regular weekly, monthly or semi-annual basis. These tasks include changing oil and oil filters on vacuum pumps; removing and cleaning inlet filters on vacuum pumps; testing all alarm systems; checking/adjusting motor couplings, and; checking operation of vacuum station shut-off and isolation valves. The operator must conduct external leak tests on all vacuum valves and check/adjust valve timing. Preventive maintenance includes annual visual inspections of valve pits and valves, as well as rebuilding controllers every 3 to 6 years and rebuilding valves every 8 to 12 years.

As with all mechanical devices, vacuum valves will fail with some frequency. When a valve sticks open the whole system has reduced vacuum. Locating the stuck valve may be time consuming and require two persons. When a valve fails to open, wastewater will backup in the valve pit (and potentially into the source). These failures are easier to locate but can result in an on-lot backup or the discharge of sewage.

Good recordkeeping of system performance and costs is critical. The advent of web-based telemetry has greatly improved the operator's ability to monitor system status. Vacuum sewer system operators must be capable, dependable and knowledgeable. About 2.5 to 3 hours per year per service connection is a good estimate for time commitment. Training and certification is advisable and will typically be required by the local jurisdiction.

*Regular service is important for all systems to ensure best long term performance to protect public health and the environment. This also protects the investment. Frequency of operation and maintenance is dependent upon wastewater volume, relative risk to public health and the environment as well as the complexity of any pretreatment components used prior to dispersal.*

*The costs provided in this document are for comparison purposes only. The actual costs will vary significantly depending on site conditions and local economics. For localized cost investigations, consult the Cost Estimation Tool associated with these materials.*

**Table 1. Estimated cost of materials and installation to build the vacuum collection network, including the on-lot components.**

Cost Factor	Building Sewer to Vacuum Pit	Collection Network Cost including 100 Vacuum Pits
Materials and Installation	\$1,800 - \$2,700	\$1,869,000 - \$2,804,000
Annual electricity	-0-	\$9,500 - \$14,000
Annual O&M	\$16 - \$24 per yr	\$82,000 - \$123,000
60 year life cycle cost -- present value (2009 dollars)		\$4,775,000 - \$7,162,000

#### References

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3. Naret, R. 2009. Vacuum Sewers – Operation and Maintenance and System Management Guidelines. Course Number C-8029, PDHengineer.com, <http://www.pdhengineer.com/courses/en/C-4029.pdf>, retrieved on line, Jan 20, 2010.
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## PROCESS FOR OBTAINING 30 YEAR TERM FINANCING FROM THE WPCLF

In an effort to help communities spread project costs among users and align the project's useful life with that of the constructed asset, the Water Pollution Control Loan Fund (WPCLF) has offered 30-year term financing since Program Year (PY) 2014. This financing was only available for Combined Sewer Overflow (CSO) projects with a minimum project cost of \$20 million in PY 2014. During PY2015, 30-year term financing has been made available for all projects, regardless of cost, that meet the 30-year useful life criteria. A normal WWTP will NOT qualify.

Per State law, the WPCLF is currently unable to offer standard 30-year loans; however, 30-year financing may occur as an "Extended-Term Bond Trust Agreement". This financing occurs by the sale of a bond to Ohio EPA by the community but otherwise operates as a normal loan. In order to obtain 30-year term financing, the project must be eligible for financing in the WPCLF program and a community must take the below steps:

- Nominate their project during the normal nomination period which occurs in August of each year for the following Program Year.
- Navigate normal project reviews and programmatic requirements of the WPCLF which include the environmental review, Permit-To-Install, Plan Approval and loan application.
- Complete/sign a Bond Trust Agreement (as opposed to a loan agreement), the associated Exhibit, authorizing resolution, general certificate and legal letter which all refer to this agreement.
- Complete issuing legislation/a bond form for the bond itself.
  - o The WPCLF directly purchases a bond from the community for the purpose of eliminating any fees or additional costs of a bonding agent as well as financing a portion of the project costs for the extended term.

While all other aspects of the project's review/approval parallel DEFA's traditional 20-year financing, please note that the project's interest rate will be calculated with a separate Municipal Market Data (MMD) Index benchmark (see pg. 55 of the WPCLF's PY2015 Program Management Plan which is available on our website).

In June, DEFA awarded its first 30-year term financing. Upon request, communities may receive examples of resolutions, the bond trust agreement and frequently asked questions for this project as well as document templates. Additionally, the Ohio Water Development Authority (OWDA) is available to guide communities through this process.