

November 9, 2016

MINUTES OF A REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF NEW HAVEN, INDIANA

The Common Council of the City of New Haven, Indiana, met at the City Administration Building on the 9th day of November at the hour of 7:00 p.m. in regular session in accordance with the rules of the council.

The meeting was called to order by Mayor Terry McDonald who presided.

There was a moment of silence for former New Haven Councilman Tim Doyle and Allen County Councilman Roy Buskirk who passed away recently.

On call of the roll, the members of the Common Council were shown to be present or absent as follows:

Present: Dave Cheviron, Sarah DiGangi, Bob Byrd, Steve McMichael, Floyd Ball, Craig Dellinger

Absent: Terry Werling

Floyd Ball made a motion to approve the minutes of the October 11th meeting as mailed. Dave Cheviron seconded the motion and the motion was approved.

Title VI Statement

First item on the agenda was a presentation from Stan Diamond of Wessler Engineering regarding the combined sewer overflow and the long term control plan. Superintendent Dave Jones was also helping with the presentation. Mr. Diamond said he will be presenting a new plan which focuses on targeted Inflow/Infiltration (I&I) reduction and a storage facility. Since the last meeting Stan Diamond, Keith Schlegel and Dave Jones met with IDEM about the concerns of our current plan and our desire to change the approach and pursue the other control facilities, which IDEM is open to look at our new plan once submitted. The current plan consists of targeted I&I, conveyance system improvements, a 650,000 surge tank, 10MGD wet weather lift station, 10MGD high rate treatment facility, and disinfection facilities with probable costs of 23,322,000 million. The current plan says we should be in final design of the conveyance systems with construction in 2018 & 2019. The treatment facilities would be completed in 2026. Wessler did an audit of this plan and believes if we follow through with the plan we would be causing more problems because we would be getting the flow downtown faster along with high rate treatment facility initial high cost and the high cost of operating the facility. Mr. Diamond said more attention and resources need to be given to infiltration and inflow because this is the primary problem and the ones targeted in the current plan are not significant to reduce those volumes. If the I&I volumes can be reduced the size and costs of the CSO conveyance and control facilities can be reduced. If the I&I volumes can be reduced the monthly fees the City is paying for treating the community's wastewater can be reduced. The key for New Haven's compliance with the CSO control regulation is to reduce inflow and infiltration which is costing the City \$500,000 to \$800,000 a year. Mr. Diamond gave Council his proposed CSO LTCP approach summary which is to implement the three proposed I&I reduction programs, continue annual manhole lining program, extend storm sewers where required for sump pump redirections, continue repairing and replacing ailing sewers, construct CSO control storage facilities, conduct a rainfall/flow monitoring/mode recalibration program to prove we are bringing down our numbers. Initially a public education program was added. A sump pump redirection and downspout disconnection program would start in 2017 covering the entire community, with a completion of the project in December of 2018. There would be a monthly suggested \$20 fee assessed until the City personnel would inspect and confirm the disconnections then the fee would not be assessed at that time. The proposed perimeter/foundation drain disconnection program would be developed in 2017, implemented in 2018 and ends in 2019 and will include the entire community. Disconnections by licensed plumbers and inspected by City personnel. There are proposed reimbursements of up to \$3,000 for disconnections. A monthly fee would be assessed on all subsequent perimeter drains identified until they are disconnected. The proposed defective service lateral repairs and replacement program will be developed in 2017, implemented in 2018 with the entire community to be covered. This program would continue indefinitely with a proposed monthly \$2 fee assessed to provide some compensation back to the residents to help in repairing or replacing their perimeter drains. The repairs and replacements by licensed plumber and inspected by City Personnel. All roof and perimeter drain connections will be eliminated with a proposed reimbursement of up to \$3,000 for repairs and replacements. Mr. Diamond said repairing and replacing defective lateral is a must. The benefits of I&I reduction is lower monthly power costs, lower monthly fees to Ft. Wayne, reduce the need for and costs of up-sizing sewers, reduce

frequency and magnitude of CSO controls, enables replacement of high rate CSO treatment control facility with lower, cost, simpler to operate CSO storage control facility, free system capacity for growth and keep sewer rate increases to a minimum. Mr. Diamond said the CSO LTCP control facilities storage facility would be located at the old sewer plant in Havenhurst Park. While digging a trench, it would cost more to put in an 84" storage pipe, but the cost per gallon comes down. The tank would be a high storage tank with two trickling filters so when the high storage tanks fills up it would overflow to them giving you an additional 600,000 thousand gallons of storage. With all this combined you would have 2,000,000 gallons of storage from a rain event. Mr. Diamond estimates the City would only have two or three overflows a year, but will not really know until we get our I&I under control. After all is constructed and I&I is under control, we will do a post construction monitoring to prove to IDEM we have reduced it to the level which is acceptable to them, fully capturing and return for treatment the flows that come out of our system under a ten year one hour storm. We are required to do a two year post monitoring. Floyd Ball asked if we eliminate the I&I would we need this facility. Mr. Diamond said yes we would still need the facility because you can reduce the size of our I&I, but it is unrealistic to think we will get rid of all our I&I. The probable cost would be \$12,500,000 compared to the previous plan of \$23,322,000. This would make an average monthly wastewater bill \$102.21. The financial analysis results show the SEIM score would be above 2.5 which would give the City of New Haven ten to twenty years for the length of time for LTCP implementation. Mr. Diamond said if you post-pone the construction of the facility, the costs will go up and the impact will not go away. The proposed plan says we will construct in 2019 & 2020. Develop and implement the sump pump /downspout redirection program in 2016 & 2017. Develop and implement the perimeter drain redirection program 2017-2019. Develop and implement the lateral repair and replacement program starting 2017 with this program to be forever ongoing. We would start the financing in 2017-2018. Mayor Terry McDonald said our wastewater bill would be \$27 lower than the highest sewer bill in the County and we need to add in the water and storm bill and sales tax. He talked about taking the lateral repair and replacement cost of \$2,500,000 out of the probable costs and let the home owner be responsible for their laterals to save the cost of the extra dollars on our utility bill. Craig Dellinger said there is no way he would vote for something where we impose a \$20 charge in January 2017 until they have a chance to inspect the property, it would have to be at least a year. Craig asked Superintendent Dave Jones what the City is doing about our projects. He said we have three projects; Summit, Bell and Henry/Rose which are underway currently. Craig pointed out the problems in Scarborough. He said you don't know how much of these defects are in our system or is the sump pumps causing the problems. Dave Jones explains the problem in Scarborough is instead of putting in a manufactured tee they just knocked in taps and stuck the pipe in which is done by the contractor. It has yet to be determined if the City will fix it or the home owner. Lateral are the homeowner's responsibility up to and including the tap into the City main. Craig said he would be totally in favor of a program starting next year for new home construction or when people are moving into homes which are inspected to get an occupancy permit. Terry McDonald talked about the graphing done in the Scarborough area when there was a rain event, the large spike on the graph. He said the infiltration on a lateral in Scarborough would be only at a bad joint and takes a while to soak in and the spike would be forceful flow. Mr. Diamond said other communities have issued a fee and started to collect which encourages the property owner to set up an appointment for an inspection to prove they don't have a sump pump or downspouts connected. Another plan would be the property owner could call and set up an appointment and after time didn't do this, they would be charged a fee. Mr. Diamond said you need time to set up your plan. Bob Byrd suggested the City negotiates with contractors a set fee to hold down the cost. There was discussion on the proposed \$20 fee. Dave Jones said a normal monthly sewer bill is around \$100,000. In a high rain month, the bill has been as high as \$285,000 where we are paying an extra \$185,000 just to treat the rain water in that month. The \$20 dollar fee is to offset this. When the property owner passes the inspection the \$20 comes off their bill. Others that don't will keep paying the \$20 fee. The Utility Department will make accommodations for night and weekend inspections. The proposed \$5 fee is to go in a fund to help homeowners replace the leaking laterals. This \$5 is an added charge monthly for the whole community and not reimbursable. Bob Byrd asked how long will it take to empty the 2 million gallon tank and Mr. Diamond responded IDEM requires it to be emptied in 48 hours. He said the biggest problem is the I&I and it has to be reduced. Floyd commented on the \$2,500,000 that it might not be fair for everybody to have to pay for some property owner's problem, but maybe there might be a way the City could help correct their problem versus a reimbursement. Steve McMichael said it really isn't fair if you made the decision to build a newer home with newer infrastructure so he doesn't think that person should be asked to supplement a person with older infrastructure. Steve asked Dave Jones how long it would take to inspect all properties and he said six months. Steve believed if we were to get estimates from contractors for the lateral it should be set up as lineal feet instead of a flat \$3,000 reimbursement. Steve said he would be in favor of the \$20 user fee if this Body could put together something by the end of the year to start January 1, 2017 but a grace period in the user fee until July 1, 2017. He believes this would give people an impetus to get the inspection done during the 6 month period and the bill stuffers say this every month. Bob agreed if the paperwork is in we would waive the fee until the

inspection was completed if the City gets backed up. Craig Dellinger worries about the impact of selling homes if we bump the sewer rates up \$25 to \$30. Terry McDonald said part of living in a municipality is it is like a co-op and you're paying for improvements and it does affect all homeowner when the sewer bill is so high, and he knows what we have to do to appease IDEM, but his concern is to keep the bills down. This will have a chilling effect on growth. Mr. Diamond cautioned we will have to stay on our schedule and report our progress. Dave Jones told Council 200 letters have been sent out already with good results and after they smoke test another batch of letters will be going out. Dave Jones said where we are at now is are we going to continue to raise sewer rates to cover these I&I costs or are we going to try to get the I&I out of our system. When our Utility Department is inspecting the infrastructure of the City, Dave said if it is a City problem his people will fix it unless the project is too big, then it will go on the list of projects for Engineering. Mr. Diamond said the longer we stretch it out the costs will increase, have more frequency of CSO's because you are adding growth, IDEM will say; stop no more growth until you address the CSO's. There was discussion of what other communities are doing to address the CSO problem. The longer you put it off the bigger the impact will be. Dave Jones also discussed the problem we will run into when the sump pumps are disconnected from the system on where this water will go. We have these issues to work out as we move through the program. Mr. Diamond said the next step is to work with Council to approve the draft CSO LTCP amendment and submit it to IDEM. He will make some changes to the draft concerning the time line, education in the schools and put in we may assess a fee, send it to Council for review and then we will look to approve it at the next meeting. Terry McDonald wondered if we could do a smaller increase to attack I&I with a vengeance then see what the results are before we build the storage facility. The Mayor said what he is trying to avoid is getting the bond next year when we already anticipate an increase in sewer rates from Ft. Wayne. He said this is not the only increase we need; our water rates need to be looked at. Mr. Diamond said it is possible to stretch it out but the challenge is more overflows with growth and the City is already having too many overflows. Clerk Treasurer Brenda Adams suggested a sewer improvement fund which the property owner could borrow from and pays back the City to repair the laterals. Steve McMichael asked the cost of running the storage facilities. Mr. Diamond did not have those numbers with him but said the cost is less to run the storage facility versus a sewer plant. Steve suggested maybe pay some of the bond out of the storm water fund so the cost would be spread out to all who own a structure inside the City of New Haven. Dave Jones said as of today our approved plan to IDEM is \$23,000,000. This plan is \$12,500,000. Mr. Diamond will make the amendment and Council will look at this at their next meeting. Steve McMichael thanked Mr. Diamond and Dave Jones for the presentation and discussion.

Next on the agenda was the amendment to Ordinance G-05-04 Re: Chapter 52: Collection and Disposal of Solid Waste. Steve McMichael told Council he had several questions with what is currently in place for the solid waste ordinance. After reviewing it with the Mayor's office, Code Enforcement and Jill Cain it was decided it was out of date because it was passed before the City contracted out the garbage collection. The committee went through and matched what is the reality to 2016. The new ordinance states the contractor does the billing, sets times, where the receptacle can sit on non-collection days and the number of receptacles has to match the amount of trash. Craig Dellinger likes the language of the placement of the receptacle on the side of the house. Floyd Ball made a motion to approve an Ordinance Amending Chapter 52 of the New Haven City Code. Craig Dellinger seconded the motion and the motion was approved by the following vote:

Ayes: Dave Cheviron, Sarah DiGangi, Bob Byrd, Steve McMichael, Floyd Ball, Craig Dellinger

Nays: None

Absent: Terry Werling

The Clerk Treasurer numbered the Ordinance G-16-08 an Ordinance Amending Chapter 52 of the New Haven City Code. Terry McDonald thanked Steve McMichael for his work on this.

Next item on the agenda was a conflict of interest form for Clerk Treasurer Brenda Adams. Brenda said her niece Keri Zurbach is doing some consulting on the Community Center. Also her brother Gary Groves works for Direct Fitness Solution where we are getting some fitness equipment. Gary is not getting a commission but is an hourly worker for this company. Steve McMichael made a motion to approve the conflict of interest. Floyd Ball seconded the motion. The conflict of interest will be filed with the State Board of Accounts.

Under other business Mayor Terry McDonald said what a unique talented person Tim Doyle was and he will be missed in the community and the stone work he did on the peak of our building will last a very long time. Terry recognized Councilman Roy Buskirk and the work he did. He joked how everyone loved his emery boards. The Mayor recognized our Veterans for Veterans Day, and it will be the 241st birthday of the United States Marine Corps. Sarah DiGangi

says in her neighborhood, Highland Terrace, all the laterals go under the street and that is where they connect, that makes it almost cost prohibited for the home owner to take it on. Sarah said where she is the laterals are incredibly deep. She said she would rather pay the \$20 than the cost to fix it. Terry McDonald said there is some new technology in place if the lateral is “capable” can receive a cured in place fix which can last up to 50 years. Craig Dellinger said next week we should be paving, putting up canopy and the lights are up. Superintendent says he appreciates Council patience on the I&I matter.

Under public comments, there were none.

Steve McMichael moved to adjourn the meeting. Dave Cheviron seconded the motion and the motion was approved.

Brenda Adams
Clerk Treasurer

Mayor Terry McDonald
Presiding Officer