

MINUTES  
NORTHEAST OHIO REGIONAL SEWER DISTRICT  
BOARD OF TRUSTEES MEETING  
MAY 3, 2018

A Regular Meeting of the Board of Trustees of the Northeast Ohio Regional Sewer District was called to order at 12:30 p.m. by Mayor DeGeeter.

I. Roll Call

PRESENT: T. DeGeeter  
J. Bacci  
S. Dumas  
R. Stefanik

ABSENT: D. Brown  
R. Sulik  
J. Ciaccia

Mayor DeGeeter, the Acting President, named Mayor Bacci Acting Secretary for the meeting. The Acting Secretary informed the Acting President that a quorum was in attendance.

II. Approval of Minutes

**MOTION** – Ms. Dumas moved and Mayor Stefanik seconded to approve the minutes of the April 5, 2018, Board Meeting. Without objection, the motion carried unanimously.

III. Public Session

There were no items.

IV. Chief Executive Officer's Report

CEO Dreyfuss-Wells began her report by stating that the Cleveland region experienced significant rain from April 14 through April 17. While the impact on the collection system and regional stormwater system was minor, it significantly impacted the Doan Valley Tunnel site in Ambler Park and University Circle.

Frank Foley, Director of Operations & Maintenance, explained that 24-hour rainfall amounts on April 15 generally totaled between 2.5 and 3.5 inches. The peak rainfall intensity reached nearly one inch per hour and would be considered a 2- to 5-year storm. District staff treated two to three times more flow than usual at each plant, with peak rates as high as one billion gallons per day at Easterly. The plants had no significant equipment issues and the collection system had no significant equipment issues.

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Frank Greenland, Director of Watershed Programs, advised that stormwater inspection and maintenance crews were dispatched to perform reconnaissance and maintenance at 76 sites and 22 sediment and debris maintenance projects were recommended. Streams flooded across the region and some went into flood stage. This event was the eighth-highest peak-flow rate on the Cuyahoga River.

Mr. Greenland stated that a Regional Stormwater Management Program project in Parma -- the Chevrolet Boulevard Detention Basin -- worked well during the rain event by peeling off storm flow and holding it for a slower release.

Doug Gabriel, Deputy Director of Engineering & Construction, moved the conversation to Ambler Park. He noted that the Doan Valley Tunnel is a consent decree project which controls flows from 11 combined sewer overflows (CSOs) along the Doan Brook. The project is to achieve full operation by the end of 2021 and will take 365 million gallons of annual CSO control and provide surcharge relief along the Doan Valley Interceptor.

The contractor is McNally Kiewit Joint Venture, which is the same contractor that performed the Euclid Creek Tunnel Project. The awarded contract amount was \$142,320,000. The first milestone is tunnel activation, which is due to occur by March 16, 2021 -- in advance of the consent order date -- with final completion set by March 15, 2022.

Mr. Gabriel explained that included in the project scope is the rehabilitation of the Doan Brook and Giddings Brook culverts. The main mining shaft is at Ambler Park. The contractor is required to protect the Doan Brook and Giddings Brook culverts in Ambler Park during construction.

The contract documents provided loading limitations for the Doan Brook culvert during construction. The contractor designed and installed the shoring system within the culvert the length of Ambler Park to protect the culvert from damage during construction. That support system needed to be protected from flowing debris during storm events.

Significant rainfall began on April 14. Late on April 15, flows in the Doan Brook increased substantially, picking up a large amount of debris. The trash rack entrance at the culvert was choked with debris, which is believed to have caused and/or contributed to the Doan Brook overflowing its banks and the water flowed across the construction site making its way to Martin Luther King Jr. Boulevard (MLK). The water had receded by April 16. The Woodhill conveyance tunnel portal was completely submerged.

Water worked its way north across the bike path, taking a lot of the stone to the bike path and into MLK. The stormwater coming off the site was partitioned to the side against the bridge abutments, whereas MLK is on the other side. The result of water flow was quite a bit of damage at various locations. Debris in University Circle was removed by crews on April 16.

Mr. Gabriel advised that the contractor pulled a piece of the trash rack and removed debris and pumped the water down in the Woodhill conveyance tunnel. A joint cleanup effort with the City of Cleveland was conducted of MLK and Carnegie, which restored traffic by early afternoon.

The contractor has notified its insurance companies. The builder's risk inspection occurred on April 17 and the general liability inspection occurred on April 25. The railroads were notified because of the washout along the abutments. A joint District-and-contractor inspection of the Doan Brook culvert occurred on April 20. Repairs along MLK are pending the general liability insurance inspection and approval.

The equipment in the Woodhill conveyance tunnel was completely submerged in water and repairs are in progress. The tunnel, however, was half-filled with water due to an air bubble. The Doan Valley main mining shaft had no damage and work resumed on April 17. Mr. Gabriel estimated that it will be three to six months before mining can resume. Once the full extent of the damage is known and the repair schedule is established, the contractor will re-base the schedule for a better idea of the total impact.

Tom Madej, Deputy Director of Operations & Maintenance, stated that District staff inspected the Doan Brook Interceptor and found no debris. The Doan Brook Culvert was also inspected jointly with the contractor and no debris was found near the flooded area; however, two areas were found that had a heavy debris and blockage. One area was underneath Euclid Avenue and will need to be addressed with a near-term project. The second area is a farther downstream towards the outlet of the culvert.

Mayor Stefanik stated that the District's crews did hard work and they were appreciated during the storm event.

## V. Action Items

### Authorization to Advertise

Resolution No. 128-18

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the purchase of a Mini-Crawler Crane for the Westerly Wastewater Treatment Plant with an anticipated expenditure of \$90,000.00.

Resolution No. 129-18

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Big Creek Stabilization Project with an engineer's opinion of probable construction costs of \$7,683,000.00.

Resolution No. 130-18

Authorization to publish notice calling for bids, in accordance with Ohio Revised Code Chapter 6119, for the Purchase of an upright microscope, imaging system and software with an anticipated expenditure of \$95,000.00.



Authorization to Issue Request for Proposals (RFP)

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|-----------------------|---|
| Resolution No. 135-18 | Authorization to issue RFP, in accordance with Ohio Revised Code Chapter 6119, for Appraisal & Appraisal Review Services.                         |
| Resolution No. 136-18 | Authorization to issue RFP, in accordance with Ohio Revised Code Chapter 153, for the Easterly Aeration Tank Rehabilitation Improvements Project. |
| Resolution No. 137-18 | Authorization to issue RFP, in accordance with Ohio Revised Code Chapter 6119, for the Security Systems Maintenance Contract Renewal Project.     |

**MOTION** – Ms. Dumas moved and Mayor Stefanik seconded to adopt Resolution Nos. 135-18 through 137-18. Without objection, the motion carried unanimously.

Authorization to Enter into Agreement

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|-----------------------|---|
| Resolution No. 138-18 | Authorize an agreement with the Ohio EPA and the Ohio Water Development Authority to accept WPCLF funding for construction costs related to the Westerly Storage Tunnel Project in the amount of \$135,000,000.00.  |
| Resolution No. 139-18 | Authorization to enter into agreement with the City of Cleveland and the Cleveland Museum of Natural History’s GreenCityBlueLake Institute as fiscal agent, to sponsor District related projects to be implemented during the Mayor Frank G. Jackson’s 2018 Youth Summer Employment Program in an amount not-to-exceed \$24,804.00. |
| Resolution No. 140-18 | Authorization to enter into a two-year agreement with Cuyahoga County Department of Public Works (CCDPW) to permit CCDPW to dispose of its sewer cleaning grit at the Southerly Wastewater Treatment Center at the contract rate of \$122 per ton.  |

Resolution No. 139-18 was **withdrawn**.

**MOTION** – Mayor Stefanik moved and Ms. Dumas seconded to adopt Resolution Nos. 138-18 and 140-18. After the following discussion, without objection, the motion carried unanimously.

Referencing Resolution No. 138-18, Kenneth J. Duplay, Chief Financial Officer, stated that this is the continuation of the plan to move to a primarily loan-funded Capital program. There is a 30-year term on this loan, which is a new feature in the loan program. The 2.17% interest rate is slightly below the planning rate. This project was awarded for about \$20 million less than the carrying amount in the Capital plan, which is favorable in terms of the long-term impact on rates.

Authorization to Enter into Contract

Resolution No. 141-18

Authorization to enter into a construction contract with Tucson, Inc. for the Doan Brook Streambank Stabilization Project in the amount of \$2,458,853.20.

Resolution No. 142-18

Authorization to enter into contract with ChemWare, LLC for the Laboratory Information Management System (LIMS) Solution & Implementation Project in the amount of \$663,931.00.

**MOTION** – Ms. Dumas moved and Mayor Stefanik seconded to adopt Resolution Nos. 141-18 through 142-18. After the following discussion, without objection, the motion carried unanimously.

Referencing Resolution No. 141-18, Janet Popielski, Stormwater Design & Construction Program Manager, advised that on April 6, the District received eight bids for the Doan Brook Stream Bank Stabilization Project. The low bidder, Eclipse, and the second-low bidder, Nerone & Sons (Nerone), had deficiencies in their bids related to their qualifications.

The District was looking for experience on similar projects, the proposed construction sequence because of the limits of other ongoing projects and experience on waterways.

Eclipse and Nerone both either provided insufficient answers or did not provide answers to several of these questions. Tucson, Inc. answered all of the questions, provided a completed bid booklet and their price was below the engineer's estimate by 11.3%.

Authorization to Amend Resolutions

Resolution No. 67a-18

Authorization to amend Resolution No. 67-18 to authorize the District to award the contract for Group 2 Grounds Maintenance Services to Southwest Landscape Management in the amount of \$11,500.30, as substitution for AC Lawn Care & Landscaping who declined the award.

Resolution No. 90a-18

Authorization to amend Resolution No. 90-18, to increase from \$68,949.00 to \$72,780.00 the consideration for two permanent sewer easements, three permanent subterranean easements and ten temporary easements from the City of Cleveland through its Land Reutilization Program and necessary for the Doan Valley Relief & Consolidation Sewer Project.

Resolution No. 90a-18 was **withdrawn**.

**MOTION** – Mayor Stefanik moved and Ms. Dumas seconded to adopt Resolution No. 67a-18. Without objection, the motion carried with abstentions by Mr. Brown and Ms. Dumas.

Authorization to Grant Credit

Resolution No. 143-18

Authorize a wastewater credit adjustment in the amount of \$71,177.02 to be approved against outstanding sewer charges on NEORS Account #5717869040 for Rockside Equities, LLC at 6111 Oak Tree Boulevard, Independence, OH 44131.

Resolution No. 144-18

Authorize stormwater credit adjustments for ArcelorMittal Cleveland, LLC accounts at 3060 Eggers Avenue, Cleveland, OH (account 9024492522) in the amount of \$53,594.18 and 1555 Harvard Avenue, Cuyahoga Heights, OH (account 2843261503) in the amount of \$30,405.39 for retroactive stormwater fee credits totaling \$83,999.57.

**MOTION** – Ms. Dumas moved and Mayor Stefanik seconded to adopt Resolution Nos. 143-18 through 144-18. Without objection, the motion carried unanimously.

Authorization to Award

Resolution No. 145-18

Authorization to direct award the Collection System 4G Modem Upgrade Project to Telog Instruments, Inc., a Trimble Company, the sole source manufacturer and supplier of the equipment, for an amount not-to-exceed \$275,000.00.

**MOTION** – Mayor Stefanik moved and Ms. Dumas seconded to adopt Resolution No. 145-18. Without objection, the motion carried unanimously.

Authorization to Amend

Resolution No. 146-18

Authorization to amend Resolution No. 77-16 and the Green Infrastructure Grant Sub-Agreement with Westown Community Development Corporation (WCDC) for the Variety Theater Green Parking Lot Project to include the City of Cleveland as a signatory party with certain construction responsibilities.

Resolution No. 146-18 was **withdrawn**.

Property-Related Transactions

Resolution No. 147-18

Authorize the District to enter into a Second Amendment to License Agreement and Memorandum of Second Amendment to License Agreement with Crown Castle GT Company, LLC to include optional extension terms of the existing cell tower lease at the District's EMSC facility through April 30, 2040, and to increase the consideration paid to the District.

Resolution No. 148-18

Authorize the District to acquire one permanent stormwater easement located on Linden Lane in the City of Parma, known as part of PPN 457-10-070, and owned by the City of Parma in its Land Reutilization Program, necessary for the construction and maintenance of the Baldwin Creek Bank Stabilization Project with a consideration of \$0.00.

Resolution No. 149-18

Authorize the District to acquire one temporary construction easement located at 6410 Stumph Road in the City of Parma, owned by Hidden Cove Units, LLC., necessary for the construction of the Columbo Park Stream Restoration Project with a consideration of \$2,500.00.

Resolution No. 150-18

Authorize the District to acquire one temporary easement located at 6596 SOM Court in Mayfield, owned by Luan Karen Hutchinson, necessary for the construction of the Beecher's Brook Steam Restoration Project with a consideration of \$1,800.00.



Resolution No. 151-18

Authorize the District to acquire one temporary easement located at 6600 SOM Court in Mayfield, owned by Sarah M. Dimling, Trustee, necessary for the construction of the Beecher's Brook Stream Restoration Project with a consideration of \$2,450.00.

Resolution No. 152-18

Authorize the District to acquire one temporary easement located at 6604 SOM Court in Mayfield, owned by Jina L. Tweed, necessary for the construction of the Beecher's Brook Stream Restoration Project with a consideration of \$900.00.

Resolution No. 153-18

Authorize the District to acquire one temporary easement located on SOM Center Road in Mayfield, known as part of PPN 831-13-006, owned by The Parkledge of Mayfield Village Homeowner's Association, Inc., necessary for the construction of the Beecher's Brook Stream Restoration Project with a consideration of \$5,300.00.

Resolution No. 154-18

Authorize the District to acquire one permanent subterranean easement located at 17924 Euclid Avenue in the City of Cleveland, owned by the Cleveland Municipal School District, necessary for the construction of the London Road Relief Sewer Project with a total consideration of \$2,400.00.

Resolution No. 155-18

Authorize the District to acquire one permanent sewer easement and one temporary easement located at 15219 Holmes Avenue in the City of Cleveland, owned by Mary Gibson, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$300.00.

Resolution No. 156-18

Authorize the District to acquire one permanent subterranean easement located at 18126 Euclid Avenue in the City of Cleveland, owned by Ohio Franchise Management Corporation, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$1,700.00.

Resolution No. 157-18

Authorize the District to acquire one permanent subterranean easement located at 17822 Euclid Avenue in the City of Cleveland, owned by the Good Shepherd Baptist Church, necessary for the construction of the London Road Relief Sewer Project with a consideration of \$1,200.00.

Resolution No. 158-18

Authorize the District to acquire one temporary easement located at 10728 Superior Avenue in the City of Cleveland, owned by Michael Agee, necessary for the construction of the Doan Valley Relief & Consolidation Sewer Project with a consideration of \$16,420.00.

Resolution No. 159-18

Authorize the District to enter into a right of entry agreement with the City of East Cleveland and to acquire one temporary easement on a portion of PPN 672-28-003 located in and owned by the City of East Cleveland, necessary for the construction of the Dugway Regulators & Relief Sewers Project with a consideration of \$400.00.

Resolution No. 160-18

Authorize the District to appropriate two permanent and three temporary easements located on PPNs 116-20-002, 116-20-003, and 116-20-005, St. Clair Avenue in the City of Cleveland, owned by Desai Vijay, necessary for the construction of the London Road Relief Sewer Project and to deposit the fair market value of \$6,050.00 for all easements with the Cuyahoga County Probate Court.

Resolution No. 148-18 was **withdrawn**.

**MOTION** – Ms. Dumas moved and Mayor Stefanik seconded to adopt Resolution No. 147-18 and 149-18 through 160-18. Without objection, the motion carried unanimously.

VI. Information Items

1. Quarterly Financial Report and Investment Advisor Performance Report

Mr. Duplay stated that the District's financials are strong, and all metrics are being met. Consumption has increased from last year through the first quarter and expenses are under budget. The District's investment portfolio has increased to a 1.38% return for the first quarter.

2. Certification of Direct Bill Delinquent Sewer Accounts to Cuyahoga and Lorain Counties

Mr. Duplay stated that these accounts are primarily direct bills of about \$45,000 and is consistent with prior years.

3. Municipality Breakdown First Half Final 2018 Certification

Mr. Duplay stated that accounts billed by City of Cleveland that have gone to certification were about \$2.2 million, with \$1.7 million residential and \$450,000 commercial. These figures are also consistent with previous certifications.

4. Operations & Maintenance Quarterly Board Update

Mr. Foley stated that Operations & Maintenance has three new superintendents.

Kevin Zebrowski is the new Superintendent of Maintenance Services. He has been with the District for 14 years and previously worked as an investigator in WQIS and most recently as Superintendent of Plants at Southerly.

Debbie Klosz is the new Superintendent of Plants at Westerly. Ms. Klosz has been with the District for 30 years and has been a wastewater analyst and assistant superintendent. Ms. Klosz is the first District female plant superintendent.

Terry Robinson is the new Superintendent of Plants at Southerly. His promotion will be effective May 7. Mr. Robinson has been with the District for 23 years – originally joining the District as a custodian and currently an Assistant Superintendent at Southerly.

Mr. Foley noted that all three have a Class IV operator certification that is required to be the operator of record for all District plants.

Moving to the rest of the report, Mr. Foley stated that total restricted workdays have increased marginally from last year but the total lost workdays through the first quarter appears to be a positive figure.

All plants are in compliance for the first quarter with total suspended solids, carbonaceous BOD and phosphorus limitations.

Through the first quarter there have been three dry-weather overflows in the collection system. Sewer maintenance crews are vigilant in terms of checking on them and clearing any blockage. The automated collection system equipment was available during wet weather 100% of the time in January and February and 97% in March.

The total budget for the year for all Operations & Maintenance budget centers is \$68 million. Actual expenditures for 2018 are up a little bit over 2017 through March. Staff expects to close the gap between 2017 actual expenditures and the 2018 budget.

Mr. Foley stated that he likes to get a pulse of staff morale. He and some of the department leadership had a series of meetings with all staff and a second round will occur soon. Things that could be affecting morale include Operational Readiness Implementation, leadership transition, ongoing union negotiations and the cold working conditions during winter and early spring.

VII. Open Session

There were no items.

VIII. Public Session (any subject matter)

There were no items.

IX. Executive Session


There were no items.

X. Approval of Items from Executive Session

There were no items.


XI. Adjournment

**MOTION** – Mayor DeGeeter stated business having been concluded, he would entertain a motion to adjourn. Mayor Stefanik moved and Ms. Dumas seconded the motion to adjourn at 1:24 p.m. Without objection, the motion carried unanimously.



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Timothy J. DeGeeter, Secretary  
Board of Trustees  
Northeast Ohio Regional Sewer District



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Darnell Brown, President  
Board of Trustees  
Northeast Ohio Regional Sewer District