

**RECORD OF PROCEEDINGS
SPECIAL COUNCIL MEETING (VIA ZOOM)
MONDAY, JUNE 8, 2020 – 6:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Berger, Canton, Carroll, Galicki, Nairn, Porter

OFFICIALS PRESENT: Fiscal Officer Romanowski, Street Commissioner Alder, Solicitor Matheny, Engineer Haibach

VISITORS: Ray Schloss, Mapleridge Dr.; Bob, Ridgecrest; Chris Horrigan; Ann Jacobson; “Matt”; “Benjamin”; Michael Henry; Barbara Krasner, Morningside Dr.; “Robert”; Andy Ilgin; Bethany Zuiderveld; Collin Cunningham, CVT

The Mayor introduced Canton, Building Committee Chairman, and Councilman Berger and explained that the septic issue falls under their area of expertise. They would speak first, and then turn the floor over to Tom Mulcahy. When it was time for visitors to speak, the Mayor explained that they should utilize the ‘raise your hand’ function on their computers. The Mayor would then recognize those individuals and allow them to speak.

Canton thanked the visitors for being present. He stated that he and Berger were looking forward to hearing their input and asked them to proceed.

Mulcahy stated he lives at 62 Morningside Drive, and moved to South Russell three years ago. At that time, Geauga County inspected and informed him he needed to get a new septic system. He installed two one thousand-gallon tanks with four hundred feet of leach field. Mulcahy then stated that he received a letter stating that he is required to pump his tank every two years. As background, Mulcahy stated he has had septic tanks for over 40 years. He lived in Cuyahoga County for 23 years, and his understanding was that there was no mandate to pump it, only the suggestion to pump tanks every four years, which was what he did. In Hocking County when it was only he and his wife in the home with a 1,500-gallon tank, he was told by the Health Department that if he pumped it once every five years, that would be plenty. Since then, he attempted to gather information for South Russell, speaking to Geauga County Health Department. He stated they did not have any fast rule, nor was there any rule for any of the neighboring communities outside of South Russell. He did not know why the two-year standard was mandated but advised there must have been a reason at some point.

Mulcahy conducted research on the internet and obtained information. One source he found was Insepticpedia, which addressed how often septic tanks should be cleaned. Their recommendation depended on the number of persons in the home but revealed that a 2,000 gallon tank with two people living in the home, should be cleaned out every 12 years. The Roto Rooter formula calculated the same thing in his situation. He reiterated that the suggestion depended on the size of the tank, etc. Ohio Environmental Protection Agency (OEPA), suggests every three to five years. United States EPA recommends every three to five years. Mulcahy referred to an article from Geauga County from March 2017, in which pumping was recommended every three to five years. In looking at his research,

Mulcahy thought a two-year mandated program was a little excessive. He added that the days of paying \$185 - \$200 per pumping is long gone. The rates have increased, and they are now \$400 - \$450 each time.

Mulcahy stated he contacted his installer, Ziegler Earthworks, who wrote him a letter explaining that he is a licensed septic installer with Geauga Health Department who had been installing septic systems for 40 years in Geauga County and surrounding counties. The letter stated that Mulcahy's septic system which was installed in 2017 had a 2,000-gallon concrete tank. In his professional opinion, the recommended pumping schedule for a tank this size with two residents would be every four years. Pumping the septic tank more frequently would eliminate the aerobic bacteria, which aids in the decomposition of solid waste and is an important part of maintaining a proper septic system. Mulcahy offered to provide this letter to Council.

Mulcahy stated he had spoken to his neighbors in his community, Lake Louise, and the question raised was why was there an ordinance mandating that the tanks must be pumped every two years? Mulcahy stated this started in 1996 and questioned how many tanks in South Russell had been upgraded and replaced since this time. He added that the tanks today are more efficient than in the past. Mulcahy stressed he was trying to be reasonable but thought every two years was a little excessive. Most of the residents with whom he had spoken were told by their installers that once every four years would suffice. One resident, in particular, was having her tank pumped and the technician asked her why he was there because she lives alone. The technician told her that there was nothing in her tank. Mulcahy reiterated that the requirement was a bit excessive and perhaps it should be given another look. Mulcahy added that with the installation of sewers, he did not know how many septic tanks were left. The Mayor replied that there were 292. Berger added that it was 20% of the homes.

Mulcahy explained he was asking the Village to consider the requirement and identify a reasonable solution especially since many of the tanks had been upgraded or replaced. He added that there was a sense of government overreach. Mulcahy stated he is a reasonable intelligent person who could address the matter on his own, adding that he has a big investment in his property and questioned why he would not take care of his septic system. He wanted to see if the requirement could be eased and posed the question of whether the Village really needed an ordinance. Mulcahy explained that by not maintaining the septic system, it could cost thousands of dollars to get it fixed. He was in the insurance business and knew what would happen.

In conclusion, he was asking Council to consider the issue and determine something reasonable and fair for everyone.

Tim Geiss, 48 Ridgcrest Dr., said that what Mulcahy said made sense to him. He, too, only had two people in his home. The previous owner of the home had six people. The septic system is much bigger than required for two people, and he thought he could get by pumping it much less frequently.

Barbara Krasner, 39 Morningside Dr., stated her system was put in and upgraded 12 years ago. It was put in for a family of six, and for the most part, she lives by herself. She identified herself as the resident to whom Mulcahy referred. She did not see why having the system pumped every two years made sense for her, and that every four was fine. Two years seemed excessive, and not necessarily

recommended. She was not sure how she felt about the ordinance one way or the other, but she thought two years for people who upgraded their systems is excessive.

Chris Horrigan concurred with Tom Mulcahy and added that an additional factor is the increased cost. He said it seemed like an onerous situation with the frequency every two years costing two and a half times what it used to cost. Horrigan asked why the ordinance was put in place and what kind of data was used to make the decision to have septic systems pumped every two years.

Canton thanked everyone who contributed to the conversation. He stated there are 292 tanks in South Russell and explained that there are still some with one tank, but the vast majority are two tanks. The committee first checked with the county. Canton spoke with individuals with Geauga Soil and Water District and with the Health Department. He stated it was true that there was no statute or ordinance county wide concerning how often the tanks should be cleaned. However, they recommend every two years. Canton was told by Dave Sage of the Health Department that there is a State statute that states if a septic tank is installed beginning in 2007 and onward, that it needs to be inspected every year by a licensed provider. It costs about \$150 for the yearly inspection. Canton stated that the county does not push it because they do not have the manpower for it. Canton also contacted two installers, Klarich Septic in Newbury, and DeGreen in Lake County. They provided variables of age of system, type of system, company that produced the system, how many people live in the house, whether there are any teenagers in the house, whether the home uses well water, and whether the home has a garbage disposal. He was also told that two people in a home sent approximately 300 gallons of waste and water to the septic system every year. Canton stated he and the committee were still was not satisfied with the information he had obtained, so they considered the question of why a two-year ordinance? Why not a three-year or a four year? The committee located minutes dating back to 1996 and found that there was a problem with septic tanks on the northeast side of the Village in the Bellwood area. People were not consistently cleaning septic tanks and a lot of the waste was going over to Deer Lake in a new development on Music Street. As a result, residents of Deer Lake met with Council on July 8, August 12, September 9, September 23 of 1996. They came up with short- and long-term solutions. The short-term solution was that the septic systems would be cleaned on the northeast side of the Village. The long-term solution was a sewer system. In his research, Canton found that the Village once had a three-year ordinance, but there was no way to track accountability. Council then passed the two-year ordinance and purchased software for the Building Department, so that tracking could occur. Canton was told that since that time, there had been no problems with septic systems in the Village. Canton stated that he thought he and Berger should take in what was said in the meeting, study and weigh it with the research they have. They will then make a recommendation during the July 13th Council meeting. Canton added that the two-year ordinance was recommended by the Village Engineer and the OEPA at that time.

Andy Ilcin, 16269 Snyder Rd, stated he lives alone in a home built in 2008. He stated that while the ordinance was done with good intentions at the time, he was not able to find any city, village, county, or community anywhere that has such a rule. To keep and maintain a database of residents and send out notifications for septic cleaning is at a minimum not a normal course of business anywhere that he could find. He explained that whether a septic system is four years old or 40 years old, and it is not cleaned, the resident will pay the price either while living in the home or when it comes time to sell it. Ilcin

understood the rule was put in place for a good reason at some point, but given the current state of affairs, the resources used to try to mandate the cleanings, keep the database, and chase residents around to make sure they comply could be well used somewhere else. He did not think he could find any hard data that necessitates it, where residents are told what to do with their septic systems. Ilcin equated it with being told when to change his furnace filter or replace his roof. It is not necessary, and he added that the clean outs that happen on a two-year basis even in some of the most populated homes by any estimation is too short. He did not know if Council would consider getting rid of the ordinance or extending it. He did not know what place the ordinance had currently. Ilcin stated that he was scheduled to have his tank cleaned in January and mentioned to the technician that he would be going to Florida. The technician told him he could not have it cleaned in January because he could not leave an empty tank because of the balance of bacteria. Ilcin stated that Council's research could be better spent.

Councilman Carroll thanked the participants for providing valuable insight. He added that he lives in the Bellwood neighborhood, which now has sewers as part of the long-term solution to which Canton referred. He acknowledged sensitivity to the potential problems associated with not cleaning the systems within neighborhoods. Additionally, the potential for sewers was considered several years ago, but was not an option at the time, nor would it be in the near future. Having explored the possibility of extending the pumping to three or four years seemed to make sense, especially knowing that there was a three-year ordinance at one point. He looked forward to the Building Committee's recommendation and additional information. From what he had heard, it made sense to extend it to three or four years.

A resident who stated he lived next door to Mulcahy on Morningside Dr. said he just received his notification to pump his tank. He asked for dispensation to wait until the July meeting to see what if any changes would be made. The Mayor stated he would speak to the Building Committee and the Building Department the following day. The Mayor stated he would decree that the resident should not do anything for a month but should not count on a decision on July 13th. The Mayor stated he had known Tom for almost 40 years and said he had been patient. He brought the matter to Council a year ago. The Mayor told Mulcahy his system was fine but stated that on the other end of Morningside it stinks from time to time. He is trying to balance what Tom has done with what the Mayor smells while riding his bike through the neighborhood. The Mayor stated he would give the information provided by Mulcahy to the Building Committee. The Mayor asked who the current association president was, and Tim Geiss stated it is Joe Ferenzi. The Mayor stated he assumed most of the meeting participants were Lake Louise residents, and stated that updates will be provided to Ferenzi. The matter would be on the agenda for the July 13th Council meeting.

ADJOURNMENT: Being that there was no further business before Council the Mayor adjourned them meeting.


William G. Koons, Mayor


Danielle Romanowski, Fiscal Officer