

**Minutes of the
Public Utilities Committee
Meeting 2/16/99**

Attending: Gary Brockett and Ruth McIlrath

Meeting started at 6:00 PM

1. Jay and Karen Brown -Council asked to grant a variance
1104 Royal Oak
2.4 acres purchased in 1997; Public sewer is available;
-They feel their septic tank is working efficiently and they clean it every 6-months.
The distance to tie-in they feel is a hardship and they may need two lift stations in order to comply.
-Discussion:
Building inspector reports that the leach field does not work. Mayor reports walking the site and observing possible problems on the site. Everyone is fairly confident that the septic will fail the County test.
-Recommendation:
To deny variance and require tie-in.
2. Jim and Marilyn Cotesworth
1082 Bell Road and 1080 Bell Road
4 properties there and not two according to owner:
-They stated these properties were permanently exempted from tie-in; Felt he would need a grinder pump at great expense in order to comply; Said that septic tanks are 75-years old and working fine and need no tie-in to sewer.
-Discussion:
The "exemption" they referenced was from the County and not South Russell Village Mayor and Council according to former mayor. The age of the septic tanks makes it highly unlikely that they would be able to pass the current County Septic Tank test.
-Recommendation:
To deny variance and require tie-in.
The Committee desires to be fair in applying the Ordinance and concludes that it is unfair to require one person to tie-in to central sewer one month and grant a variance to another person the next month. After our recent experience at Bellwood, it is the Committee's opinion that everyone should comply with the existing Ordinance.
3. David Stuart Lowe
Sugarbush
Property not tied-in to sewer either and there may be raw sewage coming from this property.
Discussion:
The Committee will look into this situation and report to Council.
4. Lyndal Hughes
1075 Bell Road
Property not tied-in to sewer and the Committee will look into this and report to

Council.

5. **Water Well Monitoring**

The Committee discussed the high priority given to water well monitoring and agreed to begin work immediately to update the existing files on this, contact the County for information they have, and start working on securing preliminary bids to determine cost and scope of such a project.

As work develops on this project, the Committee will report to Council.

Meeting adjourned at 7:00 PM.

Minutes of the Public Utilities Committee Meeting March 26, 1999

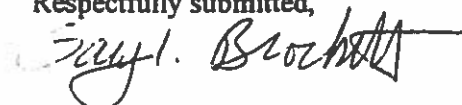
Present: Gary Brockett and Ruth McIlrath

The meeting began at 1:00 P.M. with . . .

- 1.) A discussion of existing ordinances 1979-21 and 1978-17. Ordinance 1978-17 provides a procedure for a variance granted by Council for new construction. This Ordinance appears to be well drafted. The only change that Council might consider is defining the criteria or definition for "compelling public need, extreme individual hardship or other extraordinary circumstances...".
- 2.) The Committee then discussed Ordinance 1979-21. The concern with this ordinance is that it does not specifically provide a procedure for Council to grant a variance. It does require a sewer tie-in whenever a public sewer is "available and accessible". This leaves Council in the position of (a.) having to enforce the sewer tie-in provision, but (b.) perhaps having an opportunity to define what "available and accessible" means. The Committee felt that Council may want to amend this Ordinance to fine what "available and accessible" mean and add any other criteria which may guide Council in enforcing this Ordinance in a fair and consistent manner.
- 3.) Criteria that Council may want to consider when it interprets what is "available and accessible" could include:
 - (a.) Cost – how much will it cost a property owner to tie-in.
 - (b.) Physical accessibility- what is the distance and is it uphill or downhill.
 - (c.) The amount of land around the structure that may enable an alternate system to work.
 - (d.) The percolation of the soil. Some soil perks better than others do and hence an alternative system may work on some properties and not on others.
 - (e.) Alternative remedies available- the Health Department might have an alternate system that would be acceptable to all parties concerned.
- 4.) The Committee also noted that it needs to research two other policies - Ordinance 67- 15 and Resolution 1970 R 10 as they may have an influence on the two existing Ordinances.
- 5.) The Committee concluded that no new position is recommended to Council other than that given at the February 22, 1999 meeting. No new information or compelling data has been brought forward demonstrating that any of the properties under review are neither "available or accessible" to sewer tie-in. If new information is brought forward, the Committee will review it and report to Council. Examples of new information may include:
 - (a.) A quote for tie-in costs demonstrating that a tie-in would truly be a hardship.
 - (b.) Test results showing that the existing system satisfied all existing standards and the cost of compliance would represent a hardship.
 - (c.) A blueprint of an alternate system, approved by the County Health Department, that would satisfy the health concerns, while alleviate a financial hardship on the property owner. Lacking a financial hardship being demonstrated, there is no reason why every property owner should not comply with the two existing Ordinances.

The meeting adjourned at 2:15 P.M.

Respectfully submitted,



Public Utilities Committee Meeting
Record of Proceedings of Meeting April 3, 1999

Members Present: Gary Brockett, Ruth McIlrath, Roger Mills, Matt Brett, Sally Butz-Voss, and Mayor Young.

Guests Attending: Mr. Brown, Mr. D. Satava, and M/M Cotesworth.

The meeting was called to order at 9:40 A.M. by Brockett who stated that the . . .

Purpose of the meeting: The purpose of this meeting is to review the new information that was submitted to Council at the Meeting on March 29, 1999 and make a recommendation to Council. The information included:

1. Mr. Cotesworth passed out a copy of the Ohio Revised Code 6117.51 providing an exemption for structures more than two hundred feet from sewer.

Brockett reported: The Village Solicitor has advised me that the Village of South Russell is a Municipality and as such has "home rule". Consequently, the Ohio Revised Code does not apply to our Municipality. We may, and should, formulate whatever policy we feel is best for our Village.

2. Mr. Cotesworth passed out a copy of Ordinance No. 1979-21 and stated that he felt that the words "From and after the effective date" exempted his property from the ordinance.

Brockett stated: The Village Solicitor does not agree with this interpretation of the Ordinance. He feels that the discovery of the ordinance language does not change anything and that existing property owners are required to tie-in to sewer when it is available.

3. Both Mr. Cotesworth and Mr. Brown provided little information as to the cost of tie-in. Mr. Brown stated that he was having difficulty getting a quote and Mr. Cotesworth said he was having trouble getting a quote, but about \$58,000 for the back house might be a reasonable number.

Response: Documentation showing that compliance with the Ordinance would cost the home owner a great deal of money, or that the sanitary sewer is not "available and accessible" is perhaps the best argument that any property owner can give. But documentation is needed. It is not the responsibility of Council or the Village to provide this documentation, but rather it is the responsibility of the property owner. Lacking sufficient documentation, verbal arguments can not generally be relied upon as suitable documentation. Hence, we are still seeking some reliable estimate of how much it will cost to comply with the existing ordinance.

4. Mr. Cotesworth referred to a May, 1991 tank cleaning report as evidence that his septic tank is in fine working order.

Investigation showed that: Upon checking all of the tank cleaning reports it was

discovered that one was reported "in poor condition". It was repaired. Two were reported "in fair condition" and they are being connected to sanitary sewer. So out of over 300 tank reports, only 3 reported anything other than "in good condition" and all 3 either have been repaired or will be connected to sanitary sewer. Hence, the reliability of this document that the septic tank is working satisfactorily is very questionable.

5. Mr. Cotesworth stated that he had not had one complaint regarding contamination from his septic tank. Hence, there was no problem and no reason to tie-in to the sewer.

Observation: It is the responsibility of Council to enforce existing ordinances. It does not rely on the number of complaints which are made, but rather are residents complying with or ignoring existing ordinances. Clearly the Cotesworth properties are not complying with the existing ordinance No. 1979-21 and hence we are addressing this problem. It is our responsibility to do so.

6. Mr. Cotesworth stated that no one could pass the "test well" inspection and hence that test could not be relied upon as evidence that his systems are not working.

The Committee found that there are structures that do pass the "test well" inspection. This test can be relied upon as evidence that a septic tank is not currently polluting. But this is an extraneous point. The fact remains that Council has the responsibility to enforce existing ordinances unless there are compelling reasons why it should not. So far, this documentation has not been produced by the property owners.

7. Mr. Cotesworth stated that he had a letter from the County exempting him from sewer tie-in.

Investigation shows that because of a change in construction plans, i.e., the line went down the hill rather than stopping at the top and restarting at the bottom, there were a few properties that were not given proper notification regarding sewer tie-in. The Cotesworth properties were among them. Hence, the only way for the County to provide proper notification and for assessment would have been to start all over again. Starting over with the assessment and notification procedure would have caused a delay in construction and the contracts were already signed. Hence, it was more expedient just to provide a letter to some property owners, including M/M Cotesworth, stating that they did not have to connect to sanitary sewer at this time - and move ahead with construction.

In addition, it is not possible for the County to provide an exemption to a Municipality ordinance as this violates the "home rule". Such a letter could be considered by Council, but does not show compelling evidence as to why Council should not enforce the existing ordinance.

8. Mr. Cotesworth raised the issue of "What is fair". Should Council force an ordinance on anyone that isn't fair?

Certainly the question of what is "available and accessible" is an important one. As stated at the March 29, 1999 Council Meeting, "no one wants to impose a hardship on any property owner."

- But where is the documentation showing that sanitary sewer is not "available and accessible"? And who's responsibility is it to provide that documentation. Clearly, it is the responsibility of the property owner.

- Where is the documentation showing that these decades old systems work satisfactorily today. Again, it is the responsibility of the property owner to provide this documentation and lacking this documentation leaves Council in a difficult position of not knowing if it can/ should provide a variance to the existing ordinance.

Observations:

- 1.) Mr. Brown and Mr. Cotesworth should continue their attempt to get a cost estimate for complying with the existing ordinance. If that cost estimate demonstrates that sanitary sewer is not "available and accessible", then Council can look at other options. Some time deadline needs to be in place- maybe 60-120 days is reasonable, so that this doesn't go on indefinitely.
- 2.) Options may include another type of system acceptable to Council (and the Geauga County Health Dept.), or convincing evidence that the existing septic system is working satisfactorily. But the system- whatever it is- must work. This is not asking too much. How do we know that the existing or proposed system does not pollute?

We are willing to give an opportunity to demonstrate that

- (a.) The current system works or
- (b.) An alternate system will work at a lower cost

(Having first demonstrated that sanitary sewer is not "available and accessible".)

Lacking other evidence, Council will have to enforce the ordinance and have the property owners connect to sanitary sewer as required by the existing Ordinance.

Recommendation to Council:

(1.) The Committee agreed that the front house on the Cotesworth property should be required to connect to sanitary sewer which is clearly "available and accessible". But the back house, which is roughly 640 feet from the sewer line could cost between \$26,000 - \$42,000 to connect to the sanitary sewer. Hence, the back house could be granted a variance. Evidence that the existing (or proposed) system still works should be provided by the property owner to insure that it does not pollute the surrounding area.

(2.) Likewise, the Committee agreed that the Brown house is sufficiently far from the sanitary sewer (also about 640 feet) that it would probably cost the homeowner between \$25,000- 39,000 to connect. This may be sufficient basis for Council to grant the variance requested and that is the recommendation of the Committee. Again, the existing system, or any alternate system, should demonstrate that it does not pollute.

Respectfully submitted,

Gary L. Brockett

South Russell Village Committee Meeting Notes

Date: 2.24.06

Committee: Utilities

Present: Jack Binder
MTB Wolfe

Mctw/CF Village Council to discuss
public access TV.

Cell phones for village employees:
Verizon will submit to us
A quote for phones & service
Jack will present @ Council.

GAS drilling: discussed how to proceed
educating the council on the
process? possibly a speaker?
should we tighten ordinances for shielding
or shading drills.
consider creating

Waste Removal:
Utilities committee discussed
what our (SRV's) specs
need/want to be for a
quote from Waste Mgmt
MTBW will ask Bin Time
for CF's specs

Submitted by: _____ Date: _____
Next Mtg: Date: 3/31 Time: 8:30am Place: Dinks

1-20-14

SRV BUCO MEETING MINUTES

PUBLIC OFFICIALS PRESENT:

MARK E. PORTER

MIKE CARROLL

GUESTS: PER SIGN-IN SHEET

TOPICS DISCUSSED:

1) Village Repts (proposed)
for sewer system

- Benslow input, 25K

- Sun Ridge - trench
systems generally
current req met
improvement

- Lake Louise - rate < 20

- Maple Hill Ball - Jan

summer (2013) -

majority -

- Lake Louise - 43 / 63 10

- Maple Hill →

- Sun Ridge →

- Benslow → Mark Porter

→ Informational Session

→

2000-2001

2000-2001

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2) Informational Meeting
provide for both
sides of issues

3) → The duress - \$3-5k or so

4) Grants may be available

5) 75% - some running -
too high

- 3/3? - Lake Jones or

- Maple Hill or

- Iron Ridge - or

- Bowbow - or

6) Non-response → how

count? → 4/15/12

7) April date →

maybe two more

8) Feb - event for public

info on con

petition by April

1, 2014 -

criteria - set by

Jan 27 council

mtg

Bowbow 40 homes

1. The first part of the paper is devoted to a general discussion of the problem. It is shown that the problem is well-posed in the sense of Hadamard. The second part is devoted to the construction of the solution. It is shown that the solution exists and is unique. The third part is devoted to the numerical solution of the problem. It is shown that the numerical solution is stable and accurate.

2. The second part of the paper is devoted to the construction of the solution. It is shown that the solution exists and is unique. The third part is devoted to the numerical solution of the problem. It is shown that the numerical solution is stable and accurate.

3. The third part of the paper is devoted to the numerical solution of the problem. It is shown that the numerical solution is stable and accurate. The fourth part is devoted to the conclusion. It is shown that the problem is well-posed in the sense of Hadamard.

**Public Utilities Committee Meeting
Friday, February 21, 2014 – 8:00 am**

Present – Mark Porter, Mike Carroll, Fiscal Officer Romanowski

Proposed Ballot Review-

- Mark will modify ballot language to include verbiage to the effect of agree to proceed with sewer extension recognizing it could cost approximately \$27,000+ and can be put on tax bill for 20 years. Tap in fees are extra, etc.
- Once Danielle receives revised language, she will revise the ballot accordingly.

Addresses/Streets to be included:

- Maple Hill, Paw Paw, Sun Ridge, Willow Lane, Bell Road
- Reviewed Bell road addresses 800-1508 (even numbered), 1405-1541 (odd numbered) are to be included
 - Mike verifying addresses with county GIS
 - Mike will identify area on map to be distributed to Council prior to Monday's meeting

Publicizing informational meeting:

- Chagrin Valley Times - \$250 for ¼ page ad
 - (Sample) - Village is considering extending sewer lines to the neighborhoods of Maple Hill, Paw Paw, Sun Ridge, Willow Lane and Bell Road. An informational meeting will be held DATE at Gurney School at TIME to discuss information on both sides of this issue.
 - Review prior advertising for reference
- Newsletter – target distribution date of March 20th
- Village website

Distributing sewer/septic information:

- All information distributed by Village will be on Village letterhead
- The website will contact up-to-date, factual information on the subject
- Information distributed by the Village will be factual information only, no opinions

Speakers/Presenters at informational meeting:

- Senator Eklund, Department of Water Resources, Health Department
 - Mark will contact to set up presenter for meeting once date is set
- Chagrin River Watershed, Realtor
 - Mike will contact to set up presenter for meeting once date is set

Informational meeting dates:

- 4/3 – first choice
- 4/10 – second choice
- 4/2 – third choice
- 4/9 – fourth choice
- Danielle to contact Chagrin Schools and try to book date
 - Let committee know as soon as date is booked with school

Ballot:

- Ballots will be mailed day after the informational meeting
- Ballots will be opened as they are received
- On April 18th, the Village will identify who hasn't turned in a ballot
 - Certified letters will go out to affected residents who have not yet voted
- May 2nd – deadline date for ballots to be postmarked or dropped off at Village Hall.
- May 12th – Council will have official decision on sewer initiative based on votes

Ballot Tracking List –

- Danielle to prepare tracking list for ballot distribution, receipt and vote.

Number of residences effected –

- Mike counted 212 houses that would be included in the voting process
- Of that – 153 letters will need to be mailed since Lake Louise vote is already tallied

Rules for the vote:

- One vote per household
- If household members don't agree, first (and only) ballot counts
- Once a vote is cast – there are no changing the vote
- If someone loses their ballot, after verification that vote hasn't yet been cast, a new ballot can be issued and submitted

Share with Council prior to Monday's Council meeting:

- Revised ballot and envelope
- GIS map with affected addresses highlighted
- Written timeline and details

Amendment:

- Prepare amendment to the motion passed at the 2/10 Council meeting

Incentiv Energy Webinar 12-18-14

Prices vary depending on zone.

Would qualify for PJM program

15% growth every 10 years -

Ask consumers to reduce use.

- Demand Resources (DR) during peak use times
- Energy Efficiency (EE) - make pmt for energy efficient projects
"NEGAWATTS" - pay users for this
So don't have to build more power plants

PJM - utilities can retain rebates

- PJM does not require DLG or Energy Star listing
- Does not require pre-approval
go back 2-3 for PJM

Once a year opportunity - by April PST

Documented 'Submitted' so be accounted for by summer

PJM cannot do self-
to be through has

100 kWh = 1 megawatt

PUBLIC UTILITIES COMMITTEE MEETING
JUNE 25, 2020 9:00 A.M.
VIA ZOOM

Officials Present: Chairman Galicki, Councilmember Nairn, Mayor Koons, Administrative Assistant Galicki

Visitors: Dave Conley, Illuminating Company/First Energy; David and Tracy Murray, Morningside Dr.; Collin Cunningham, CVT, Greg Heilman

The Mayor discussed the time involved in dealing with such matters and said he preferred it be addressed by the Committee instead of in a Council meeting because of the expense. Conley asked if the committee had received the quote he obtained for having the line buried, and Galicki verified he did, and Nairn stated it was less expensive than she anticipated, but added that it was still a lot of money. Conley agreed, and said that the issue with doing it would be that there would still be two poles, at the north and south ends of the property. He added that it is in the right of way, so it would be in the line with the existing poles. Galicki asked Conley whether the pole would be in the middle of the front of the Murrays' house, or if it could be off to the side. He wanted to mitigate the impact on the homeowner. Conley said in the original plan where the wire would go overhead, it would essentially be in the center. He said it could move possibly 10 or 15 feet one way or another, but it could only go so far. They try to consider aesthetics and making things symmetrical. Galicki suggested Conley offer this to the Murray's as an option. Nairn asked if the front of the house faced Green Valley Dr. or Morningside Dr. Conley said the driveway for the house is on Morningside Dr. Nairn thought it was a side-load garage, so the house would face Green Valley Dr. Conley did not know. She was trying to picture what street the pole would be on and what side the front of the house actually faced. Conley said the pole would be on Morningside, and if the house faces north, it would not be on the front of the house. Nairn thought this was better. Conley clarified that the home faced north.

The Mayor called the meeting to order at 8:02 a.m. when the Murray's joined the meeting, and stated the meeting pertained to the placement of a CEI pole at 71 Morningside Dr. He asked Conley to provide the information he obtained. Conley advised that at the previous meeting, he was asked to determine the cost to bury the lines at 71 Morningside Dr. instead of the planned overhead construction to improve safety and liability in operations of the utility line in the area. The cost would be approximately \$36,000, and would include a utility pole on the northern end of the southwest corner of Green Valley Dr. and Morningside Dr. The wires would cross the road and then go underground south to the southeast corner of the property in the right of way in line with the other primary lines. Another pole would be placed here for the wires to come out and get in line with the other wires that run behind the property to the south. This would be 100% customer billable. The other question Conley was asked to investigate related to tagging trees for possible removal on the eastern side of Morningside Dr. to accommodate the line. Conley stated he discussed the matter with his team and supervisor, who had 30 years of experience in the electric industry, and found that removing the trees was not an appropriate

course of action based on the number of trees that would unnecessarily be removed. CEI does not like to remove resident owned trees where possible, and did not think it would be right to ask any resident to remove that much nature unnecessarily when the same effect could be achieved with the original plan of moving over on the eastern side of Morningside Dr. with the overhead feed and the one pole.

David Murray thanked Conley for his research and asked why two poles would be necessary. Conley explained that a separate pole would be needed to take the wire under the ground. It would then run across Green Valley Dr., south in the right of way adjacent to the Murray's property, and then emerge to the south which would then require a pole to bring the wire up in line with the primaries that travel east to west on the southern portion of the property.

Conley stated that with the original plan to go overhead, the pole that would go in the right of way splitting the span symmetrically, but there could be a little movement of 10 to 15 feet one way or the other in the placement of the pole. Typically, CEI tries to split the spans right in the middle for aesthetics and to hold the wires more evenly. However, this would be an option for the Murrays to move the pole north or south 10 to 15 feet. Murray stated this would be appreciated because one of their biggest objections was that the original location designated for the pole was right in the middle of an area they cleared. If there were leeway where the pole could go closer to trees where it would blend more, he would greatly appreciate this. Conley said this was something that could be done, and a meeting could be arranged with the Murrays with the Field Supervisor.

Tracy Murray stated this was a monopoly and her hands were tied. She felt a battle could not be won with a company the size of the Illuminating Company. She advised they attempted to share what they were feeling and appreciated that Conley listened, but stated it was certainly a shame. If there was agreement that this was what had to be done, she said they had to do what they had to do. The Mayor asked if the Murrays were looking to move it as far north as possible, to be in the northeast corner of the property. Tracy Murray stated that no matter where it is placed there would be lines running through her yard. Whether it was to go in the center or 10 feet over, it was still going in their yard and there would still be wires running across their entire property. As a homeowner, she felt there was nothing else she could do but agree because there was no other power company for them to use. She stated that they were stuck. They tried to take the right approach and have a conversation, but ultimately, CEI would be putting the pole in their yard. She said it was a darn shame that this was occurring for one power outage. Murray stated that their power went out the previous Monday, but had nothing to do with this line, and yet the other lines would not be addressed, just this one. She reiterated again that it was a shame.

The Mayor stated that with the issue of the pole, that it was settled and had to be at that location give or take a few feet. In the long term, there was an issue of the Lake Louise power situation that needed to be examined. For today, the Mayor thought the discussion was done about the pole. Tracy Murray stated it was what the Mayor decided. Murray stated that as a taxpayer, she would like to see the Mayor fight for the residents of South Russell to ensure the property values are taken care of. She described it as a colossal mess in the Lake Louise neighborhoods with wires and lines. She stated that if a taller person jumped up in the Murrays yard, it would be

possible to touch the lines. She stated that she would hope that the Mayor would fight for the residents' property values, and said it was such a shame.

The Mayor stated that was fair enough and he would be glad to be held accountable to see some improvements in the Lake Louise neighborhood. He did not see any change coming with the pole, however. Tracy Murray stated she did not really see much of the Mayor giving his input on alternative solutions with their situation. She felt he had his mind made up at the beginning of the conversation and everyone was going through the motions over the last few weeks. However, she stated that this was what he chose to do, and it is what it is and there is nothing the Murrays can do because there is no other choice for a power company. The Illuminating Company has a monopoly in their area, and the Mayor agreed. The Murrays stated they would move on, plant some trees, and go from there. David Murray stated that the small victory for them was that when the process began, there was to be a pole placed in the right of way right in front of their yard without their knowledge in a spot that they really did not want. So, if the last four weeks of conversation bought them 10 or 15 feet, he wanted to have this conversation because a more strategic placement of the pole would be better than what was originally planned. He wanted to explore this option, and Conley agreed and said he would work with the supervisor to coordinate a time to meet before the pole is set. Conley added that it would be necessary to "re-oops" it, so there would be the marking organization who would be coming out to mark the property, and the Murrays should be aware of this.

Tracy Murray stated her husband was a lot kinder than she, and that she saw it as a 100% lose lose situation.

The Mayor asked if there were any other comments and adjourned the meeting at 8:14 a.m. Tracy Murray asked if the Chagrin Valley Times was present in the meeting, and the Mayor verified he was and provided his name to the Murrays.

A handwritten signature in cursive script that reads "Dennis Galicki". The signature is written in dark ink and is positioned above a horizontal line.

Dennis Galicki, Chairman

PUBLIC UTILITIES COMMITTEE MEETING
JUNE 17, 2020 9:00 A.M.
VIA ZOOM

Officials Present: Chairman Galicki, Councilmember Nairn, Mayor Koons,

Visitors: Dave Conley, Illuminating Company/First Energy; Murray, Morningside Dr.; Collin Cunningham, CVT

Dave Conley stated that Mrs. Murray requested the opportunity to go underground with utility lines, and as far as First Energy is concerned, this would be billable to the property owner, which would be the Village of South Russell. For this reason, he came directly to the Village. He said that Mrs. Murray may indicate she is willing to pay for this, but it could be tens of thousands of dollars for this type of work. In the road right-of-way, any underground cable would need to be encased in concrete and conduit that the customer's contractor would have to install, which would be additional cost to the trenching. Furthermore, instead of being the single pole, there would be two poles on either end for the wires that would go underground, which would be bigger, heavier, thicker wires. He advised that it would cause more obstruction to go underground than to stay as planned with the overhead line pole. Nairn asked if the proposed new pole would be going into the Murray's front yard. Conley explained it would be on the Morningside Drive side of the property but was not sure of the orientation of the home.

The Mayor advised that the second member of Council was joining the meeting, so this would become an official meeting. The Mayor called the meeting to order at 8:57 a.m. He advised the meeting was being recorded and pertained to the location of a CEI pole on the eastern side of the property of 71 Morningside Dr. in Lake Louise. The pole is in the right-of-way at the corner of Morningside Dr. and Green Valley Dr.. The Mayor stated Conley was at the location on June 16th, and the Mayor was there Saturday, June 13th. The issue started in May with the proposed location of the pole, and the Murray's asked if they could be heard.

The Murrays joined the meeting at 9:00 a.m. Mr. Murray thanked the committee. He stated he and his wife were surprised when they discovered a pole was to be placed in their front yard. Had it not been for the Stay at Home order, they might have come home from work to find it. Their biggest concern is that this is a band aide for a larger problem that exists in Lake Louise and parts of South Russell with power outages that last for extended periods of time. He stated that these outages were occurring in a part of the line that would not have been fixed by this solution. He questioned why First Energy would zig zag the lines through the neighborhood as opposed to finding a better solution. There are lines that go through backyards for miles in the neighborhood.

Mrs. Murray stated that they are not only thinking about the integrity of their home, but the integrity of the neighborhood and Village. She estimated that they lose power a half dozen times a year, and it is always in a different location. She said she understood the safety issue, but asked what would fix this one particular line when other lines go down creating issues. Mrs.

Murray reiterated that it is a band aid, and she was wondering how the community can rally together to figure out a solution that is not just fixing a problem that continues to happen over and over. She said that this was the first time that the line First Energy wants to move had gone down. It was not a reoccurring situation. Mr. Murray stated that in the seven years they had lived in the home, there was never an issue in that part of the line before. He added that aesthetically, they also had an issue with the pole. Seven years ago when they purchased their property, they spent a lot of money removing trees and adding a front yard to improve the appearance. The pole would be going in the center of the landscaping they had done. They questioned its purpose and said it would not stop the power company from coming to Lake Louise several times a year because there were so many other issues down the line.

Galicki referred to Mrs. Murray's statement about the repeated problem with power outages, and asked if she was referring to Lake Louise or the Village in total. She clarified that it was within the development. She advised that Ridgecrest often loses power, and other times half of the neighborhood would go out and the other half would not. Mrs. Murray surmised that they result from old lines and old trees. She understood that something had to be done, and she discussed other solutions with Mr. Conley. She thought about the value of her home and community as well as the Village. She asked what her other options were and what the Village could do to rally to help the neighborhoods which continued to be littered with lines.

The Mayor stated that there were two issues, one was the pole and one was Lake Louise. He thought the pole needed to be addressed first. Conley advised that the pole was being place in the specific location to reroute primary lines that run through heavily vegetated areas. First Energy has a requirement to provide a certain level of power reliability, safely, and economically. The pole allows them to do that and it is the only option currently available. This was the criteria used in the decision to move the pole to that location. After his conversations with Mrs. Murray and hearing her concerns, he verified with the line shop personnel this was what had to be done to meet the requirements. It would allow them to improve reliability without removing the forestry. He stated safety is a major concern. When working in an area where vegetation can fall and damage the primary line, it creates a dangerous situation for the crews and the public. For all these reasons, this location was determined to reset the pole and move the primary wires.

Mr. Murray asked why the decision was made to move this portion of the line so quickly. It was the first time this portion of the line had gone down in the seven years they had lived in the home. Yet, no movement had been made on the pole directly in their backyard. There had been crews working on this line the previous week and four times previously over the past seven years because it had gone down. Conley stated he could not speak to any line issues in the past, but with the current line, recently there was an outage where the crew responded and identified the issues and the landscape there. At that time, they determined in order to meet their requirements to safely, reliably, and economically restore power, the line needed to be moved.

With regard to the use of the term, "heavily vegetated area," Mrs. Murray said it was a backyard with trees, but not a forest. She said their yard is not heavily vegetated in the back because they chose to remove the trees. Had they not spent \$30,000 removing the trees, they too would be

heavily vegetated. She asked what the restrictions were for the backyard, and why could First Energy not consider rerouting for the safety and think about other options. Conley stated it is necessary for the company to have access to their equipment, which can be an issue and safety is another piece. Mrs. Murray asked whose obligation it is to trim the trees, and Conley stated First Energy operates on a four-year maintenance cycle to trim outside of the right-of-way of the primary distribution circuit. Outside of the right-of-way, there are trees that can cause issues. Murray asked if the cost of removing the branches and trees that obstruct the line would be greater than the cost to put the new line up. Conly said he did not have those figures in front of him, but First Energy can only trim to a certain level and any trees outside the area which they cannot access are not their trees to trim and this aspect cannot be controlled. He reiterated that it comes down to having access and safely and reliably operating it. Economically, moving the pole to the new location was determined to be the correct course of action.

Nairn asked if the discussion involved just one pole that would be erected on the Murray's property. Mrs. Murray stated yes. Nairn asked the location of the pole, and Murray stated it would be in the front yard. She explained that there is one pole which will entail wires that will run the entire perimeter of the front yard. They will have the only home on the street with wires in the front and back of their home.

Murray addressed the cost and safety issues as well as their home value with the wires running around the front of her house.

The Mayor stated that the Village is always concerned about home values and people's property. He stated it seemed this was the easiest and cheapest solution. To go underground would be very expensive. The wooded area east of the Murray's home, in the opinion of the Mayor and First Energy, is heavily wooded. He did not see a solution other than the suggested location for the pole. The Mayor stated he thought there was a long-term issue with the Lake Louise neighborhood, but that would not get solved today. The Mayor stated the pole would have to go where First Energy indicated, but he thought they could get a commitment from First Energy to look at the Lake Louise issues. He thought this would be the best compromise that could be reached. The pole would be in the Murray's yard, but it would be taken from a more dangerous area behind someone else's home.

Mrs. Murray stated the problem that she was having was that this is the easiest solution for everyone but them. It was easier to make one homeowner feel that their lifestyle must change due to the fact that it was easier for First Energy. She felt it was a case of big companies winning again. As a taxpayer, Murray stated that the Village needed to do something. Stand up and think about what the Village was looking like. She stated it was littered with lines. If this is the solution, Mrs. Murray asked if it would be an option for her to call a tree service to determine the cost of removing the trees that were obstructing the line. She added that she had already spoken to the homeowner.

Galicki asked Conley if it was a matter of access to existing poles and the relocation of the pole to the Murray's yard would help mitigate those issues, or was it a power distribution issue where the pole needed to be relocated to help distribute electricity. Conley stated that one pole with the

primary on it would be moved. The primary feeds approximately 40 different customers. If a branch were to fall into it, it would be a lengthy restoration because of the geography. By moving it, these obstacles would be eliminated. The new location would enable First Energy to provide faster restoration. He explained that it was the distribution aspect where it would improve the reliability in the neighborhood. Murray asked how many homes were affected by the line. Her understanding was that there were three homes. She added that her power did not go out on the one time that the line went down. It affected the four homes around the wire, and she asked if this solution was for those four homes. Conley explained that this is the primary line that feeds the circuit for approximately 40 customers. Some of the other lines are secondary service that would directly feed just those individual customers. Murray clarified that the line that went down was only feeding those customers. Conley said he did not have an answer for that specific situation. Murray said the line that went down only affected a small number of homes, which was why she thought it was a secondary as opposed to a primary line.

Murray asked if it were the consensus that there was nothing that could be done to protect the integrity and value of their home and neighborhood, and whether everyone felt good with this.

Regarding Mrs. Murray's statement that two and a half sides of her home would have wires, Nairn clarified that this would be if the line went up. Mrs. Murray concurred. Nairn asked if there were other properties in Lake Louise with this situation. Mr. Murray said he would have to check. Most homes in Lake Louise have either all front yard or all backyard lines. The Murray's street has all backyard. The point in question is where it transitions and then goes up Cascades Dr. in the front yards. Murray stated it was usually either or but not both.

Mr. Murray stated that when this issue began, he had asked about the cost of burying the lines but had not been given an answer. If the cost were affordable, he would consider it.

The Mayor asked Conley if they should adjourn the meeting and allow him to find this information and reconvene in a couple of days. Conley explained engineering would be involved that First Energy does not typically do for this situation. He added that it is expensive. Conley said he could research it further. Mr. Murray said he was not looking for a study on his property, but if Conley could provide a ballpark cost, perhaps they could entertain this.

Galicki asked Conley whether it is the opinion of First Energy that no other options to improved electrical distribution within that subdivision exist other than relocating this pole to the Murray's front yard. Conley said he could not speak for the entire subdivision, but for this specific instance, that was the decision made and was agreed upon by the line shop personnel and the designer. Galicki stated that no one likes to have utility poles in their front yard. He understood the Murray's concerns. Galicki asked if this were the only solution available, would there be a way to place the physical location of the line on a property line, essentially splitting the difference between two properties, or some way to mitigate the aesthetic issue. Conley stated that it might be possible to shift the location of the pole approximately 10 feet one way or the other north or south.

The Mayor stated that there were a number of options. One is that the proposed location of the pole is in the right of way, the line goes in and that's it and nothing can be done. The Mayor

asked how many poles would be needed if it went underground. Conley stated it would be two poles, one where it goes in and one where it comes back out of the ground. He explained that the line would come across Green Valley Dr. where there would be a pole, and then another pole would be on the southern end of the property. The Mayor added that the line would go along Morningside under their driveway. He clarified that a pole would be at the southeast end and another at the northeast end of the property. Conley said this is correct. He added that the wires that go into the ground are thicker, stronger wires and there would be additional work on the side of the customer to ensure that they are properly secured in the ground in the right of way. Other conduit may be required.

Mrs. Murray stated she understood the economical side of things. She explained that during a recent outage, there were four trucks that responded with five or six employees standing outside the truck for three hours. Mrs. Murray questioned the expense of this compounded by the frequent power issues in the neighborhood. She expressed her frustration in the decision to place the pole in her yard when other lines go down that have nothing to do with the line in question. The most recent line to go down was not questioned because there was no vegetation because the Murray's took the vegetation down to enable First Energy ease in getting to the line. In thinking about the money, they spent to do this, Mrs. Murray was very frustrated. However, she appreciated the time spent by Conley to address the issue and wanted the Village to think about the matter. She wanted the Village to commit to having the problem fixed.

The Mayor stated he would be in contact with Joe Ferenczi, the HOA president, and suggested getting a commitment from Conley that First Energy would look at the situation in Lake Louise to improve the electrical supply. The Mayor reiterated that he did not see a chance that the pole would not go into the east side of the Murray's property. Mrs. Murray said she would continue to explore other options, and she said she would appreciate Conley looking into the cost of putting the line underground. Conley agreed.

Galicki stated that he was aware First Energy had worked hard to improve the electrical distribution in South Russell. When he moved to the Village in 2003, the move-in day was the day of the National blackout. Subsequently, there had been a lot of power interruptions such that he invested in a whole house generator. Since buying the generator, however, the number of incidents had decreased. He acknowledged the Murray's pain and understood the frustration of the power interruptions. Galicki said it seemed that First Energy had worked on distribution issues in other parts of the municipality, and if they could determine the cause of the issues with Lake Louise, it would be appreciated by the residents. If there were improvements that could be made to the electrical distribution system, it would be a wonderful thing.

Mr. Murray stated that what struck him in this process was how lousy they were treated by some of the First Energy employees, and third-party personnel. At the end of the day, he is a customer, and questioned the business practice of installing the line without notifying the resident. He acknowledged that it was in the right of way but added that it would have a great impact on their property. Until they reached Conley, Mr. Murray said it felt as though they were treated as the enemy and not a customer.

Nairn added that she was disturbed that the Murray's received no communication about the pole or that there would be workers on their property. She explained that sending employees to wander around on private property is not done without some sort of forewarning. Nairn was surprised at the Murray's treatment and felt it, too, needed to be investigated. Conley stated he understood and apologized that First Energy could have done a little better job with the communication piece. He had already brought the concerns to the appropriate personnel. He offered his apologies and expressed his appreciation for them as customers.

The Mayor suggested giving Conley eight days to find out the cost of going underground. Conley said this should not be a problem. The Mayor suggested meeting Thursday, June 25, 2020 at 8:00 a.m. He said that Conley would determine the cost of going underground and the Murray's would determine the cost of removing trees on Sharon Gross' property. Mrs. Murray stated she would need to know what trees would need to be removed. Conley was not sure this could be accomplished in the timeframe given by the Mayor.

The meeting was adjourned at 9:45 a.m.

A handwritten signature in cursive script, reading "Dennis Galicki". The signature is written in dark ink and is positioned above a horizontal line.

Dennis Galicki, Chairman

Public Utilities Committee Meeting
Wednesday, September 15, 2021, 8:30 a.m.

Members Present: Chairwoman Nairn, Councilman Galicki, Mayor Koons,
Fiscal Officer Romanowski

Nairn indicated that the first agenda item to be addressed was the Northeast Ohio Public Energy Council (NOPEC) Community Choice and Sustainable Energy Program. The Mayor referred to a newspaper article discussing a presentation made by NOPEC to Bainbridge Township. The Mayor also referenced the NOPEC sustainability report from last summer. He scheduled NOPEC to attend the October 25th Council meeting to make the presentation. NOPEC wanted municipalities to pass a resolution by the end of the year on the electricity output. They are looking at a 100% renewable option that would cost about \$3.00 per month for a total of \$42.00 per year. They have asked municipalities to join and recommended a public hearing on October 25th, which the Mayor put in the fall newsletter. People can attend the meeting to learn about the proposal and comment on it. A copy of the resolution was provided to Council in July. The bottom line is that people would be asked to pay \$42 more per year for electricity because it would all be renewable. Galicki added that it would not be as reliable and referenced the events in Texas last year with the power supply when there were weather issues. They were using renewable energy sources which were not reliable during the severe weather. Nairn verified the proposal had nothing to do with natural gas. The Mayor said it just involved electricity.

The Mayor explained that the October 25th meeting would begin with a public hearing at 7:30 p.m. He thought there would be discussion in the Council meeting after the hearing. The Fiscal Officer asked if the matter required public hearings. The Mayor said he did not know that it required a hearing but recalled hearing that it was recommended. He did not think it was something that would be passed that night. Nairn asked if everyone in the Village would automatically be enrolled if Council were to pass a resolution. Galicki advised that the newspaper article indicated that there was an option to opt out, so if Council approves it, you are in unless you want to opt out.

Nairn asked which NOPEC representative would be involved and indicated that the last one caused confusion. The Mayor said that he did not want to challenge the Solicitor, but all 200 communities did the process the way NOPEC instructed, except for the Village. As a result, there were more hoops to jump through with the two meetings which no one attended.

Nairn addressed the annual United States Geological Survey (USGS) survey of the Village wells. She felt it was important to oversee the health of the wells in the Village. She asked the Mayor how many homes in the Village had wells, and the Mayor explained that from the Chagrin line to about Laurel is on city water. Residents east of this are on wells. Whitetail and Paw Paw Lake have their own water systems. The Mayor expanded on the history of city water vs. well water around the Village.

The committee discussed stormwater in relation to well water levels. Galicki noted that USGS measures the quantity of the water, but not quality. The water quality can be tested by Geauga County. The Fiscal Officer asked if Charles Hart, USGS, had to attend the meeting since he

provided a detailed report. The Mayor thought this would be a waste of his time. He would call Hart and ask what he wanted to do. Nairn asked if this was a yearly contract. The Mayor proposed signing a five-year contract. The Mayor added that perhaps the Village should pay to have the water quality tested. Galicki said that this may not provide an accurate view of the community. There can be two wells next to each other where the results can be completely different. The results depend on how deep the well is, where the well is tapping into the water, etc. One well can be contaminated and the house next door that might have a deeper well may be fine. Nairn indicated that the Manor Brook and Whitetail water is tested, and residents receive a detailed report yearly. Galicki advised that in Kensington Green, each house has its own well as with the rest of the Village other than Manor Brook, Whitetail, and Paw Paw Lake.

Nairn asked if there were any communities that require homeowners to test the quality of their well water. Galicki thought this might be done on transfer of property. Businesses might have a monthly or quarterly test required if it is potable water. The Mayor suggested asking the USGS representative about water quality testing, but thought he would refer the Village to a private testing facility. He would also ask him about a five-year contract. Galicki saw the benefit of keeping the USGS services, although the Village was the only municipality in Geauga County to do so.

Nairn addressed the possibility of fracking in the Village and referred to an article about fracking in Auburn Township and the related concern about the effects on the LaDue Reservoir. She spoke to the Building Inspector, who provided her with an article that states that in the Village of South Russell, it is not permissible to drill or frack in an area that is less than 80 acres. No one owns 80 acres in the community. Nairn discussed the relationship between fracking and earthquakes as well as contamination of well water. Nairn concluded that the Village was safe from fracking, but the Mayor said the State can override home rule citing the ability of homeowners to derive the benefit of their land. Nairn referenced another article that said the State of Ohio preempted all local regulations of oil and gas wells. At least there was some legislation on the books for the Village.

The Mayor discussed the bowling alley lots and new construction of homes. Nairn stated that there is also a law that allows two adjacent property owners to combine acreage in order to have the 80 acres for fracking.

Nairn adjourned the meeting at 9:06 a.m.

Cindy Nairn, Chairwoman