

Cuyahoga Falls City Council
Minutes of the Public & Industrial Improvements Committee Meeting
July 20, 2009

Members: Debbie Ritzinger, Chair
Mark Ihasz
Terry Mader

Mrs. Ritzinger called the meeting to order at 7:27 p.m. All committee members were present.

The minutes from the June 15, 2009, June 29, 2009 and July 6, 2009 committee meetings were approved as submitted.

Legislation to be Discussed:

Temp. Ord. B-67

Discussion:

Temp. Ord. B-67

An ordinance amending the Codified Ordinances with the enactment of Chapter 926 entitled “Capital Cost Surcharge Hardship Committee” and declaring an emergency.

Mr. Arrington stated this goes back to 1986 when the City merged with Northampton Township. The hot topic at the time was extension of City sewer and water. Some residents had bad water and bad sewers and others had no problems. There was a conflict on how to get it to people who needed it without penalizing those who did not. They need to find a way to assess the property owners. Typically, everyone on the street would get assessed a portion of the cost. What they came up with was a capital cost surcharge. Rather than doing a straight assessment on the footage, the property owner paid a surcharge when they tapped in. At the time, the City encouraged people to tap-in quickly and, for the first two years, they could extend the payment over a ten-year period. That two-year period has ended. In the meantime, people who hadn't tapped in and taken advantage of the extension were selling their homes to new owners who now had to pay a lump sum. The new owners have argued that they would have taken advantage of the extension. In addition, the cost has gone up. The County is now taking a hard stance on homeowners with septic systems, and is requiring a property that has a sewer in front of it to tap into that sewer. This puts a hardship on residents who may not have the money to pay this up front so he has been looking for a process to help property owners out. He took what the statutory code says on assessment hardship and tweaked it a little. The City will have a permanent hardship committee made up of three people consisting of the Service Director, Finance Director, and a representative of Council. They will consider all hardship requests. If the committee thinks it is advisable, they could permit the property owner to pay the assessment over time until it is paid off or until the home is sold. Any account that is deferred, would become a lien on the property. The one thing the committee will not be able to do is to reduce a capital surcharge.

Mrs. Ritzinger felt this was a wonderful program and she is in full support of it. Mr. Mader thanked Administration for coming up with this. He has received many calls over these and feels this will be good especially with the current economic situation. He thinks it is a great thing to do for the people out there. Mr. Barnhart asked about the agreement with Akron regarding water being available to the people on Dillon. Ms. Visner indicated she would check into that. Mrs. Hummel asked if the amount due when they tap-in would continue to rise or would it remain fixed. Mr. Arrington stated it would continue to rise. If the committee were going to allow someone to pay over time, it would be the same terms as allowed in the initial 24-month window. Mr. Walters asked what the criteria was that the County would use to force a sewer tap. Mr. Demasi stated if there was a verified complaint of sewage going into a drainage ditch, or of fumes, the County inspector would declare it and the property owner would have to tap into the sewer line. The County would not allow a new septic system to be built if a line was available. Ms. Visner stated that

the County has been sending letters since 2006 when the infrastructure went in there. Mr. Walters asked if anyone was ever forced to do a water tap-in. Robert Hasenjaeger, of the Summit County Health Department, stated a water tap-in would be forced if an aquifer was contaminated. There is no state law for forcing a water tap-in like there is for sewer systems. Mr. Walters asked how a property owner would be billed if they tap into the sewer line but still had a well since sewer usage is dependent on water usage. Mr. Demasi stated they would put a meter on the well and measure the water being used.

Committee recommended bringing out Temp. Ord. B-67.

Meeting adjourned at 7:43.