

**THE SEWER BOARD OF THE CIVIL CITY OF NEW ALBANY, INDIANA, HELD A WORK SESSION IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING ON FRIDAY, AUGUST 23, 2013 AT 12:30 P.M.**

**PRESENT:** Mr. Brinkworth and Mr. Wilkinson

**ALSO PRESENT:** Todd Solomon, Lindsey Bironis, Rob Sartell, Roger Harbison, Shane Gibson and Vicki Glotzbach

**Mr. Brinkworth called the meeting to order at 12:30 p.m.**

**Mr. Sartell** stated that BOD is actually CBOD and he didn't know if that would make a big difference.

**Mr. Solomon** stated that they could get that when they get to that section of the ordinance. He also said that there are some inconsistencies in that part of the ordinance. He said that there are duplications and in one place they call for a BOD of 325 and then in another place they call for 250. He stated that it needs to be cleaned up. He then started out on 51.001 under definitions and stated that there are definitions in three or four different places and he thinks that they should all be in one spot.

**Mr. Gibson** agreed and said they should all go under definitions.

**Mr. Solomon** stated that a lot of the language was left over from the 1950's and they cleaned that up. He said that they tried to highlight the things that need to be brought out and gave the example of replacing the definition of sewage with Code 410 IAC. He said that 51.003 Item A should reflect 300 feet of the property line instead of 100 feet.

**Mr. Brinkworth** stated that it seems that the ordinance says that if they are within 300 feet then city has the right to tell them that they have to tie in.

**Mr. Solomon** stated that it is always up to the sewer board's discretion and he will leave that at 300 feet. He went on to Private Sewage Disposal System and stated that there is a lot of overlap and this section was written in the 1950's so they would like to combine 51.020 with 51.145 and make sure that all of the language is modernized. He then stated that it would include more than just that section and would be everything listed under Onsite Sewage Disposal Systems which would be from 51.145 to the end of the chapter. He went through 51.020. He then went over 51.022 titled Permit Required before Construction Commences and stated that there is some duplication there and the process is described in more detail in 51.151 so that needs to be cleaned up and condensed.

**Mr. Brinkworth** stated that the section talks about a private sewage disposal system and asked how many of those we have.

**Mr. Sartell** replied that he doesn't know of any.

**Mr. Wilkinson** stated that IDEM has to permit on them anyway.

**Mr. Harbison** stated that it wouldn't have anything to do with New Albany.

**Mr. Solomon** stated that is another issue. He explained that there are a lot of references here to the Floyd County Health Department and there appears to be language that says the city is going to set the fee for the work that the Floyd County Health Department does. He said that it doesn't make sense.

**Mr. Harbison** stated that he doesn't see why we keep it in there because New Albany doesn't regulate that.

**Mr. Wilkinson** stated that the health department doesn't either and that IDEM does it directly.

**Mr. Brinkworth** asked if we want to eliminate.

**Mr. Harbison** said that he thinks so.

**Mr. Solomon** went through 51.023 through 51.029 and said that could probably be removed and put in a reference to IDEM and health department.

**Mr. Sartell** stated that there are still a few homes in Silver Hills that are on septic so he thinks that 51.028 should stay in.

**Mr. Brinkworth** asked if there is a spot in the city that doesn't have sewers and we don't want to spend \$450,000.00 to serve two houses then should 51.025 stay in.

**Mr. Solomon** stated that they would leave it in and reference the health department ordinance. He then went over 51.029 that states the New Albany Sewer Board shall prepare and adopt a form for the application for granting temporary waivers of the 300 ft. requirement. He then asked if they need to strike that.

**Mr. Brinkworth** asked if we were to require someone to tie on and they didn't want to and they made an application to get a waiver, would that form would be a waiver request.

**Mr. Solomon** replied yes.

**Mr. Brinkworth** suggested that they have them apply to the board rather than use a waiver request form.

**Mr. Solomon** stated that they could indicate that interested parties shall apply to the board.

**Mr. Solomon** asked about the fee for waiver requests.

**Mr. Brinkworth** stated that he thinks it is okay to leave it at \$100.00 for such waiver requests.

**Mr. Solomon** then went over 51.032 Right of Entry for Purpose of Inspection and suggested deleting that portion.

**Mr. Brinkworth** agreed.

**Mr. Solomon** stated that 51.033 still refers to the health department and sounds like septic language.

**Mr. Brinkworth** asked if this could be a case where we would tell a whole street to tie on and then one person says that their septic is working fine and has a health officer out to determine that and then writes an exception letter.

**Mr. Solomon** stated that the way he read it was that even if someone has a faulty septic system, they could claim hardship and the health officer may come out and say that it is not that big of a deal but Mr. Brinkworth could be right in the way that he read it.

**Mr. Brinkworth** stated that it sounds to him like it is where they are trying to stay off of the system.

**Mr. Solomon** stated that they could leave it in.

**Mr. Brinkworth** stated that it wouldn't hurt to leave it in.

**Mr. Solomon** stated that they would change the Board of Public Works to the Sewer Board. He then stated that on the bottom of the page under building sewers and connections, it says that in the event that an emergency connection or repair is made after hours and a permit cannot be obtained then the person shall proceed with the work but will only do what is necessary to relieve the situation. He said that sounds to him like that gives the right to a private citizen to do repairs rather than calling the sewer utility and he wasn't sure if the board wanted to keep that in.

**Mr. Harbison** asked if there is an emergency repair that needs to be done on the weekend do they still need to call and contact the sewer utility.

**Mr. Sartell** stated that they still have to call for an inspection.

**Mr. Harbison** said that the ordinance reads that they will leave the work uncovered and call for an inspection the next day.

**Mr. Wilkinson** stated that when they were doing the manual there were two or three articles of paragraphs that were conflicting and there was not a procedure.

**Mr. Sartell** stated that what he sees this touching on is that if someone had to reconnect to a sewer over the lateral. He said that as far as the main lines, we are going to know whether we have a problem there or not.

**Mr. Wilkinson** stated that we certainly don't want to do away with Item A where it points out that no unauthorized person shall uncover.

**Mr. Brinkworth** stated that it goes on to say that in the event of an emergency and they can't get in touch with anyone then they have the right to do it.

**Mr. Wilkinson** stated that we provide 24/7.

**Mr. Brinkworth** stated that he thinks Item B should be taken out.

**Mr. Solomon** went over the changes in 51.046 Classes of Permits; Fees.

**Mr. Brinkworth** stated that they were fine.

**Mr. Solomon** then moved on to 51.048 Separate Building Sewer Required for Every Building; Exception and asked the board if they still wanted to have an exception.

**Mr. Sartell** stated that there have been two occasions when they have made an exception.

**Mr. Harbison** stated that he thinks there some lots in town that would apply to and suggested leaving that section in.

**Mr. Solomon** moved on to 51.050 and stated that they took out combined because we don't have combined sewers. He then moved on to 51.051 Pipe and Joint Specifications and stated that they struck most of that section and changed the language to read the building sewer material, joints, fittings, installation and testing procedures shall be per Indiana Plumbing Code and shall be subject to the approval of the Inspector.

**Mr. Brinkworth** agreed that was okay.

**Mr. Solomon** then moved on 51.052 Size and Slope and went over those modifications.

**There was a lengthy discussion regarding 4 inch pipe and 6 inch pipe and it was determined that almost all are 4 inch from the foundation to the main and the State of Indiana requires 6 inch on the city's part.**

**Mr. Solomon** then went on to 51.053 and stated that they changed the language and inserted that the elevation and alignment of the building sewer shall be as required in the New Albany and Floyd Stormwater and Sanitary Sewer Design Manual or the Indiana Plumbing Code, whichever is more stringent, and shall be subject to the approval of the Inspector.

**Mr. Brinkworth** asked if it would be easier to add it to the design manual instead of changing the ordinance.

**Mr. Solomon** replied that it could be.

**Mr. Brinkworth** stated that he thinks it would be better in the design manual.

**Mr. Solomon** said that he will check to make sure that language is in the design manual and get the or changed to and regarding the sewer line being parallel to a building. He then moved on to

51.056 Location of Connection. He replaced all of the language pertaining to the Ys and the Ts and put that into the design manual. He then moved on to 51.058 and stated that they added that sewer credits shall be secured from the New Albany Sewer Board and the Indiana Department of Environmental Management prior to approval and connection to the sewer. He went over 51.059 Requirements to Install Cleanouts and discussed the changes.

**There was a lengthy discussion regarding annexation and the impact on sewer rates and tap-in fees.**

**Mr. Solomon** stated that in 51.075 Discharge of Stormwater and other Unpolluted Drainage they took out that cooling water or unpolluted industrial process waters could be discharged to a storm sewer, combined sewer or natural outlet because that is not allowed anymore. He also stated that in 51.076 there is some overlap in this section and the pre-treatment ordinance so they eliminated the duplications. He stated that they changed the ph level to higher than ten instead of nine in Item G because that is what it is in the pre-treatment ordinance. He then moved on to 51.078 and explained the changes in that section. He stated that the section refers to reducing the biochemical oxygen demand (BOD) and New Albany uses CBOD so they need to revise that language. He then moved on to 51.080 and stated that they added language referring to the pre-treatment ordinance. He then recommended that 51.081 be removed from the ordinance. He went over 51.101 Establishment of Rates and stated that they struck all of the Phase I rates because that has already passed. He said that Phase II is the current rates and recommended just calling them the current rates because they have already been implemented. He went over Item G 1 and asked if it is okay to take out COD.

**Mr. Sartell** agreed that it should be taken out.

**Mr. Solomon** then stated that they struck G 2 because it is a duplicate of G 1. He then stated that Item (a) lists the same numbers that were presented a couple of pages back in the table but it doesn't appear to be necessary to be listed again.

**Mr. Brinkworth** asked which spot he would rather have them in.

**Mr. Solomon** stated he thinks it's a little easier to have it in the table. He also stated that the calculations formula under (b) should be listed under the table.

**Mr. Brinkworth** stated that Item H should state that any and all garbage collections fees and stormwater fees shall be incorporated with the sewer billing and collection.

**Mr. Gibson** stated that he has rewritten and tightened up the language regarding temporary waivers of sewer use charges and he will send that information to the board.

**Mr. Brinkworth** asked how long ago the sewer tap fee was increased because we are the lowest around.

**Mr. Solomon** stated that they did it right before he got off of the board which was about seven years ago.

**Mr. Gibson** stated that as soon as he gets the rate study back, he can talk more about that.

**There was a lengthy discussion regarding increasing the sewer tap fee.**

**Mr. Solomon** then moved on to 51.115 and discussed Item G which is compensation for the Sewer Board members. He asked the board if they wanted to change that section to reflect their current pay.

**Mr. Gibson** stated that the salary ordinance is approved every year by the council and it is in that. He added that they should change it to say members are entitled to compensations as is fixed by the mayor subject to the approval of the common council.

**Mr. Brinkworth** stated that they should put the \$643.00 in because that is what it is today.

**Mr. Harbison** said that Mr. Gibson is saying to leave it to where it can be changed without changing the ordinance.

**Mr. Brinkworth** stated that the \$100.00 per month is referring to reasonable expenses incurred not the monthly salary.

**Mr. Gibson** stated that it is fine the way it is.

**Mr. Solomon** moved on to 51.116 Item C which referred to adjustments.

**Mr. Brinkworth** expressed interest in raising the amount that the billing staff is allowed to adjust. He stated that he thinks the amount should be \$750.00 and will not be in effect until the ordinance is approved and a resolution is approved in our meeting.

**Mr. Gibson** agreed that \$750.00 would be better.

**There was a lengthy discussion regarding summer watering program and repeated adjustment requests.**

**Mr. Gibson** stated that he feels that it just needs to be within the board's discretion on how to handle pools, adjustments, etc.

**Mr. Solomon** moved on to Item G and explained that we don't do that anymore.

**Mr. Gibson** stated that all of Item G needs to be removed.

**There was a lengthy discussion regarding 51.129 Item A under Assessment Against Property which refers to an inspection and fee.**

**Mr. Gibson** stated that he has no idea how this can be implemented. He thinks that the Recorder's office could generate a report that shows warranty deeds for New Albany filed in a given month.

**Mr. Brinkworth** suggested letting all of the real estate companies in New Albany and Floyd County know that they have to have an inspection before the sale of the home if they are on sewers.

**Mr. Harbison** stated that he just doesn't think that it is enforceable.

**Mr. Solomon** asked the board if they want to keep it in.

**Mr. Brinkworth** stated that he would like to change the fee from \$25.00 to \$100.00 and they will come up with some way to enforce it.

**Mr. Solomon** stated that 51.145 is the start of the Residential and Commercial On-site Sewage Disposal Systems. He said that this is all septic systems and potentially packaged treatment systems but the board and city do not regulate those so 51.145 to 1.158 does not apply.

**There was a lengthy discussion regarding the health department language in the ordinance.**

**Mr. Solomon** stated that he would call the health department and then send a revised version of this based upon that conversation.

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 3:00 p.m.

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Gary Brinkworth, Vice President

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Vicki Glotzbach, City Clerk