

UTILITIES COMMITTEE MINUTES SEPTEMBER 6, 2016

The Utilities Committee meeting was held on September 6, 2016 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:28 p.m.

PRESENT: Committee Members: Chair Paul Marnecheck, Vice Chair John Nickell, Dan Kasaris; Council: Larry Antoskiewicz, Gary Petrusky, Dan Langshaw, Steve Muller; Administration: Mayor Robert Stefanik, Law Director Thomas Kelly, Wastewater Supt. David McNeeley, City Engineer Mark Schmitzer, Assistant Law Director Donna Vozar; Other: Lou Krzepina, John Sindyla.

APPROVAL OF MINUTES

Moved by Mr. Kasaris, seconded by Mr. Nickell to **approve the July 5, 2016 Utilities Committee minutes.** Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Inflow/Infiltration of storm water

Mr. McNeeley said that work progressed on Sprague Road. 68 properties were tested between York and Abbey and out of those we have only had 14 violations so far. We expect to finish Sprague this month. Mr. Marnecheck asked where they go next. Mr. McNeeley said they will go to Hunters Creek and expect to start this next spring. He said they have some maintenance items that they need to address before the start of winter so they will be pulling the crews for that. Mr. Nickell asked if we did Pamela Drive already. Mr. McNeeley said yes. Mr. Kasaris asked how many violations were found. Mr. McNeeley said he does not have the figures with him but said that it was not a substantial number. Mr. Kasaris asked what the schedule was for next year, other than Hunters Creek. Mr. McNeeley said they will work on Pine Stream and then Devonshire. Mr. Antoskiewicz asked if most of the violations on Sprague Road are cross connections. Mr. McNeeley said that all of the reports are still being compiled and we do not yet have all the data.

2. WWTP "A" Standby Generator Replacement Project

Mr. McNeeley said that only two items on the punch list remain outstanding. We need insulation installed on some of the exhaust piping but the manufacturer does not want to have insulation on these pipes so we are looking at another alternative to ensure the safety of our employees. We are also waiting on the final check of the operations and maintenance manuals.

Mr. McNeeley said that bids were opened for the influent pump station replacement. The loan was approved and we are scheduling a preconstruction meeting with the winning contractor. He said that bids were also opened for B influent screw pump replacements. There were 7 bidders and we are currently evaluating these bids.

Mayor Stefanik reminded everyone that the storm water utility bills will be going out in a few weeks and we anticipate receiving quite a few phone calls on this matter. He asked that those phone calls be directed to Matt Sharver at the Sewer District. He said that we will be putting together a FAQ sheet for our various departments for when residents call.

NEW BUSINESS

1. Telecommunication code amendments

Mr. Kelly said that Council has been presented with a draft of the ordinance that represents some of the changes to the telecommunications section of our code. He introduced attorney John Sindyla and said that he is our chosen expert on this matter. He said that Mr. Sindyla has spent over 17 years in this area of the commercial enterprise and has been extremely helpful to us in assisting us in making changes to our code. He said that Mr. Sindyla is here tonight to address Council to give an overview of what the industry is doing and why we need to move quickly with these changes in technology and the various options that are available to municipal corporations dealing with the emerging technologies that are fast approaching.

Mr. Sindyla said that his practice solely revolves around representing wireless companies and oversight development projects around the country. He said that currently he represents Verizon, T-Mobile, AT&T and Sprint in many different areas. He said that several months ago the Mayor, Mr. Kelly, and Mrs. Vozar

contacted him to talk about some of the new advents in technology in the wireless industry and how it effects North Royalton. He reviewed a map with Council showing every cell tower site in North Royalton. He said the reason he is here today is to establish a policy for North Royalton for the installation of small cell and antenna systems within the city right of ways. Recently a company called Mobility blanketed northeast Ohio saying that since they are a public utility, they are allowed to do whatever they want in public right of ways. We have a different opinion on this as do many other cities. Some cities have prohibited them and some cities have let them in with no regulations. What we are talking about for North Royalton is letting them in to help make us a 21st century city, but regulating them and protecting our residents' best interests. Everybody wants more coverage and it is not just a social issue; it is also a security issue. There are still some areas even in North Royalton that have very poor cellular coverage so the application of these small cells is going to be valuable. The idea is to develop installation guidelines addressing where can they go, what are they allowed to put in, what will they look like, etc. He said that since they are in the city's right of ways, how does the city benefit. Permit fees, right of ways fees; many cities are jumping on this right now. Small cells are sites that are owned by the individual wireless companies and are located on utility poles, traffic lights, etc. They service only their own company. Distributed Antenna Systems (DAS) are very similar, but they are not owned by the wireless company. They are owned by a private company and provide services to any and all wireless companies who wish to locate on their antenna. He said that if the wireless companies install a small cell on a telephone pole in a residential neighborhood, they would be able to provide cellular coverage where it would otherwise be difficult to do since they cannot erect a cell tower. Mr. Sindyla provided examples of what the small cells and antennas look like. Mr. Muller asked about the range of these systems. Discussion on cellular range and the effects topography have on it was held. Mr. Sindyla said given these factors, the range from these small cells would probably be less than a quarter mile in all directions. Mr. Marnecheck said then that these systems benefit the residents who live closest to them. Mr. Sindyla said yes, they are trying to fill specific areas which they cannot fill with a cell tower, such as the residential areas in the southern portion of the city. Mr. Petrusky asked if the various small cells would interfere with each other if placed in close proximity. Mr. Sindyla said no, they won't interfere. Mr. Petrusky asked what would stop these from being installed on residential roofs. Mr. Sindyla said that our zoning code would address this. Mr. Muller asked what the average cost is for these units. Mr. Sindyla said a cell tower by itself is about \$500,000. The small cells cost less, but the coverage is also less. Mr. Petrusky asked what is stopping a company from approaching a resident who has 5 acres and asking to install a tower. Mr. Sindyla said that our current zoning code only allows for new towers to be located in Public Facility or Industrial District zoned land. The new code we will be preparing will look at allowing them in residential districts, but only under certain circumstances. They must first show why they can't provide coverage somewhere else, it must be aesthetically pleasing, and it must be in the city right of way. General discussion took place regarding areas throughout the city where there is the need for additional coverage. Mrs. Vozar said that we have supplied to Council the proposed ordinance. While it does recommend allowing the small cell towers in residential districts, they are limited to state or county roadways and will not be allowed in subdivisions. We are hopeful that this will provide adequate coverage and meet all the city's needs, but at the same time keep them located on the main roads. Mr. Sindyla said that the legislation will also ask these companies to show us why they cannot co-locate on an existing tower if one is nearby. Mr. Nickell said if we just restrict this to main roads, we could be restricting some of the services that we can get, because everything is going wireless. If they are not located inside of certain neighborhoods, they may not get these services. He said that in his neighborhood, all the utilities are above ground, so installing these units would go virtually unnoticed. Mr. Sindyla said that this would definitely be something we can discuss after you have had a chance to look over the draft legislation we have provided. He said that he is also working with the Law Department on a fee structure. Mr. Kelly thanked Mr. Sindyla for all of the good work he has done for us, as well as the work that he will be doing for us in the very near future. He said that there are many options for Council to consider. We believe that we have crafted the bones of a good ordinance going forward, but there are many issues to be considered. Mr. Kelly said that Mr. Sindyla is also here this evening to discuss with Council in Executive Session to discuss the value of certain municipal assets. Mr. Kelly asked that we conduct a brief Executive Session at this time.

Moved by Mr. Kasaris, seconded by Mr. Nickell to **recess the September 6, 2016 Utilities Committee meeting in to Executive Session to consider the sale of property at competitive bidding [ORC 121.22(G)(2)]**. Roll Call: Yeas: 3. Nays: 0. **Motion carried.**

Meeting recessed into Executive Session at 7:03 p.m.

EXECUTIVE SESSION

Executive Session called to order at 7:09 p.m.

PRESENT: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller, Dan Kasaris, Legislative Services Director Laura Haller, Mayor Robert A. Stefanik, Law Director Thomas A. Kelly, Asst. Law Director Donna Vozar, Attorney John Sindyla.

- **The sale of property at competitive bidding was discussed. [ORC 121.22(G)(2)].**

Moved by Mr. Kasaris, seconded by Mr. Nickell to **adjourn the Executive Session**. Roll Call: Yeas: **Roll Call: Yeas: 3. Nays: 0. Motion carried.**

Executive Session adjourned at 7:26 p.m.

Moved by Mr. Kasaris, seconded by Mr. Marnecheck to **reconvene the September 6, 2016 Utilities Committee meeting**. Roll Call: Yeas: 3. Nays: 0. **Motion carried.**

Utilities Committee meeting reconvened at 7:27 p.m.

There was no further business pending before the committee.

ADJOURNMENT

Moved by Mr. Kasaris, seconded by Mr. Marnecheck to **adjourn the September 6, 2016 meeting**. Yeas: 3. Nays: 0. **Motion carried.**

Meeting adjourned at 7:28 p.m.