



The City of **Westlake** Ohio

## PRESS RELEASE

For Immediate Release

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### WESTLAKE RESPONDS TO CLEVELAND CITY COUNCIL'S DECISION TO IMPOSE FIXED WATER CHARGES ON WESTLAKE RESIDENTS

Westlake, Ohio—(November 14, 2013) Mayor Dennis Clough expressed disappointment and dismay over the recent decision of Cleveland City Council to impose water charges on Westlake residents.

“Cleveland’s decision to do this is not only uncalled for, but unprecedented,” Clough said. “We have advised Cleveland since 2007 that our water supply contract with them expires in 2015. From 2007 until now we have sought a new contract with new terms and conditions. Cleveland’s response has been to claim that it has some right to charge Westlake residents millions of dollars.”

Clough expressed strong belief that Cleveland has no authority or basis to take this action and that Westlake is committed to do everything in its power to prevent such charges from ever taking effect. “We have asked the court for a temporary restraining order to prevent Cleveland from imposing these illegal charges and will continue to do everything we can to stop this action,” Clough added. The Westlake city charter prohibits contracts from exceeding a 25-year term. The agreement with Cleveland was signed March, 1990 and the 25-year limitation will be reached on March 19, 2015.

“If it is economically feasible, Westlake would like to remain a customer of Cleveland Water,” Clough stated. “As mayor, it is my responsibility to provide the citizens of Westlake with the best possible contract assuring they have safe, reliable and high-quality water and service at the most reasonable and affordable rate now and in the future. It is really that simple.”

The primary issues facing Westlake include:

- Significantly higher rates from the Cleveland Water Department compared to Avon Lake.
- Cleveland’s assertions that it would cost millions of dollars to permit Westlake to leave as a customer. Cleveland is demanding payments from Westlake residents of \$291 per quarter and higher for other customers for the next five years.
- Westlake has invested heavily in water line infrastructure that Cleveland wishes to take over.
- City of Cleveland has not met Westlake’s service expectations for years.

- Westlake prefers to be a master metered community as a way to control future water expenses.

“It is interesting to note that other cities such as Cincinnati have found a competitive water supplier approach offers economic advantages to residents,” Clough pointed out.

According to Clough, there are a number of things that may happen.

“While we will continue a constructive dialogue in good faith with Mayor Jackson, Cleveland City Council and the Cleveland Water Department,” said Michael F. Killeen, president of Westlake City Council, “we believe there are a number of courses of action at our disposal as we look at a 2015 contract expiration date. The City of Westlake can continue spending more for water rather than realize the savings from other suppliers. Westlake City Council can extend the current agreement until an equitable settlement can be negotiated. Westlake can strive to use two water suppliers. Finally, if necessary, this matter can be settled in a court of law.”

A declaratory judgment action has been brought by Westlake to determine its legal rights and obligations under the existing agreements and is still pending. The ruling by the court will allow Westlake to make informed decisions about future options for the supply of water to its residents.

“We will continue to remain transparent, provide up-to-date information on the city’s website and remain fiscally prudent on behalf of every Westlake resident,” said Clough. “While we understand that the City of Cleveland has financial challenges, it isn’t fair that Westlake be penalized for being a good customer and committed steward of our community. Again, we have commissioned a study that will help our city determine what our best course of action is. It should be completed by December 15, 2013.”

Public information regarding the cost of sewers and water in Ohio can be found at <http://www.epa.state.oh.us/DivisionsandOffices/fiscaladministration.aspx>.

For more information, visit [www.cityofwestlake.org/news/water\\_info.aspx](http://www.cityofwestlake.org/news/water_info.aspx).

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