

**Minutes of the Roads, Drains, Water, Sewer & Refuse  
Sheffield Lake, Ohio  
June 1, 2009**

The regular meeting of the Roads, Drains, Water, Sewer & Refuse was held Monday, June 1, 2009. Chairman Smith called the meeting to order at 7:35 PM.

**ROLL CALL OF MEMBERS:**

Present: Smith, Kovach, Bring, Elliott, Rosso, Huska

Absent: Podmanik, Diebold (excused)

Attending: Safety/Service Director Arendt, Law Director Graves, Concerned Citizens

**READING OF THE MINUTES:**

\*Motion by Elliott/Second by Bring to approve the minutes of the May 4, 2009 meeting as presented. Yeas all.

**CORRESPONDENCE: None.**

**PRESENTATIONS: None.**

**SEWER CREDITS/UNPAID CHARGES FOR TAX DUPLICATE:**

*List of unpaid charges* – after a brief review, \*Motion by Elliott, Second by Bring to have these certified to the county auditor to add to the tax duplicate. Yeas All.

**5043 Lake Road, \$64.68** – after a brief discussion, \*Motion by Bring, Second by Elliott to approve. Yeas All.

**4356 Belle Avenue, \$699.72** – after a brief discussion, \*Motion by Elliott, Second by Bring to approve. Yeas All.

**4119 Holl Road, \$376.32** – after a brief discussion, \*Motion by Elliott, Second by Bring to approve. Yeas All.

**849 Dillewood, \$105.84** – after a brief discussion, \*Motion by Bring, Second by Elliott to approve. Yeas All.

Service Director Arendt advised I do check these very carefully when they are brought to my attention. I usually follow up with the homeowner and if there is a letter from a company I really don't but when somebody hand writes something we go over their usage pretty well. So it is not a stamp of approval and some of these from what I was told that we have always done in the past – I think some of these that are going to come to the attention of this Board in the future will probably be denied. I think it is the homeowner's responsibility – they got to notice something, if they got large puddles in their yard, they got to notice something that they never had before. They got a drop in water pressure, they have to know something and they can't wait for a few weeks to let us know. You will find out why I say that in a later conversation.

**OLD BUSINESS:**

**Projects:**

**Ferndale I** – Service Director Arendt advised basically done.

**Ferndale II** – Service Director Arendt advised Ferndale II is moving a little bit ahead of schedule even though with the rain that we have had. We are definitely going to come under budget. You will see some severe drops to the side streets I can tell you that. That is going to be scary on that but that will work out fine. There is a couple of streets that are – it looks like you could put a diving board and go down. Chairman Smith advised but they are going to stretch that out quite a bit.

**Walker Road/Phase III** – Service Director Arendt advised Walker Road III, Bill has sent a letter to go forward on that to the required departments with the assistance of Dave that letter was sent out. Law Director Graves explained it is a request to proceed and then they will review it and then within 14 days I think they will send back a notice to proceed. Service Director Arendt advised we have the person that has the bid, so we are all set to go. Mr. Elliott advised that one end of Ferndale is officially closed correct? Service Director Arendt answered yes. Mr. Elliott advised I think we need to bring under Safety is that there is still a lot of traffic going in and out of there and I was on the Lorain.com the other day just browsing through and somebody was making a complaint on about that stating that there is so much traffic going through there and kicking up a lot of dust. Chairman Smith advised I know that technically it is closed to through traffic but there are residents that live there that have to travel through there. Service Director Arendt advised I did take a complaint last week on what Mr. Elliott is saying and I had the Police Department pay more attention between 4 and 6 o'clock in the evening. So they are supposed to be out there paying attention to that and see what is going on because that was the complaint of the resident that people were going through and kicking up the dust. But you know we have had quite a few other incidents lately that have kept our departments pretty busy.

### ***Infiltration:***

**Flow Monitoring analysis** – Service Director Arendt advised we have a tremendous number of projects at this time and we haven't had the opportunity to move them to Lake Road like I had requested and when we do do that I hope that I will get approval and we have the funds to send two of men to school to be able to read those rather than pay a company like K&S and do that. It really should be moved to Lake Road to help us with the future development of the area.

### ***Future Projects:***

**Sidewalks** – Service Director Arendt advised we are putting them in all the time. Mr. Elliott asked is there any plans on replacing those sidewalks over those bridges that we were talking about like Holl and Knickerbocker. Service Director Arendt advised Mr. Graves and I are still in discussion on where we are going to go with the Mayor as well on where we are going to go. I don't want to go ahead, in fact Dave and I were just down there last week and talked about that. I don't want to put the sidewalks in and do anything until we find out what their part is going to be if anything. The sidewalk is definitely our responsibility but if we go ahead and put the money in and put the new sidewalks in and somehow they agreed to come and do something and it gets torn up for any reason then we

are out the costs. I prefer to leave it alone for right now. Mr. Elliott stated no rush I was just wondering because I believe you have mentioned it before but I couldn't remember. Service Director Arendt advised it is a rush to me, I would love to get them fixed. Mr. Elliott stated like I said it is no rush, I would rather us wait until we have a final answer of what is going on over there but I was just wondering if that was in the works. Service Director Arendt answered it may a while.

Mr. Rosso stated I just wanted to ask about South Street, did we ever make a decision there? What is going on so when people call me I can just blame you going for it. Chairman Smith answered it is on the list. Service Director Arendt advised these are all preliminary, this is hopefully if it comes in; South, Community, Idlewood, Kenilworth, Maplewood (both sections of Maplewood), Robinwood, Richelieu, Saddlewood, Redwood, Pinewood, Rosewood to Ivanhoe, Beachwood, Greenwood, Ferndale, Elmwood and Southwood. Maple, Buckeye, Richelieu – I am just looking at the amounts here but those are the streets that are on here. So South is on here, the first street as I was telling you and the first street that I hope that we do is Maplewood and the second street would be South Street and all reality if this company comes in and it is the lowest bid is still will be the lowest bid they can get started tomorrow. I think we have to wait till next Monday or Tuesday. Mr. Elliott stated you mentioned or the Mayor mentioned at the last meeting that you weren't going to tar and chip, are you still going to tar and chip and lay that gravel down and put the gilsonite over it? Service Director Arendt answered no, I think what the Mayor said last week it is not simply a tar and chip – it is tar and chip with gilsonite on top. That will eliminate the dust and the kick up and everything else that goes with it. The gilsonite obviously adds to the costs but I think it will preserve it and make it a much more better looking and livable for the people who not only are going to get their pot holes fixed but that is going to look more of a new road. Chairman Smith advised I just wanted to say I drove quite a few roads yesterday, all the way from Devonshire all the way up to like Maple and Buckeye and I was really surprised actually how many roads are actually in good shape and how many roads have been asphalted. Especially like in your ward, quite a few. Mr. Rosso stated it should be. Chairman Smith stated no I am just saying if you start from all the way back, they are all coming along. In each section there is different roads. Mr. Rosso asked what are we into about year 6 of the ¼%, something like that? Chairman Smith answered yes and I was surprised because until I got to Roberts/south of Forestlawn, to me that is like the second worst road out there but until I got there everything else was pretty well good shape. Mr. Rosso stated quite a few have been done. Service Director Arendt advised a lot of roads that are bad, our patching crew is really – you know we were behind in and we are just about caught up. Chairman Smith advised I mean there is still holes out there but like Maplewood – Roberts is just as bad as Maplewood. But all in all you got some holes that need to be patched but compared to 6 years ago, there have been a lot of roads that have been done. Law Director Graves asked is the plan to put the gilsonite down at the initial application at the time of the road resurfacing or is it to wait? Service Director Arendt answered no. Law Director Graves stated okay because I know there was some discussion of waiting maybe the second year or something before applying the

gilsonite. Service Director Arendt answered immediately, you were in that discussion with us – you can wait, if you waited a year it wouldn't take the longevity out any more then if you did it at the time. After the second year, if you wait till the second year to put the gilsonite on then the longevity is declined by a couple of years. If you understand what I am saying. Chairman Smith stated it is more of a sealer, it seal coats the top of the asphalt. Sort of like when they put concrete down they put a sealer over the concrete – it is the same thing.

**Diane Cromwell, 881 Maplewood** stated just a question, at the very end of Maplewood are we going to go with a legal width on the road? As it is now it is not legal width, are you going to widen that or leave it as is? Service Director Arendt answered I got to be honest with you, I did not know it was not legal? Resident stated we were looking, we had an issue with a neighbor that was parking on in the street and we couldn't get around? Service Director Arendt advised I will have to check on that, I honestly did not know that the bid is on what is existing. So I will have to go out and measure it. Resident advised that particular end is something that the neighbor had put his own funds into resurfacing, his funds and a couple of other neighbors - they did it themselves and then there is a middle section that is what he probably spent the \$200.00 on. So just for curiosity, I am probably 95% sure that that end. Chairman Smith advised if I am not mistaken there is a legal width it has to be. Law Director Graves advised we will take a look at it. Chairman Smith advised they could have made that asphalt road wider too. When they had it done, they have probably over-extended it. Resident stated I think they did it smaller, I would say it is smaller as they did it themselves. Chairman Smith advised you are talking about the very south end of Maplewood. Resident advised you can't get by. There was a brief discussion on situation. Ms. Cromwell asked are we going to fix the ditches as long as we are tearing things up? Service Director Arendt answered we are going to clean the ditches out. We are going to do that ourselves, it is part of the bid if we want it but I calculate out if we do it with our own people we will save some money. Mr. Rosso asked why would the city clean that ditch, that is the property owners responsibility. Chairman Smith concurred. Mr. Rosso stated if you do it there then you are going to get. Service Director Arendt advised we have to do it on South, we have to do it on South for them to do it. They are recommending that we do it. Mr. Rosso asked are you talking about the ditch on South between the road and the railroad tracks? Service Director Arendt answered yes. Mr. Rosso stated well I don't if that – does somebody personally own that or is that city property? Chairman Smith answered that is personally owned. It is probably depends on whether it is in the road right-of-way or not. Service Director Arendt stated they are recommending that we do it. I will have to discuss it with the Law Director. Law Director Graves advised the property owners have the obligation and responsibility to keep that water running/drainage. Service Director Arendt advised Resident then your answer would be no. Resident stated if that is the case then we may fill it in? Mr. Bring advised no, you can put a pipe in there and fill it in. Chairman Smith asked you mean fill it in totally? Resident advised here is the issue, we are all the way at the end and the people next to us are higher then we are so the water sits in front of our house year round. Mr. Rosso asked are you south of Ferndale? Resident answered yes,

the very last house up against the woods. Mr. Rosso asked and that is an 800 address? Resident answered yes. Chairman Smith stated so you guys are where the asphalt sections are at? Resident answered yes. Chairman Smith stated so you guys live on the asphalt section? Resident answered yes. Chairman Smith stated I don't know how they handle the elevations, that is a Joe and David question as far as elevation goes. Service Director Arendt advised all the quotes that we got recommended that we do something with the ditches but I will have to talk to David and find out, if we don't have the legal responsibility then we will have to go to the neighborhood. Chairman Smith advised you can put a pipe in there and reset the grade and put the pipe in yourself. There was a brief discussion. Mr. Rosso advised I know of people that wanted to put a pipe in the ditch back before Joe and Bill said it will cause issues with the flow of water and you can't put a pipe in your yard. Chairman Smith explained when I put mine in, I had to bring a drawing to the city with the elevations of the pipes and it had to be approved by the Service Director and once approved then I could put the pipe in. Once I put the pipe in I would have to call him - the Service Director and they would send somebody out to inspect it before I covered it up because they set the drainage heights. Service Director Arendt advised we will have to shoot a grade. There was a brief discussion on issue. Ms. Cromwell advised well this is what Mr. Gardner told us when we first moved in there is that don't do anything because when they do the road they will do the ditches. This is what we were told. There was a brief discussion as Chairman Smith explained all the roads south of Ferndale, a lot of the area in the middle were supposed to go to the big ditch and some were going to Ferndale but when they do the road they are talking about total reconstruction; curbs, gutters, sidewalks – the whole nine yards. That is when all that stuff gets put in but just to go over and do the tar and chip, fill in the holes and putting a layer over – no, that is just to get that road passable because I will be honest with you right now it is not real passable. The main goal right now is to put that on the list. He is not talking about total reconstruction of the road, he is talking about getting that thing fixed and then they will look to make sure that width is the right width. But when it comes time to actually in the future depending on curbs, gutters, sidewalks – that sort of thing then the whole grading issue is going to be totally different then what it is now. I think at one point there were some plans on trying to get some Issue II money down the road to start doing those streets a little bit at a time with resident contribution/helping; whatever, like we did on Cove Beach but that is down in the future. Right now the main goal is to get that thing passable. Service Director Arendt advised I will get the grade checked, just shooting it ourselves. I mean I am not going to hire any surveyor or anything like that but we can shoot the grade. Bill and I can do that and take a look and see but that is about all we can do. There was a lengthy discussion on various drainage issues.

Chairman Smith advised I have a light that I have got 3 of my neighbors; the one we just put up to the lot north of me and all 3 of my neighbors are asking me how do they get it fixed because that light once it starts going off, the bulb comes on and goes off, goes on and goes off – like for a minute/30 seconds. So do they just call the electric company. Clerk advised you can go right on line and do that. Service Director Arendt concurred and

***Misc:***

**Water meters** – Service Director Arendt advised we have got money in a water meter account but we haven't really done anything with it. We have a bunch of new water meters here, you know with the issue of the 3 different types that you have – that is still in research. In fact I have met with 3 different companies in the last 6 weeks so we are determining what one would be the best and obviously I would like to go with radio reads.

**Pole for lights on bridge** – Service Director Arendt advised we are not ready for the pole for the lights on the bridge yet. I got to get the bridge stained and taken care of and all that first.

**SERVICE DIRECTORS REPORT:**

Service Director Arendt advised there is a couple of things that I would like to go over and Mr. Graves and I have discussed it. In this city, this city calls them paper streets – we have a neighbor dispute so we have written them a couple of letters. One neighbor is planting; very nicely and maintaining beautifully but it is putting it on the paper street property which that person really can't do. The other person is complaining about that because he wants to be able to drive 2 houses down, go on that paper street to go behind the other houses to go to his little barn that he keeps his lawn mower in. He easily can do it on the empty lot next to him that he owns. Also he wants to bring a truck in there to be doing something else. We wrote them both letters, one to ask the person that he has to move the stuff that he planted because it is illegal to plant that. The other person we wrote him a letter; the property that you are attempting to drive to your shed is city owned property, an undedicated city street and this must be kept open for non-vehicular travel. So if he wants to come to Council and petition, a paper street as far as my understanding and I don't know all the laws here really isn't there for vehicles to be driven on it is basically pedestrian traffic and possibly a lawn mower or something like that but not for vehicles. So they may come to you and they may send some letters, they always have the option to ask the city to vacate. Chairman Smith advised I do remember several years ago we had this same discussion about the same 2 neighbors and the same road and the same barn and the same access to behind. Service Director Arendt advised I wanted you to be aware that you may be getting some calls, may get some letters.

Service Director Arendt advised the other subject that I wanted to go on and again I spoke with David on this. I will be taking an ordinance change to the Ordinance Committee about past due water bills. Currently, they get 60 days and theoretically it is 90 days because they are paying for water that they use so it turns out to be 90 days plus 15. So it comes out to be a long time before we are able to shut off waters. I would like to change that to 30 days or the minimum of 45 days and then speed up the process by about a month. The reason that I hoped to bring this to the Ordinance Committee is maybe Council is not aware, the city is owned \$101,949.61 in unpaid water bills. There is a lot of people in the city who know that if they come in and they pay and in the past they have made deals to be able to pay \$50.00

here and \$50.00 there. I have not been approving those deals and Erie Shore Landings currently owes the city \$17,000.00 in water. Mr. Kovach advised that is not the first time that place has gotten behind. Service Director Arendt advised I think this will speed up the process and Dave looked at the ordinance and we talked about it for quite some time and I will bring it to your attention because it is the same with the grass issue that I had when I first came here. You know the city is owed so much in grass and we only put it on their property bill, we never billed the individual owners which we are doing currently and so far this year we don't have as much at the same time as we did last year. Hopefully we will try that. Mr. Rosso asked are you saying that you are not going to let residents set up a payment plan to get caught up? Service Director Arendt answered it depends, it depends on the status. I hope that Council will allow me to do to it anyone who wants to come in and pay it – they are chronic. There is people who can pay that choose not to pay, so the payment plan is going to have to meet a minimum standard depending on how much money that they owe. We had one resident that didn't pay a water bill for a year, never notified the city that they moved in - \$2700.00; set up a payment plan and never going to pay it off. I would hope that I would be allowed to go by the amount and their ability to pay. Believe me, people know how to pay the game. Mr. Rosso stated I don't have a problem with someone who can afford to pay paying their bills but I have an issue with that person/that family that is struggling that can make a certain minimum payment. So as long as you look at that and make that decision then I am okay with it. Chairman Smith stated I think probably where the big problem is if their water bill is \$50.00 a month and they come and they are behind and they pay \$50.00 – they are never reducing their bill, they are always staying in arrears. Mr. Rosso stated right, I mean you got to have a plan to catch up but I also want to be sensitive to the fact that they can't catch up right away. Service Director Arendt stated I did not say that I wasn't going to accept any payment plan. Mr. Rosso stated the way you explained it I am okay with it, if you find that guy that has all the money and just don't want to pay it then I don't have a problem with you saying no. Chairman Smith stated and if they are going to make a payment, make sure that they are bringing stuff off their bill instead of continuing. Service Director Arendt stated there is several on there right now, if they can't pay then you can't pay. I mean they are on there and there is tenants out there, you know screw the landlord and have that ability to pay that. Mr. Elliott stated I was just going to tell Dave to write it up. Law Director Graves stated you said bring it to Ordinance and I thought we would just bring it to this committee; Roads and Drains. Service Director Arendt answered you are right, you did say bring it to Roads and Drains. You are right and I am sorry. Law Director Graves continued we discussed which committee and we thought we would bring it to Roads and Drains because this was going to be a committee of the whole and if everyone thought it was okay then we would just draft something for Council. Service Director Arendt advised there is 2 things that I think it will do, I think it will bring the debt down and the second thing is it will be a slower rate of growth then current by bringing that down. After a brief discussion, the Law Director is to draw up three reading legislation with emergency clause.

**NEW BUSINESS:**

**5301 Willow Lane** – request for back-flow valve. Chairman Smith asked Joe did you look into anything on Willow Lane as far as Mr. Conron’s back-flow? Service Director Arendt answered oh yes. Chairman Smith asked you want to kind of fill us in on where we are at or what we are going to do? Service Director Arendt answered my recommendation is no and the reason being is Mr. Conron had an illegal tap-in and according to his plumber and his person out there he has never flooded and he also has a back-flow preventor in his house which is installed incorrectly. I mean I have spent hours on this guy, when I pointed out all the facts. First of all a back-flow preventor should never be installed inside the house, if you have inside the house you don’t have enough pressure to kick it out when the pressure comes back in it is so close it doesn’t have that opportunity to work properly – should never be installed in the house. Number two he has never flooded, he was right there with the plumber and he has never flooded. Third when we went out there and camered his lines, we found illegal tap-in. So when I spoke with his wife Friday, I said my recommendation will be that we “the city” do not pay for it. My recommendations is you call Mr. Masters who is their plumber and make sure that he is licensed to put back-flow preventors in and have him install one if you choose and have him re-install the one in the house outside. She was very agreeable because I said we are not going to do it because we don’t think it is a problem in the city because you had an illegal tap-in and I think that is where the problem came from and if you take out the one inside the house you won’t have that problem. So she said would you call Mr. Masters and tell him all this and so I called him and he said you are 100% correct and all she wants you to do is pay for it and I said we are not and he said okay and that he will take care of it. Mr. Elliott asked are we going to do anything about the illegal tie-in? Service Director Arendt answered we made them, Mr. Masters came out and they had to dig it up and they had to cap it off. That is done, I have a letter stating it was done. **REMOVE.**

**MEETING ADJOURNED:** With no further business before this committee, \*Motion by Kovach to adjourn at 8:27 PM. Yeas all.

**CLERK OF COMMITTEE AFFIRMATION:** This Meeting Of The City Committee Of The City of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And Regulations Governing The Sunshine Laws OF The State Of Ohio As They May Apply. All meetings are recorded and available in council’s office.

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CLERK OF COMMITTEE

*Kay Fantauzzi*

I, Kay Fantauzzi, duly appointed Clerk of Committee Of Sheffield Lake, DO HEREBY CERTIFY that this is A true and exact copy of the Minutes of COMMITTEE Of June 1, 2009.

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CHAIRMAN OF COMMITTEE

*Alan Smith*

*and/or*

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CO-CHAIRMAN OF COMMITTEE

*Dennis Bring*



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PRESIDENT OF COUNCIL

*Edward R Podmanik*

*and/or*

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COUNCIL PRO TEM

*Richard Rosso*