

**Minutes of the Roads, Drains, Water, Sewer & Refuse
Sheffield Lake, Ohio
July 6, 2009**

The regular meeting of the Roads, Drains, Water, Sewer & Refuse was held Monday, July 6, 2009. Chairman Smith called the meeting to order at 7:35 PM.

ROLL CALL OF MEMBERS:

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

Absent: Podmanik, Huska (excused)

Attending: Safety/Service Director Arendt, Concerned Citizens

READING OF THE MINUTES:

*Motion by Elliott/Second by Bring to approve the minutes of the June 1, 2009 meeting as presented. Yeas all.

CORRESPONDENCE: None.

PRESENTATIONS: None.

SEWER CREDITS/UNPAID CHARGES FOR TAX DUPLICATE: None.

OLD BUSINESS:

Projects:

Ferndale I – None.

Ferndale II – Service Director Arendt advised moving along very rapidly. Mr. Rosso asked did you have a chance to talk to anybody about what we talked about last Thursday after the guy that was swearing? We talked briefly after the meeting at Forestlawn where somebody was crossing Warwick. Service Director Arendt recalled conversation and advised he did talk to him. In fact they actually have a new Foreman on the job so maybe they will listen to this guy a little bit more.

Walker Road/Phase III – Service Director Arendt advised Walker Road III – I don't know where we stand at this point.

Infiltration:

Flow Monitoring analysis – Service Director Arendt advised still status quo.

Future Projects:

Sidewalks – Service Director Arendt advised we are putting them in as needed. Currently we have or have started and completed 44 projects. We are in the process of and this is above and beyond what the normal Road Department, Sewer Department and Water Department does – we have had 44 projects and 14 are still in progress right now and 12 haven't been started yet. I am going to give each one a list next week of all the projects where we are at. So we got basically 26 on-going projects other than normal work day projects. Chairman Smith clarified you say 14 of them are in progress and 12 are what?

Service Director Arendt answered haven't been started yet.

Misc:

Water meters – Service Director Arendt advised actually I had a meeting last week with the company that is going to give us a proposal. We have about \$58,000.00 in that account and we still have a lot of new water meters. The problem with the water meters is the radio reads because they are underground reading so when the water comes up. So we are getting a proposal from a company that could possibly have a couple of tests meters out there with radio reads at their costs. Mr. Bring advised Joe the last time we did it I think they put those in there and they were waiting rain and a read back on that and I don't think we ever got an answer back on those did we? Chairman Smith advised the last I knew on the water meters they were going over the winter time to check to see how they read over the winter time. I guess they worked okay and then there was working with a couple of different companies and then John was looking into another company to work/combine. Mr. Bring stated I thought we had like 6 or 7 in the ground and they were testing while waiting for the water – did we ever get anything? Service Director Arendt answered they don't read when the water comes above it. Mr. Bring asked so the ones they are doing now are going to be new and they are going to fill them up with water to make sure? Service Director Arendt answered yes. Like I say it will be at this company's costs.

Pole for lights on bridge – Service Director Arendt advised has anybody noticed the bridge as you drive by now? Mr. Bring answered much better. Service Director Arendt advised you can see the bridge, the trees are cut and we cut a few more today. Cleaning it out and getting ready hopefully by the end of this week or next week to start digging out for that bike path then we will get the pole up for the light because it is much more visible there now so we will need that. Mr. Bring stated it looks 100% better. Mr. Diebold asked hey Joe are you using 304 for the base for that walk or 57's? Service Director Arendt answered 57's and 304 both, we just got 160 ton of 57's Thursday – we use that a lot. Mr. Diebold stated that recycle, when they ground up Lake Road – you had quite a bit that what is equivalent to 304 but it is asphalt. Will you be using that for some projects correct around the city or can you use that for that or not? Service Director Arendt answered no we haven't been using it.

Chairman Smith asked Joe do you know where we are at on the roads – the 2 that we are going to do? Service Director Arendt answered Thursday they prep Maplewood and South and Friday they will chip and seal and gilsonite, so those roads will be done by Friday. Mr. Rosso asked when they prep those, do they kind of like scrap them? Service Director Arendt explained scrap them, fill the holes and don't forget part of Maplewood is going to be 1-inch asphalt. So that is a little different then the one chip and seal area but they will scrap it and fill all the holes and clean it and chip and seal and then the gilsonite will go over it. Mr. Rosso asked so it should be fairly smooth at that point, I mean after they scrap it - they are just going to chip and seal over all the holes? Service Director Arendt answered oh no, no, no. Chairman Smith advised last year I think they did that, they chip and sealed over the holes. Service Director Arendt answered oh no and I will be out there

Thursday making sure. Mr. Bring advised because Lafayette last year they just kind of went over it real easy and then they chip and sealed and it came out right away. Mr. Diebold advised same with Walker west of Abbe same thing. Service Director Arendt explained part of the problem is that if we do a single chip and seal, you would like to see all of the roads that are going to be chip and sealed basically double chip and sealed but it comes down to a costs factor on which roads really need a little bit more then the other roads. As I say Maplewood will be 1-inch asphalt in one area and it will be a single chip in one area. Part of South Street will be a double chip and seal. Chairman Smith asked on Maplewood, you are going from where the asphalt stops to where the asphalt is at the end right, with the one asphalt? Service Director Arendt answered yes. Chairman Smith asked you are going to do a tar and chip underneath it first right? Service Director Arendt answered yes. Chairman Smith asked then you are going to do the gilsonite on South and we will see how that works out right? Service Director Arendt answered gilsonite on both streets Maplewood and South other then where the asphalt area is for the gilsonite – we won't need to gilsonite on the asphalt area and then we will wait. Hopefully we will be able to tell immediately then we can go on all the rest of the streets. The original list I think I gave a copy to you, the original list originally came out at \$191,000.00 and we have got to cut back to \$163,000.00. So if we still stay under budget for all the roads that we have on the list, what I propose to do is go over some of the roads that have been previously chip and sealed without the gilsonite on it that may be cracking and forming and ready to absorb water and start to crack and put the gilsonite on that and fill those cracks up. Mr. Diebold stated you know when you put a coat of asphalt, what is that normally like Lafayette – when you did Lafayette. How was that done, 2-1/2 inches of asphalt? Service Director Arendt explained when we did the new road behind the shopping center, it is recommended 2-1/4 to 2-1/2. It depends on your pitch and we pitched that road 3 inches from the north to the south so the water will drain that way instead back into the building. So obviously that end is about 3 something and it goes down to 2-1/4. Mr. Rosso asked that is your base and your top coat combined right? Service Director Arendt answered correct. Mr. Diebold asked do you have any idea what the parallel angle is coming from the pitch of the road to the sides, I know you try to drop that on a degree to keep the water off the center of the streets. Service Director Arendt answered you mean on the roads that we are going to do? Mr. Diebold answered yes. Service Director Arendt answered the pitch from when I talked to Griffith you like to have it basically a 2 to 0 on a pitch. Mr. Diebold stated I don't know where he comes up with that, I would pitch the center of the street at least 2 inches to keep that water off that center of that street. Service Director Arendt clarified to the crown. Mr. Diebold asked how big is a crown to a right of way of 60 feet roughly do you know? Service Director Arendt answered no. Mr. Diebold advised you should look into that. I don't know if you ever go to West Virginia, a lot of the southern states – they chip and seal like 3-1/2 or 4 inches thick and it holds up like asphalt. I was just comparing what asphalt would compare price wise to seal and chip, maybe some day we could look into that but I will talk to you on the side or something. But they hold up like regular asphalt, they are done so deep. Service Director Arendt advised there is another process as well that they

actually take the street out, grind up all the asphalt, reheat it and put it right back down. Mr. Bring stated that doesn't work, they did that in Avon Lake. Mr. Diebold concurred they did that in Avon Lake and it sucked right? They had to redo right? Mr. Bring stated I am surprised the EPA didn't get on them because that thing was blowing black smoke everywhere. Service Director Arendt advised I saw some areas that it has been done and it is fantastic, I don't know what they did in Avon Lake. Mr. Bring stated as a matter of fact they stopped them because it fell apart and they redid the whole thing the next year. Chairman Smith advised they were burning and it was terrible, just heating that asphalt up and black smoke all over the place. Mr. Kovach stated I am sure that the contractor and his outfit did not know gauging by what I saw. Chairman Smith stated it might be a different company though. Service Director Arendt explained the company that I am talking about picks up the road, they don't do the heating there – they take it back to the plant. Mr. Bring stated no, this thing was a one step process – that was going back down the same time. Service Director Arendt advised I know which one you are talking about, no – I don't think I could handle the complaints about that. No, they dig it all up and put it and load it in trucks and take it to a plant and reprocess it and if it needs obviously more than what was taken up then they do that as well. Mr. Bring stated yes you save costs of material basically. Service Director Arendt advised I wouldn't want it done on the premises.

SERVICE DIRECTORS REPORT: Service Director Arendt advised we have a lot of great projects going and going to be started and I think things are looking better around the city and I am hoping that everyone is starting to notice. We are going through a lot, a lot, a lot of patch. I mean a lot, we are not only doing patching on Thursdays and Fridays as we were – we are out there 4 days a week now patching. Mr. Diebold advised I noticed Abbe Road, that looks a lot better. Service Director Arendt advised yes they did Abbe Road last week, last Thursday they did Abbe Road. Mr. Diebold stated I don't know if you ever walked down that road which nobody hardly ever does but some of those holes are 6 inches deep. Service Director Arendt advised when you do Abbe Road, for safety you have to take 4 guys to do it. On the smaller jobs we can get away with 2 to 3 guys and it leaves 1 other guy to get some of the other stuff done. He explained 1 driving the truck, 2 shoveling and 1 with the roller.

NEW BUSINESS:

Mr. Bring asked did you get a chance to go down some of the roads like Parkview and some of that - when you are pulling out and look to the left you can't see down the road due to the brush and then when you come out of Pleasantview you can't see either way and there is quite a few other roads but I didn't mark them all down. Service Director Arendt answered if you noticed last week we addressed some of those areas and tomorrow Ed will be on the mower again and doing the same thing he did last week. Mr. Bring explained it is more of the small brush and stuff growing out and the vines are hanging over and you cannot see down the road. Service Director Arendt advised you can't see the stop signs as well and that is what we did last week. Pat will be out tomorrow doing them again but if

you have any in particular that are bad. Mr. Bring stated like I said the one Parkview down there I think it is by Elm, when you look to the right it is fine but when you look to the left you can't see anybody and that is where the traffic is coming from. Mr. Diebold advised Mrs. Wisniewski was here I think at the last Council meeting she mentioned that on Lakeview Avenue. Normally every year I go down there with my backhoe and push it all back and then I push the weeds back off the 6 foot right of way to widen the street out because they are growing out so wild. But when I get my machine over there to do anything she comes out saying things. I don't know if you can get around to that and if not I will do it myself but I will just have to explain to her I am just trying to make it look better. Service Director Arendt asked what is the address? Mr. Diebold answered it is the intersection at Lakeview. It is all grown up and I could push it back with my backhoe but I don't know if you would want to get to it.

Mr. Bob Ebenschweller advised I don't know if you recall on June 9th I had some commentary about the scope of the Walker Road project. In the minutes, I was reading as the meeting was going on and saw the description of the scope of the project going all the way to Lakeview and I commented that I had always been under the impression that it was going to Abbe Road and stop. In light of the fact that previous meetings and Finance was always talking about that project and trying to get some creative financing and even getting funds from the County Engineer which we couldn't use for that but we could borrow against it. I got to thinking about the extra costs, did we really have to go that far and I was trying to find out when we changed it. I talked to Joe about it and he said well this has always been in the plans but it was never described that way so I just couldn't figure it out, why we were always told in all the newspapers and all the minutes it described as going to Abbe Road. Then after the vote was taken another issue came up that I am not going to go public about but I had several conversations with David Graves about. I guess on the basis of those concerns I had I got a call from the Mayor which I had to return his call a week ago Friday and he seemed pretty incensed with me and he told me he pulled the plug on the Walker project and that he wasn't going to sign anything that had any kind of possible legalities that could come back on us and he indicated that it was my grand standing and my rant at the meeting. I read the minutes of the meeting I didn't indicate any rant or any grand standing so I kind of took objection to that and he said this is what you wanted isn't it? I said absolutely not, I want to see that Walker Road finished as we all understand it should be finished. There is no sense in having a project start that terminus say you wind up at a secondary street somewhere, it should go all the way to Abbe Road. On that basis that is why I am here tonight, I said is the plug pulled on the Walker Road project. Service Director Arendt advised let me explain as far as I know, the project from my understanding and the drawings that I have seen has never ever changed – it goes to Abbe Road. The project always has and I think Ed would know this a terminus ending where a blacktop ends here and a terminus is out further. So to explain the plans never changed, the terminus was always there. When they talked about it being Abbe Road what the intent of that explanation was is that is where the blacktop stopped and that never changed. As the situation stands at this point, Walker Road is not going to happen. Mr. Ebenschweller stated

well further comment I remember when Bill had made statement the fact he talked about the next phases whether it was 4 or 5, he said we are probably not going to be able to do it. I remember him saying that at a meeting and then I got to thinking well it is logical that if you are going to go on a street with no houses why would you put infrastructure on it unless it had some kind of indication that building was going to happen there and then put it all on the tax payers. Well I understand what you said about that but most of the times that I seen these terminus just like when they did the Cove Beach project – they didn't go anything beyond Walker Road actually they lined the sidewalk up so it would meet up with it. Service Director Arendt advised if you read any road plans, if you look at any road plan it will always have a terminus ending to it regardless of where the previous plan that Walker Road went to X from what your understanding may have been. There is always an extension on any plans it is called a terminus ending and part of the reason for terminus endings is to attach to the next closest sewer or water and several other reasons but there is always a terminus ending. That doesn't mean the project necessarily goes to that terminus ending but the blacktop stops at X and if it is on the plans that it stops at X then it stops at X. The terminus may continue all the way to where the plans say the terminus can go. That is how you submit the plans when you are doing this. Mr. Ebenschweller asked does that include the sewers too because the sewers go another hundred foot beyond the blacktop. Service Director Arendt answered it may or may not, it depends it is just all plans. I don't know if anybody else has seen plans before, all the plans have a terminus ending. Mr. Ebenschweller stated anytime I have seen any before they just turn in like they did for Mansfield and Marion. They just took them in a little bit like that and not extended them. Service Director Arendt stated Issue II money that went to the state and stuff and plans had to be submitted to the state. Mr. Ebenschweller stated what I am saying is imperative they just do a little turn in and then they cut it off right there, they don't extend any sewer lines and blacktop 100 foot down the road. Service Director Arendt advised blacktop may not be extended but there may not be no reason to continue the terminus, there may be no reason as that road may already attach where it is ending on the blacktop to the next sewer line. Mr. Ebenschweller stated well there are no other sewers up there, it is just going to dead end. I made a reference probably unwisely to his comment about the bridge to nowhere, I said is there going to be a sewer to nowhere because that what basically it looked like it is just going to dead end up there. I don't see any possibility of ever developing that area unless the city starts working with a developer and by using our power of eminent domain and try to gain control of those properties and get it developed into some kind of a special type housing or whatever. Service Director Arendt advised that is entirely up to Council. Mr. Ebenschweller advise I would like to see that project go through, I don't want to see it pulled. If the money is not there then we should just end at Abbe Road, we shouldn't have to borrow money against – money that we have to pay back, it is just not wise. That is going to costs thousands of dollars more to run that up through there for no apparent purpose. The plans can change, we have to look at money issues. That is all I have to say about it. Mr. Diebold asked I have one question, next would be Phase IV on Walker Road and that would go from supposedly Abbe to Maple eventually down the road correct?

Service Director Arendt answered yes. Mr. Diebold stated I should know this but I don't, has that been looked into yet – is there something going forward with that? Service Director Arendt answered as far as I know Bill previous to me has looked into it but you know relatively they are small projects – Phase IV and V from my understanding. I received some pictures and I should have brought them from some residents that would be affected by Phase IV and the flooding is just atrocious that happens there but we can't do Phase IV without doing Phase III. So I would love to see it go through as well. Mr. Rosso asked are you saying if I understood you correctly, you are saying that the Mayor has decided that the city is not going to go ahead with Walker Road Phase III? Service Director Arendt answered I did not say that, Mr. Ebenschweller said that. I said as far as I know Walker Road is not going through. Mr. Rosso stated so Walker Road Phase III is not moving forward. Now my concern is we have been talking about Walker Road Phase III and funding and we had until October then it was August and then last month you have to pass it tonight or we will never get county money again. So now we are saying oh the hell with it, one guy complains so we are not going to do it – I don't understand that. Service Director Arendt advised there is a couple other issues. Chairman Smith advised here is the issue plain and simple; Bob made some accusations; some questions about me and Ed (Diebold) being that I own property on the corner whether I had some conflict of interest or some monetary gain by the sewer which I never even knew was going there. So the Mayor is going to get the questions answered, he has got to go to the Ohio Ethics Commission and it is going to be stalled until then and he won't get a response back to get it done this year. Service Director Arendt advised we have to get an opinion from the Ohio Attorney General. Mr. Rosso stated it passed 7 to 0 and even if these 2 abstain it is 5 to 0 and that is more than enough votes. Chairman Smith advised the issue is whether I have a violation or Ed has a violation. Mr. Rosso advised so we move to reconsider and we take a vote you 2 abstain and it goes 5 to 0. Chairman Smith answered it has already gone through that. Mr. Rosso stated so tell me how a month ago if we delayed it we were never going to get county money again and the world was going to end and now it is ah we can wait a year. Chairman Smith answered that I don't know either. Service Director Arendt advised I agree 100% and here is when I came into it and Bill is fantastic, I mean we couldn't do without Bill. When we kept talking about Walker Road III saying you got to get it done, you got to get the Mayor and Council to approve it and I said okay and he said because we are going to run out of grant money, we are going to run out – the grant time is going to end. I said okay so how much time you got? Mr. Gardner had answered until the end of the year. Service Director Arendt advised I said to Mr. Gardner I think we will be able to go through the budget and find the money before the end of the year and then I talk to Bill and he said what is going on with Council and he said you know you only have until July. I said what and told him to get it extended, you can do that because he sits on the Board so I said get it extended. Well before Mr. Ebenschweller brought up his concerns we were able to find the funding and send a letter to the state that we were ready to proceed so we in turn got that letter in before the July date that would have taken our grant funds away. But because of Mr. Ebenschweller's concerns we have to look into it to protect our Council people and our

city. Chairman Smith stated to make sure that I didn't do anything wrong and then they are going to proceed or Ed didn't do nothing wrong. Service Director Arendt continued but and the big but is if Bill is going to be able to get that grant extended. Mr. Rosso stated I could see there would be a concern if it was a 4 to 3 or you know I mean because if you guys would have both abstained it would have passed 5 to 0 – it is what we wanted and it is what we decided that needed to be done. Service Director Arendt stated I won't speak for David so it is not an exact quote but when I was with David when he was doing the research, the vote happened and it is what it is – you can't go back and say we will repeal the ordinance and we will revote again. The Attorney General's opinions that David was reading to me, so what you are saying is exactly what I and Bill and David said originally – okay we will repeal the ordinance and have another vote as it passed 7 to 0 last time and it will pass 5 to 0. Well when David looked up the opinions the vote is there and it stands – we can't do it, we cannot undo it. So we are protected because we didn't sign a contract, so we are protected right now. Mr. Rosso stated by we put our funding at risk. I guess that is my question, did we put our funding at risk instead of making a blank statement like that. Chairman Smith stated I think it is just on hold is my understanding until they get a response back. Mr. Diebold asked is it possibly going to be able to get an extension or do you know the answer to that yet? Service Director Arendt answered Bill is working on getting the extension, the money is still there because we sent the letter in to proceed. So I don't know how long that letter to proceed is good for but we are going to have to get an answer from the Attorney General. Mr. Diebold asked can Dave Graves look into that, how long that letter is going to be good for? Service Director Arendt answered we are trying to get answers, I am not trying to put it off we are trying to get some answers right now. Chairman Smith stated the question is are we going to have a monetary gain by that sewer going up to Lakeview – intentionally. Mr. Bring concurred it has to be the intent. Chairman Smith advised it is not even a buildable lot, so that is what he is checking on and that is where it stands. I don't know as far as how long funding I just know it is on hold right now. Mr. Ebenschweller noted I did not bring that up. Chairman Smith stated you raised the question and the point is valid I guess because I never even knew there was a sewer going through there, I thought it was just up to Abbe Road just like Walker Road and maybe that is my screw up. Service Director Arendt advised the blacktop ends at Abbe Road, the terminus is extended. Chairman Smith advised we didn't do sewers under the other Walker Road and not once did we ever discuss sewers as far as I know. I probably made a mistake maybe if I did by not looking at the plans enough. Mr. Ebenschweller stated if you remember I think I might have made the statement that anytime that we had ordinances like that when I was on Council – they always had a plan/plat of the project with the ordinance so you could actually look at it and see where it went because not everybody is familiar with the drawings. Chairman Smith stated John is just being safe I guess because he said he is not going to sign it yet. As far as funding I don't know, I really don't know. Service Director Arendt continued to answer your question yes it was imperative to get it done so we didn't lose the funding but after we did that there was a concerned citizen that brought something up so now we have to find out where our status is on that funding. Mr. Diebold

stated that funding is and I should know this but I don't the funding is how much percentage of the total project? Mr. Rosso answered I thought it was 80/20 – the city match being 20%. Service Director Arendt advised the whole project is \$361,000.00 and I think Council had to come up with what I kept quoting \$213,000.00 so it was probably a little bit different from 80/20 but I could be wrong. That project came well under what we expected as well. Mr. Diebold stated that will be ashamed not to get that through. Service Director Arendt advised well it is an important project because it leads into IV and V which will really, really help some flooding issues – really help some flooding issues and IV and V are very small projects that the money we need shouldn't be a problem for us to get grants for. Clerk Fantauzzi advised the Roads and Drains meeting for September will be changed to the first Tuesday at 7:30 pm because the first Monday is actually closed for Labor Day holiday. So it will be the first Tuesday in September for Roads and Drains.

MEETING ADJOURNED: With no further business before this committee, *Motion by Kovach to adjourn at 8:13 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.

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 July 6, 2009.

CHAIRMAN OF COMMITTEE

Alan Smith

and/or

CO-CHAIRMAN OF COMMITTEE

Dennis Bring

PRESIDENT OF COUNCIL

Edward R Podmanik

and/or

COUNCIL PRO TEM

Richard Rosso