

**MINUTES OF CITY COUNCIL WORKSESSION  
SHEFFIELD LAKE, OHIO  
March 15, 2011**

The regular meeting of the City Council Worksession was held Tuesday, March 15, 2011. Council President Podmanik called the meeting to order at 7:14PM.

**ROLL CALL OF MEMBERS:**

Present: Podmanik, Rosso, Stark, Kovach, Bring, Elliott, Huska, Finance Director Smith, Service Director Smith, Law Director Graves, Grant Administrator Gardner

Absent: Councilman Smith, Mayor Piskura, Treasurer E Hoenig (excused)

Attending: Planning Commission; Belaska

President Podmanik advised I want to ask because I seem to remember at one point and time when they left town he usually sent me a message or drop me a line, he didn't do it this time. He asked for a show of hands that knew the Mayor was out of town? President Podmanik stated I am just a little disappointed I usually get an email or drops me a line and lets me know he is going to be out of town. I don't need to know the reasoning. If you are not going to be here just let us know, that is all I am concerned with. I don't need to know a reason, just let us know you are not going to be here. You drop me an email or tell Kay, just so I know.

**PRESENTATIONS:None.**

\*\*\*\*\*COMMITTEES\*\*\*\*\*

**ROADS & DRAINS:None./SAFETY:None./BUILDINGS, LANDS, VEHICLES & EQUIPMENT:None./ORDINANCE:None./FINANCE:None./PARK BOARD:None.**\*\*\*\*\*ADMINISTRATIVE\*\*\*\*\*

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**MAYOR:None./FINANCEDIRECTOR:None./SAFETYDIRECTOR:None./SERVICE DIRECTOR:** Service Director Smith advised I have only got a few things, I don't want to go and rehash everything that I went over just a few days ago. But as you know we had a lot of flooding issues over the past 2 weeks actually and we are getting breaks in between rainfall. I think this has been the biggest which was 3 days and we were able to get a lot done. I would like to go over just briefly a few of the things that we did. Walker Road ditches; easterly to Abbe from Maple have been: re-dug, lowered, deepened, cleaned. At least to Phase I which is what I am going to say is the first step of getting the water table lowered in the wooded areas on both sides south and north of Walker Road. With the water table not lowered all it is is a giant waterfall so when it does rain it just overflows. We are lowering the water table, we are draining the cup. When it does rain we will have absorption in there and be able to take the water easterly to Abbe Road which we are doing about half of it right now. I think has been redirected easterly. That process is on-going, in other words as the

level changes we are adjusting the ditch levels. We have already site lined it and leveled it and we know where the elevations all are but we are controlling the draining of the woods because it is a step process because there is several other areas south on Maple that need to be addressed and we have to have the level down before we can drain that. Walker Road; some of the big holes were cold-patched again today. Over on Kenilworth we have an on-going issue, I would like to give you another brief synopsis of what we have done so far. Since the flooding issues we have jetted all of Kenilworth's sanitary sewers from Forestlawn ditch north to Richelieu (past Ivanhoe through Richelieu) westerly to Idlewood and Idlewood to Lake has been completely jetted and cleaned and ready for camera. We did take in a big piece of clay tile from one of the service lines around 626 Kenilworth and we removed a lot of dirt in the lines at the same time. A demo permit was issued for 626 Kenilworth last week in which it had a 3-foot round circumference/about a 3-foot diameter hole of about 5-feet deep in the bottom of the ditch to the front of the yard which was a fractured sanitary service line going to the main. The hole is deep and what we did is we put a temporary patch on it until we can dig up the sanitary and cap it and fix it and check out the other lateral. We also have another issue going underneath the road on the other side of it. We have temporarily put a pipe over it with 2 clay dams at the end of the pipe and we have sealed the hole. That will hopefully keep any water erosion from the surface water from going down the hole and taking it any further. We are limited and we are checking the manholes regularly until we can get in there. Hopefully next week we will have that done. We found a totally flooded sanitary manhole at the end of the street down by Forestlawn and 2 leaky manholes with large amounts of infiltration coming in the next 2 manholes north of Forestlawn Ditch. So all 3 have been compromised and we are working on fixing that. EMA tried to get the relief to some of the homeowners but the county just couldn't do it, all the channels were closed and I think Tom Kelly's version was that he was pretty upset because he said the fact that the standards for the federal government now are so way out there concerning flood damage for relief. A great example would be a ranch home would have to have 5-feet of water in it for it to be covered. We are replacing mailboxes still on-going and I am sure you are getting calls from residents. We have an on-going list we are replacing from the last snow and that is still on-going but we had to prioritize some of the drainage issues because they were affecting too many residents – that had to come first before that. But it is on-going and we have a running list and they were putting mailboxes out today. All Shoreway's pole lights are now functioning again, the ground vault is totally repaired/security lights and all the lighting is functional. That has been a big task because there was a lot involved; there were burnt ballasts, there were burnt lamps, there were burnt bulbs, there was a whole mirage of different things keeping the pole lighting from working efficiently and working correctly and the start of it all was the ground vault which was compromised with water and the connections had burnt off inside underground and that was all fixed and repaired too. There are several other things that I want to touch on to let you know are in process-

but I have nothing really new to report right now. The Civic Center sign and letters is in process. The sand removal out of the sand trap at the boat launch and launch area, we are hoping to get started this week. The equipment has already been checked and gone over down there, we are up and running. The several collapsed storm manholes we have to replace over there by Irving Park, the main line I found another collapsed manhole – it is a storm full of dirt and then along with the sanitary infiltrations that we are catching. We have had several (over 3 that have been found) ditch side sanitary sewer manholes that have been moved off of their base pedestals and allowing water from the ditch to rise up underneath the manhole into the sanitary and we have fixed them. In some cases rerouting the ditch completely around and mudpack and clay-packing all around them so it can't be done. That is on-going, I will be bringing you more issues on that and bring you guys up to date as it goes. Councilman Bring asked 626 Kenilworth, did we dig the hole? Service Director Smith answered that clean-out was put in by the city back from my best research under the previous administration's term. Not this Mayor but the other Mayor. Matter of fact there was a whole series of things that were done. Councilman Bring asked the problem that just occurred, did they have a permit to dig down and do what they did. Service Director Smith answered there were on-going issues, in order to get the file and go through the time line so it is all correct and I would be glad to get that for you if you would like. But the sanitary clean-out was put in years ago by the city and it was fine and was even camera'd about 4 years ago. The issue has erupted since the construction has gone on and there were resident issues with the Building Department over inspection of a water line which started a lot of the issues. There were code violations and things like that and the resident was against the Building Department inspecting. Councilman Bring asked so it was being inspected and then we inspected and the ditch was left open. Service Director Smith answered yes he was told to cover the ditch and then the snow came. Councilman Bring explained the thing I am asking is that we are going over there and doing all this work and fixing things are we going to get reimbursed for that? Service Director Smith answered here is my concern I am going to declare the sanitary an emergency and we are going to go in there and cap it and take him off the sanitary or fix it or do something but I can't have it going like it is right now because it is compromising the system. Law Director Graves advised normally the city wouldn't proceed with litigation against homeowner, any expenditures that the city puts out – we would then be authorized to put that on the tax duplicate and recover those. Service Director Smith advised if I may I did make sure that the resident was well aware of that, the city wasn't making him demo the property. He totally had the right to fix it and repair it. I made that statement to him to make sure that he understood what I was saying because it is just a matter of doing it. It is what it is, I just can't adequately say 100%. I can only report the facts as I have them right now and I know it is kind of vague and I apologize for that but I don't have any more than the details that I have. Law Director Graves stated normally any nuisance abatement that the city has to do with we could at least put those on the tax duplicate. So that

might be something to look at. Councilwoman Stark stated I am going to bring up the citizens other favorite thing – pot holes; I have been getting a lot of concerned questions about the parking lot over at the Shoreway and of course peoples streets. Are we going to have a chance and I know you have been busy with water but are we going to have a chance to get some of those craters? Service Director Smith advised those have to be dry in order to put cold-patch in, we can blow them out but like I just reported – we are getting 1 or 2 days between rains or snows. That is how it is but we constantly cold-patched throughout the winter, so as soon as we get in there we will have more cold-patch going in there. I know it is not the best way to go, we can sit and wait and let everyone deal with the holes until the asphalt opens up but that is not going to be the case. We will cold-patch because we got the cold-patch, we can get the cold-patch and let's just keep doing it - so it is on-going. On Shoreway – Shoreway's parking lot is a big concern and that is something that we will be bringing forward here in the near future; some issues with it. Councilman Rosso stated what are we doing to fix that roof at Rite-Aid? Service Director Smith explained currently we have a different company up there that has been up there. There were a lot of leaks, I analyzed the last years roofing repairs that were done completely at Shoreway and then I went back and called the roofer who has done those repairs to see if some of them were warranted and if some of them were not. The issue was there is just so much water up there that it is saturated and it is due to in his opinion (the roofer) the facelift that Levin gave the property. When Rite-Aid, in my conversations with Rite-Aid's facility fleet manager for the corporation in charge of 1200 stores. They were more or less very concerned that we weren't expediting, not him but his district manager was concerned that we weren't expediting the issue in which I assured that we were and then explained everything to him with documentation that we had. He has a district manager that keeps calling and calling and calling which is coming from the store manager but we don't have enough dry time. So what I did there is I changed roofers immediately, I called a company that could come in and work partially in the rain. They came in with a crew, they blew the roof off and they made some major patches. They hadn't got them all before it started again, they were there yesterday and then they were there again today. Now as far as the progress goes I won't know yet. That is going to stop the leaking but that is not going to solve the problem. The problem goes back to the previous owners facelift that he gave the shopping center. He cut off all the front drains to the awning porch, he blocked them off with carpentry and eliminated them. He made basically the roof – put up a false wall on the inside running full length of the awning and tar papered and sealed up making a giant cup that would hold and evaporate 5 to 6 inches of water in some areas and about 1 to 2 inches in some areas. So that after a rain the runoff would runoff and the rest would evaporate. That worked for several years but it didn't get rid of the water and what we are going to have to do is do some cut-outs, analyze the damage on the inside of the sub-roof and then we are going to have to put in drains on the inside of the building that come into the low spots. Three of them that run back and tie into the storm

sewers in the back of the building and that is yet to be done. That will be scheduled as soon as this rainy stuff stops. The first thing is to get the roof leaks stopped first. Councilman Rosso asked when did this second roofer start there? Service Director Smith answered just last week, where we had those 2 dry days where it warmed up/actually a day and a half. It was also at the request too and the discussion with the previous roofer – he and I did discuss this issue and the reason I used the original roofer because if there is any warranty work he doesn't charge us and we have several of them. We have had Shoreway, Shoreway Lounge, Dollar General – where it is something that he has already charged us for then he just repairs it for free. But it is not a commercial roofing company that goes in there and does full replacements or full evaluations of the roof. Councilman Rosso asked so you got leaks at Dollar General and Shoreway Lounge also? Service Director Smith answered yes we have had on-going with leaks. Rite-Aid draped that down so that it wouldn't damage tiles and it would go into a bucket, it was pretty bad up front. The structural part of the roof is very sound and I don't want to leave you with false impressions, it is very sound but it is just what he did which was he kept the water from off the front of Shoreway (the roof) onto the porch roof where the gutters were every fourth pillar is a gutter and has a hole at the bottom which has a gutter in it and allows the water to come down – but all those gutters are disconnected. They don't work, they are inside the awning that he built and there is no way for the water on the roof to get down onto the porch to go out the gutters. The only place it can go is the gutters in the back of the building and of course that roof is not level, the water level is off and it is deeper in some areas and the constant saturation in those areas has caused leaks. I am on it. Councilman Rosso stated you answered my question it just looks bad and as bad as it looked before it is twice as bad now because it is a city building. Service Director Smith advised the roofer can't fix it under water and it can't dry the roof off when it is pouring rain. They can tarp it and do what they have to, it wasn't until we ended up this last time with this big snow that we really ended up with a real bad issue. Before we would have a little spotting in the front of the building right by the door it would come down and that was an awning problem. That is what we were pumping off but after this last big snow is when it really developed some major leaks out by the cash registers. Councilman Rosso stated they have had those plastic sheets running down into buckets for months that has been long before the 28<sup>th</sup>. Service Director Smith answered I could tell you the exact time Rick by just going through the time line on emails. It has been about a month probably, since the 15<sup>th</sup> of February I believe is the first time that Rite-Aid contacted me about the register leaks. Councilman Rosso stated they were even in the middle and the back of the store, they have had plastic sheets running from that roof for a while. Service Director Smith answered I have not been aware of the plastic sheets until this last time. Councilman Rosso stated the last time I was in there which was Saturday was the first time I have seen the ones up front by the register but they have been all throughout the store for quite a while. Service Director Smith advised I had not known that. That was something that the inside manager was

doing and when I went in there and talked to her several times I was unaware that she was stringing sheets down from the ceiling. David had talked to me when I first brought up the leak situation and explained to me how the lease works so I am well aware of any delays or forfeiture of repair – anything caused on the city’s part. So I have acted expeditiously, as soon as I was informed that there was an issue I was up there talking to them and I had a voucher made and the roofer diagnosing the issue. Councilman Rosso stated don’t take that just because I am asking a question that I don’t think you are doing a good job and a timely job. Service Director Smith stated I understand that, I just want you to know though that it is not just something that started. Like I said I researched the history of the roof leaks and it has been an on-going issue but nothing like it started over this time and I think a lot had to do with maybe the snow – the weight of the roof. Councilman Elliott asked are we going to do anything with the base of the wind generator, it has been about a year? Service Director Smith answered as you know the parking lot has to be done and the parking lot needs work over there. I have resisted temporarily because it doesn’t make sense to go in there and put dirt and make a big landscaping thing if you are going to have to do other stuff in there. It is only on a temporary basis. Councilman Elliott asked there are plans? Service Director Smith answered yes I will take full responsibility for doing it. The Mayor was on me about it too and it was just that without that repair area – that area of the lot is really, really bad. It is really bad, there is 1 catch basin over there that seems to take up all the water in there. When Apples did their parking lot, they brought it before I think the ending of the parking lot. I don’t know exactly where the legitimate line is, I just know where they ended. Where they ended to the wind turbine and then east and west is like the worst part, it is just totally coming apart. So all of that is going to have to be repaired and then depending on the traffic pattern, depending on a lot of things is going to determine how that gets finished. Councilman Rosso asked do you think that parking lot is falling apart because we now force all the delivery trucks to go across the front of the building instead of in the back? Service Director Smith answered I think it is just old. Finance Director Smith stated and a band aid has been put on it every time. Councilman Rosso stated which means it can’t support that heavy weight even more. Service Director Smith advised there is water damage underneath the different layers of the pavement. The last overlay that was done, if you guys go through there you will see that is only about this thick – probably only a little over an inch which is the last overlay that was done and when I had a professional look at that who explained to me that that was very noticeable. That was before our ownership, there is a lot of issues that have to be addressed. Councilman Rosso stated I just think that running those trucks across that parking lot out front is breaking it down faster than it would have broken down without those trucks. It was bad to start with and that weight can’t do it any good./**LAW DIRECTOR:None./COMMUNICATIONS:None./OLD BUSINESS:None./NEW BUSINESS:Law Director Graves advised you do have 2 ordinances attached tonight; one authorizing additional payment to Don Mould and one authorizing additional**

payment to Geo-Sci for engineering/inspection service related to Walker Road Phase III project. Council should have been provided with and I think everybody did get it a breakdown for the overruns and we do have the Service Director and the Grant Administrator here to attempt to answer some questions from Council on those. One thing I would like to point out is that the ordinances talk about the need for the change order related to moving a sidewalk farther from the bike path for safety purposes. Since this was drafted I have learned that there were additional considerations as well, that was the bulk of the change orders but there were additional concerns that necessitated some of the other changes. Council reviewed submitted itemized breakdown which are attached. Law Director Graves explained all the ordinance does is authorize to enter into a contract with that bidder which is the lowest and best. The Service Director is authorized to make modifications so long as they don't exceed the original appropriation. The legislation says we are entering a contract with this bidder at this amount. Grant Administrator Gardner explained we are going to get some of this money back from the state because we are still under our amount that we originally set the contract up for. So some of this \$12,000.00 will come back to the city from the State of Ohio when we finally close out the project which is what this is for. But it is not a lot – maybe \$2000.00 to \$3000.00 but that is part of theirs because we are still under our original amount that we asked for from the state. After a brief discussion, Law Director Graves advised we have to go back and take a look at those original ordinances to see what the language was to determine if legislation is even needed.

#### **ORDINANCES FOR COUNCILS AGENDA:**

Council#012 – SECOND READING – a resolution authorizing the City of Sheffield Lake to accept and approve the donation of a parcel of land to the City of Sheffield Lake by Judith Hunter in memory of Thomas Jordan.

Council#013 – SECOND READING – a resolution in support of the Lorain Public Library System Renewal Tax Levy for the Domonkas Branch Library, and the declaring of an emergency.

Council#017 – EMERGENCY – an ordinance providing for the establishment and increase and decrease of certain funds within the annual appropriations ordinance of the City of Sheffield Lake, Ohio and the declaring of an emergency.

**MEETING ADJOURNED:** With no further business before this council, Motion by Kovach/Second by Bring to adjourn at 8:17PM. Yeas All.

**CLERK OF COUNCIL AFFIRMATION:** This Meeting Of The City Council 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 offices.

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CLERK OF COUNCIL/COMMITTEES

*Kay Fantauzzi*

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COUNCIL PRESIDENT

*Edward R Podmanik*

*and/or*

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COUNCIL PRO TEM

*Richard Rosso*

I, Kay Fantauzzi, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of WORKSESSION of March 15, 2011.

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MAYOR

*John J Piskura*