

Minutes of the City Council
 Sheffield Lake, Ohio
 April 26, 2011

The regular meeting of the City Council was held Tuesday, April 26, 2011.
 Council President Podmanik called the meeting to order at 7:07 PM.

THE INVOCATION WAS GIVEN BY: Council Chaplin, Kay Fantauzzi, who then led in the Pledge of Allegiance.

*******ROLL CALL OF MEMBERS*******

Present: Podmanik, Rosso, Stark, Kovach, Bring, Smith, Elliott, Treasurer E Hoenig, Service Director Smith, Law Director Graves (7:37 pm), Engineer Skellenger

Absent: Mayor Piskura (unexcused), Huska and Finance Director Smith (excused)

Attending: Concerned Citizens, SUAB; Gee, Members of the Media

*Motion by Bring/Second by Elliott to accept the minutes of the Council meeting for April 12, 2011 with any corrections. Yeas All.

*Motion by Bring/Second by Elliott to accept the minutes of the Council Worksession meeting for April 19, 2011 with any corrections. Yeas All.

CORRESPONDENCE/COMMUNICATIONS: None.

PRESENTATIONS: None.

*******CITY COUNCIL REPORTS*******

Roads, Drains, Water, Sewer, and Refuse: None./Safety: None./Buildings, Lands, Vehicles & Equipment: None./Ordinance: None./Finance & Claims: Chairman Elliott reviewed the minutes of the April 19, 2011 meeting. *Motion by

Bring/Second by Stark to accept the report. Yeas All./**Investment: None./Council Representative to the Community Center: None./Council Representative to the**

Zoning Board of Appeals: Representative Kovach reviewed the minutes of the April 20, 2011 meeting./**Council Representative to the Planning Commission:**

None./Council Representative to the Park Board: None.

*******ADMINISTRATIVE REPORTS*******

MAYORS REPORT: None./FINANCE DIRECTOR REPORT: None.

/TREASURER REPORT: None./SAFETY DIRECTOR: None./SERVICE

DIRECTOR: Service Director Smith reported I have a few things but quite lengthy things. The first thing is the boat launch should be done this week – sand removal.

There has been a little bit of confusion concerning the water alert issue that went with the problem that we had in Lorain back on April 9th and 10th which they notified this city at 4:15 pm on Friday via a simple email that had no official letterhead which would have required me staying over and checking on it and

verifying where it came from and tracking it down. After verification, I worked with the new Director of Lorain and what we had to do and then on Monday morning I conferred with Ohio EPA Tom Erwin who is our responsible Operator in Charge. The water system has been working diligently with the format that we are legally required to put out to every end user of the water that is connected with Lorain System. So every resident is going to get a notification of Lorain's water issue and that is a Federal requirement required by the EPA and that will be done before Friday which is a deadline which it has to be done by. So I just wanted Channels 3, 5, 8, 19 – have all reported it differently. Letters went out from the City of Lorain to their users of which the cities are users that are notified; Amherst, Sheffield Lake – we are end users. So what Lorain did internally, they also did to us as an end user and then the EPA requires us to put out the same letter to every potential end user that could have been using their water. The fact is that Lorain had this issue resolved in the plant, no water left the plant from what I understand – it was flushed, they did over 5 million gallons of flushing inside the Lorain plant so the water never left the plant. From what I understand it is more of an EPA requirement and a formality because of the fact that there is a slight chance that water has gone through the system with the turbidity. So that said, we will be getting our notices out as required by the EPA. Lorain's valves were off but we had a small amount of bypass through the system on the Lorain valves coming into the city – they have been off for 3 months. So in this process that we are working on Friday, we discovered the gate valve; due to the sediment in the valve had kept our valve partially open and it doesn't always seat right so we had to add another procedure in the seating. Usually we get the majority of our water from Avon Lake but we can get from the either sources. If we don't get 5 million gallons from say Lorain then we would get 5 million more from Avon Lake or visa/versa. That is kind of how that works, it averages out and we probably go through about around 25 million gallons a month on overall usage. Although one is staggered into the next period of billing. So it is like a 15-day plus a 30-day but basically 25 million gallons per month. So that will be done by Friday and anyone who has any questions, they will have a number to contact – Tom in the Water Department and we will take care of that and then we will meet our requirement with the EPA through verification process that Ohio EPA has set-up. Not to alarm anybody but this issue was resolved inside the Lorain plant – no water left the plant. It is more of a requirement by the EPA that the potential is there so the warnings have to go out. The last thing I would like to talk about of course is the rains that we had yesterday. Our guys were out in force, we were well aware of what was coming and we were preparing as best we could for it. As you know since the flood back on the April 28th and March 1st, we have been consistently working on the grates. I was able to actually have the road sweeper out doing a lot of curb streets long before that rain started. Eddie was out there cleaning the curb drains and doing that

before we had the rain. But we had a 24-hour rain which soaked the ground almost 100% and then we had the downpour of 2-1/2 inches in a period slightly before 5:57 as reported by the National Weather Service. At basically 6 o'clock they issued a flash flood warning for Lorain County of which as they were issuing it rain was coming down at 1/2 inch an hour. We had already received 2.5 inches of rain within a few hours before that. With the ground being completely saturated, run-off was just unbelievable. I brought in a copy of the Chronicle of what Lorain was dealing with, people having seen the amount of streets that were completely under water. We are not talking 2 or 3 inches, we are talking a foot or more. Any of the low lying areas, with the run-off; it couldn't leave fast enough. So what happened was any of the areas that were restricted or had restrictions or low areas the water accumulated and then it is a matter of waiting. You have to wait for the rain to stop in order for it to purge itself or drop back down before you find where your trouble spots are. We had major trouble spots over on Howell and Lake again, that is going to require future project here of putting in a pipe. We have Robinwood and Lake Road, there is a collapsed catch basin entering into the street – it is restricted. We have Maplewood and Lake Road/we had a clogged pipe over here on Lafayette which caused all of Lafayette to back up – water wise it was like East and West Drives were back in the '70's. If any of you remember what that like, people used to go out in their boats and that is exactly what Lafayette reminded me of. So the guys were out jetting and doing things until late last night and just dealing with it as the water is dropping down. Again today once the water receded and it purged itself, we were able to concentrate on some of the trouble areas jetting. We got a major problem off of Lake Road from the gas station down to Jordan's Dip – that was cleaned out today. The bottom of the catch basin was clogged and they had clay in the line but we were able to jet it out and get the water moving and that is something that has just manifested itself in the last 2 or 2-1/2 weeks/3 weeks because back in the fall if you remember right, we put another drain/up-front drain up there at Shoreway to get rid of that water and we cut cut-outs in the parking lot by the bank to allow that water to flow to those drains. Why it backed up all of a sudden so it is just something new and we knew it had to be from that point on but the guys got that today. I am sure that many of you have several issues. Another big concern that we had was Walker Road and Maple. As you all know we have a house over there that turns out to be an island every time we get a monster rain but to show some of the things that we have been doing is working. I have got a picture from the 28th of February showing the intersection of Walker Road and Maple completely under water and I would be glad to pass that around. Then I had a concerned citizen photograph Walker Road yesterday for me because he was concerned of how bad it was, as you can see the road is still showing. Whereas before it was water from grass line to the bottom of the yellow siding on the house. So where we are at right now with Walker Road, we have 1/2

of it rolling east, whereas before it was rolling west towards this intersection. So that has been a big help and I think that that really helped over here. It was a lot of work doing that, we have been jetting pipes and we are going to start our comprehensive area on Maple with the driveway pipe program that we were able to do and get enunciated coming up here shortly. Councilwoman Stark stated there is a hydrant on Erieview that looks like it has been blocked off and I didn't know if you knew what was going on with that? Service Director Smith asked when you say blocked off? Councilwoman Stark explained it looked like part of the street had been dug up, there is 2 cones in front of it. Service Director Smith answered I believe on Erieview we did have a leak but I thought that was a water main leak due to the water meter. I am unfamiliar with specifically what you are talking about. Councilman Bring advised got hit with a car? Service Director Smith stated if that is what Dennis is talking about then it is just waiting for the asphalt plant to open up and then we can do those cut-out patches like I reported last month. There is approximately 7 or 8 cut-out patches throughout the city that are waiting to be sealed off/topped with stone settling and then sealed off – Marion, Lake Road, Lake Rd/Irving Park (2), Irving Park (1), Erieview (1). So there are several throughout the city, so that is probably what you are talking about if I am not mistaken. Councilman Elliott stated Len as before do you want people to report if their basement flooded. Service Director Smith answered no there is no big action going on through the county, I have not been notified by the county. If the county notifies I would be glad to do that. Councilman Smith asked on Walker Road still blocked? Service Director Smith answered no it shouldn't be. Councilman Smith stated the cones are still up on Walker and Abbe. Resident Betty Garlitz stated Mr. Shipley has been wanting his tree cut, you know trimmed so it can't come off onto his house and what about the ditch – when is it going to be cleaned because last night we all started to get water backed up. I went out and bought a pump. (ditch on Holl) Service Director Smith answered I don't have anything to report yet on that but that is something that I am working on. I have been pulling the previous ditch cleaning prints out of what was required. You know David just did a ruling on the private property issue versus what we can legally do and what we can't do. I just have not had a chance to do that yet. But that ditch was checked on on a regular basis throughout the rain on maintaining levels, it was a lot higher on the first 2 streets then it was on the third street which would have been Brockley and it dropped down in level on Brockley and then lowered on Belle. So we have an issue there between Brockley and Knickerbocker, where we have elevation that we are going to have to get in and clean something up or do something. Just to get the flow to where it is flowing straight as compared to having a staggered level for some reason. Resident Betty Garlitz stated see when the railroad cut off all the bushes they never took them away, they just left them. Service Director Smith asked over on that grassy lot right, that is where the house ends on Holl. Resident

Betty Garlitz, 4264 Holl stated it is in my backyard. President Podmanik stated that would be the south side of Holl. Service Director Smith stated I will be glad to come over and take a look at it. *Motion by Bring/Second by Stark to accept the report. Yeas All./**ENGINEER: None./LAW DIRECTORS REPORT: None.**

CITIZENS COMMENTARY:

Rosa Gee, 588 Kenilworth Avenue stated the Service Department and the Service Director were out working very hard yesterday. They were out working very hard today, a lot of what they were trying to clean from was people throwing limbs in the ditches. A lot of the problems and a lot of the time that those men had to put out were no vault other than the homeowner throwing the branches in their ditches. Something really needs to be posted for homeowners to stop putting the branches in the ditches.

Russell Shipley, 4250 Holl stated I wanted to thank Eric Elliott, he was out last night at my house working on my sewer in the basement and making sure it was working because I can't do it too much anymore but I wanted to thank him for it. Councilman Elliott advised you are welcome. However I didn't do that because I am your city councilman, I did it because I am your neighbor and that is what we do on our street. I wasn't alone; one of my buddies was out there with me and his name Ruben Ortiz and a guy that lives down the street who was Tom Londo who was out helping also. That is what we do on our street, every time something like that happens on our street our neighbors come together. That is one of the things that I think makes this city special.

Mark J Erdei, 4015 Tennyson stated on that Howell and Lake Road, I have been at this residence for going on 17 years and you guys been doing odd and ends and I am not blaming you. But nothing seems to be working because whenever somebody is there, it is not working and it has been flooding like that always. Even if you don't really have that much of a downpour, that baby is not working. Service Director Smith stated I grew up over there and I am well aware of the condition. Yesterday we jetted the pipe and when we jet the pipe the water goes down. In this situation it was jetted last time we had a damaging rain and as you know the water went down and I told the neighbors that I would be working on a resolution to that. I still am working on that, as of yesterday I talked to one of your neighbors. We discussed the catch basin connecting the 2 catch basins on the high side and on the low side – the high side being Lake Road and eliminating it off the Lake Road storm or at least to help it alleviate that water. I continue with the verification progress of looking for maps today in between a lot of the issues that I had and I have not completed that but as soon as we can I think the end result is going to be a pipe tying into the north catch basin to the south catch basin directly across from Hawthorne. That would alleviate but I have to verify that and I have to make sure and I might have to undersize the pipe, you know drop it down to a certain amount but that seems to be the immediate relief of that situation. But that is still not going

to fix the Lake Road storm section and the Lake Road storm section has got to be addressed. What we found out today was we had a very long, close to 500 to 700 feet of Lake Road storm tile that had caused an issue, caused backing up through all of Shoreway over there. We are going to continue to go through that clay tile with the jetter and work our way westward towards Root Road and that is something you are going to be seeing here shortly and on-going as we can. I think that is going to bring up a lot of issues, once we get it down to Root Road then we will continue and we will cut back and start going the other way. A great example of what we are doing is what we just finished with Irving Park. We cut with that new water jet cutter that we purchased last fall, we cut on a preventative nature all of Irving Park from Oster to Lake Road a couple of weeks ago. In doing that we found several issues of infiltration and inflow that we are currently investigating with the help of the city engineer. Really trying to pin-point where some of these issues are, we might have some major situations but the use of the cutter is making it that much easier to do. Now I can't tell you about the last 29 years as I have been here a year, I am dealing with as much as I can on a stable issue. You are in no way forgotten about, I am over in your area all the time as you know my Dad's house is a couple of houses from you so I am over there. I am constantly checking on the area and I did talk to your neighbors yesterday when the road was closed. Mr. Erdei asked did you check my lake out in front there? Service Director Smith answered yes I saw it all. Mr. Erdei advised it is still not down, that drain in the corner. Service Director Smith stated yesterday we just had so much going on with so much flooding, all I can do is address. What is really hard is we have key points that were problem areas that started affecting a lot, a lot of people and let's not forget that our pump stations were in alarm too yesterday. I mean that is a lot of water, it is a lot of water inflowing and infiltrating into the sanitary sewers. The storm sewers, if they are working correctly that water is just going to work its way up to an area where it can just be absorbed down. Whether it is in stone underneath the road or wherever it is, so getting rid of the storm water is also a part of relieving the sanitation issue. So I am working on it and that is something that I just got to verify that we can do that. I know it is a short run, it is probably 100 feet. Mr. Erdei stated that sanitary line on Hawthorne, something needs to be done on that too. We can't shower or use the restroom or nothing whenever we get a little bit of rain. Service Director Smith advised it is not when you get a little bit of rain, it is probably when pump stations are in alarm and the water level in the sanitary system itself has gone up. The sanitary sewer system has a water table of its own that has entirely its own life depending on how much inflow, how much infiltration and how much sewer there is at that time in that pipe system. So if you were to have a 3D view of the sanitary sewer system you would see that on rain storms, that water table inside the pipes of sanitary sewers comes up. The houses who floor drains are below that water level are going to have back up and that is a

big problem that is going to cost millions and millions of dollars to fix. There is no simple fix for it, we can jet it but when the pump stations go into alarm and they are 100% capacity – there is nothing that we can do. Mr. Erdei asked well can you at least jet it? Service Director Smith answered yes I will get over there and we will look at that and pull the manholes and we will see what we got and if we have good flow and if we don't have flow then we can get a good idea by how much flow is coming in through the line. Mr. Erdei stated you can stick a camera down there and shoot it through. Service Director Smith advised it has to be clean but you have to understand if the water is flowing out of there then that is telling us that we have gotten flow. It would be interesting to see, if you have the same issue when the pump stations weren't backing up. Mr. Erdei explained even it is a 5 or 10 minute down pour, sometimes we just can't do anything. Service Director Smith stated I will make a note that we send a service call over there as soon as we can.

/UNFINISHED BUSINESS: None./NEW BUSINESS: None.

ORDINANCES AND RESOLUTIONS:

Council#019 – SECOND READING – an ordinance of the Council of the City of Sheffield Lake amending ordinance 39-10 section 1 regarding the rate of pay for part-time dispatchers in the City of Sheffield Lake's Police Department and the declaring of an emergency.

Council#023 – EMERGENCY – a resolution authorizing the City of Sheffield Lake to accept and approve the donation of kitchen cabinets, counter tops and molding, with approximate value of \$18,000.00, to the City of Sheffield Lake to use in a refurbishing and remodeling program which will be established and administered by the Service Director, and the declaring of an emergency.

*Motion by Elliott/Second by Bring for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION: Yeas All – Elliott, Rosso, Stark, Bring, Kovach, Smith.

*Motion by Elliott/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Bring, Smith, Elliott, Kovach, Rosso, Stark.

Resolution Passes#22-11

Council#024 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake establishing Chapter 944 of the codified ordinances of Sheffield Lake regarding regulation of pollutants into the municipal storm sewer system, and the declaring of an emergency.

*Motion by Bring/Second by Elliott for SUSPENSION OF RULES:

Law Director Graves advised we are required by the State of Ohio to adopt these ordinances regarding stormwater management. We have previously adopted all 3 – Council numbers 025 and 026 need to be revised and updated and those have to be finalized by June 4th. Council#024 establishing 944 of codified ordinances, that is not one that we are currently required to update but it has never been codified and

while we are doing the other 2 and including those in our codified ordinances. It makes good sense that this one regarding illicit discharge also be included in the codified ordinances. This particular piece of legislation there is no real urgency other than getting it codified next to Council#025 and 026; they need to be adopted by the city by June 4th I think is the date. There is a lot of information contained in these pieces of legislation, if Council wanted to they could give it another reading to familiarize themselves with it. It would at a minimum require an emergency clause so that it would go into effect prior to the 30 days waiting period – that would take us beyond June 4th.

ROLL CALL FOR SUSPENSION OF RULES: Yeas – Bring, Elliott, Kovach, Smith, Stark/Nays – Ross.

*Motion by Bring/Second by Elliott for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Stark, Elliott, Kovach, Bring, Smith, Rosso.

Ordinance Passes#23-11

Council#025 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake establishing Chapter 945 of the codified ordinances of Sheffield Lake regarding construction site runoff control and the declaring of an emergency.

*Motion by Bring/Second by Elliott for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas – Elliott, Smith, Bring, Stark, Kovach/Nays – Rosso.

*Motion by Bring/Second by Elliott for ADOPTION

ROLL CALL FOR ADOPTION: Yeas All – Kovach, Elliott, Bring, Stark, Rosso, Smith.

Ordinance Passes#24-11

Council#026 – FIRST READING – an ordinance by the Council of the City of Sheffield Lake establishing Chapter 946 of the codified ordinances of Sheffield Lake regarding post-construction storm water management and the declaring of an emergency.

*Motion by Bring/Second by Elliott for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas – Smith, Bring, Kovach, Elliott, Stark/Nays – Rosso.

*Motion by Bring/Second by Elliott for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Stark, Rosso, Kovach, Bring, Smith, Elliott.

Ordinance Passes#25-11

Council#027 – 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.

*Motion by Elliott/Second by Bring for SUSPENSION OF RULES:

ROLL CALL FOR SUSPENSION OF RULES: Yeas All – Rosso, Kovach, Smith, Stark, Elliott, Bring.

*Motion by Elliott/Second by Bring for ADOPTION:

ROLL CALL FOR ADOPTION: Yeas All – Rosso, Kovach, Bring, Elliott, Stark, Smith.

Ordinance Passes#26-11

COUNCIL PRESIDENT: None.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach/Second by Smith to adjourn at 7:50 pm. 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.

CLERK OF COUNCIL

Kay Fantauzzi

PRESIDENT OF COUNCIL

Edward R Podmanik

and/or

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 Council of April 26, 2011.

COUNCIL PRO TEM

Richard Rosso

MAYOR

John J Piskura