

The Council of the City of North Royalton met in the North Royalton City Hall caucus room, 13834 Ridge Road on **May 20, 2014, at 7:15 p.m.**

PRESENT: Council: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller, Dan Kasaris, Legislative Services Director Laura Haller. **Administration:** Law Director Thomas Kelly, Finance Director Eric Dean, Wastewater Supt. Tim Tigue, City Engineer Mark Schmitzer, Police Chief John Elek, Fire Chief Robert Chegan, Service Director Nick Cinquepalmi, Office on Aging Director Judith Willey, Safety Director Bruce Campbell.

Agenda reviewed.

It was agreed to place Ordinance 14-71 on second reading.

The Council of the City of North Royalton met in the North Royalton City Hall Council Chambers, 13834 Ridge Road on **May 20, 2014 in regular session.** The meeting was called to order at **7:30 p.m.** by President of Council Larry Antoskiewicz and opened with the Pledge of Allegiance.

PRESENT: Council: President of Council Larry Antoskiewicz, Council Representatives John Nickell, Gary Petrusky, Dan Langshaw, Paul Marnecheck, Steve Muller, Dan Kasaris, Legislative Services Director Laura Haller. **Administration:** Law Director Thomas Kelly, Finance Director Eric Dean, Wastewater Supt. Tim Tigue, City Engineer Mark Schmitzer, Police Chief John Elek, Fire Chief Robert Chegan, Service Director Nick Cinquepalmi, Office on Aging Director Judith Willey, Safety Director Bruce Campbell.

CONSENT AGENDA

- a. Approval of Minutes: May 6, 2014
- b. Legislation:

FIRST READING CONSIDERATION

ORDINANCE 14-70

Introduced by: Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris. **AN ORDINANCE ACCEPTING THE FINDINGS OF THE CUYAHOGA COUNTY PLANNING COMMISSION'S REDISTRICTING STUDY, FIGURE 1, AND DECLARING AN EMERGENCY.**
Title read.

- No one in the audience wished to have a legislative item removed from the Consent Agenda for discussion
- No one on Council wished to have an item removed from the Consent Agenda for discussion.

Moved by Mr. Kasaris, seconded by Mr. Petrusky to **suspend the rules requiring three readings and referral to committee for those legislative items on the Consent Agenda.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.** Moved by Mr. Kasaris, seconded by Mr. Petrusky to **adopt the Consent Agenda as presented and read.** Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None. Motion carried.**

COMMUNICATIONS: None.

MAYOR'S REPORT: No report

DEPARTMENT HEAD REPORTS:

Chief Chegan reported that fire hydrant flushing is underway and they are currently working in Ward 1. They expect to finish Ward 1 this week and then will move on to Ward 2. He said that residents will be notified by phone when we will be working in their areas.

PRESIDENT OF COUNCIL REPORT:

Ronald Czerski, Deputy Director of Operation & Maintenance for the Northeast Ohio Regional Sewer District addressed Council. He presented an overview of what occurred county wide as a result of the May 12th storm. He said that he made this presentation to the NEORSD Board and Mayor Stefanik asked that he make this same presentation here today in an effort to explain how global this event was. This presentation is not specific towards North Royalton, rather is it geared more toward the entire event. A copy of the power point presentation is attached to these minutes. He said that we cannot control the weather. However prior to the sewer districts' storm water program being put on hold we did learn that there are several things that we could control. First, we learned that we can prepare and respond effectively when we have rain events such as this. Second, we learned that through good, effective master planning working with all the communities, we can come up with more global solutions. Third, performing preventive maintenance on the streams will ensure they can move this water.

Mr. Czerski said that North Royalton had 2.88 inches of rain in one day. In a 15 minute period, North Royalton saw an intensity rate of about 4.88 inches per hour. In a one hour period, North Royalton received 2 inches of the total 2.88 inches. He said that this is very significant rainfall.

After reviewing the presentation, Mr. Czerski said that these problems won't get better by themselves. If we can get the storm water program up and running again, we will be able to control the response, we can do the master plans and we can be performing maintenance on these streams to help prevent these types of situations from getting worse.

Bruce Decansik from St. Thomas Woods asked for a clarification on who maintains the streams now. Mr. Czerski said that NEORSD has a court order preventing it from doing this type of work and it would be up to the individual municipalities to maintain these streams. Mr. Nickell said that North Royalton has a stormwater crew that maintains all of our streams and creeks. Mr. Decansik asked if we are maintaining an outdated system.

Mr. Kasaris said these are two different things. NEORSD was doing work region wide and they were told to stop by a court order. North Royalton has its own storm water crew that maintains our creeks and basins so we don't have problems like we saw in the presentation.

Sandra Kranick, 9961 Beechwood Drive, asked why the county work is on hold.

Law Director Tom Kelly explained that the Mayor sits on the NEORSD Board of Trustees and he invited the sewer district representatives to come tonight to give an overview of what happened region wide. They are not able to specifically answer questions relating to North Royalton. They are trying to show us how much better storm water can be maintained globally in the future. Mr. Kelly said that there was a law suit filed a few years ago by the sewer district to engage all of the communities they serve to participate in a storm water initiative program that would have added a certain amount of money to everyone's bill to fund large scale projects of 300 acres or more for the control of storm water region wide. That case went to trial and was decided in favor of the sewer district. Certain municipalities took this up on appeal and the appellate court reversed the decision. This case now will go to the Ohio Supreme Court and we are waiting to see the outcome from that decision.

Don Porvasnik, 12362 Padua Drive, addressed Council. He said that he understands that we received a large amount of rain in a short period of time, but he asked why so many residents are dealing with raw sewage that came up through their basements.

Sue Yako from Cedar Estates asked if the backup from Baldwin Creek will affect North Royalton and asked what residents can do to help get this resolved.

Mr. Czerski said that there are a multitude of problems when you have a rain of this nature. The rain comes down very quickly and it has to be able to get through the catch basins, then it has to be able to get through the storm sewers, then it has to be able to get through the culverts, then it has to be able to get into the stream. The sewer district, as part of the storm water program, was taking a look at how to work with communities to solve these intercommunity problems. The local problems are covered by the specific community. As part of the sewer district's program they have a community cost share and they would give 25% of the fees collected from each community back into the community to help them address some of these local problems.

Mr. Langshaw asked if we were one of the hardest hit communities regarding intensity of rainfall during this last event. Mr. Czerski said yes. Mr. Langshaw asked if the current litigation has any impact on the Rocky River watershed. Mr. Czerski said there is a definite impact on all of the watersheds. Frank Greenland, Director of Watershed Programs for NEORSD said that the Rocky River water shed is indeed impacted by the litigation. In the Rocky River watershed, he said they were doing a pilot master plan for Abram Creek which is a small sub-watershed. They were going to start master planning in the Cuyahoga River south and the Rocky River watershed. These projects were ready to roll and this is what the region sorely needs. Municipalities are handling this on their own and some are doing better than others but rarely are we looking outside of our borders and these studies would have done this on a watershed wide basis and we really need this to occur. With a big event like this, you are not going to be able to solve everything, but you want to minimize and mitigate damage to the extent possible. We need to take care of the big systems as well as the small systems to make this happen.

Ron James, Operations Manager, Office of Emergency Management, Department of Public Safety & Justice Services, addressed Council. He reviewed their role when an event such as this occurs. He said they maintain a list of emergency coordinators in everyone of the 59 communities. When an event such as this occurs, we either receive a phone call from them or we will reach out to them if we feel they are being impacted. After this past rainfall they received a lot of phone calls. He said that in reaction to this, they send out damage assessment teams to look for two specific types of assessments. The first one is public assistance. This would be for infrastructure damage for a local municipality such as washed away roads, curbs, etc. He said they have specific parameters that they must look at in order to make a request for federal assistance. Those parameters for public assistance are that we would have to have a dollar figure in damages that would equal one half of one percent of the operating budget of the city. He said that these parameters are established by FEMA. He said that as of right now there are approximately 3 municipalities with numbers that may qualify. The second method of damage assessment is for individual homeowner assistance. He said that based on the parameters established by FEMA, there would need to be 25 or more structures in Cuyahoga County that had 40% or more total damage to a structure that did not have flood insurance, or if the structure had significant structural damage such as collapsed basement walls. He said we need 25 to apply and we only have 3. Mr. Nickell said that he has a lot of residents who don't report their damage anymore because they don't know these programs are out there. Mr. James said that if Mr. Nickell knows of any residents who have suffered significant damage that he should get that information to Chief Chegan who is the city's emergency coordinator and he will get that information to the county. He said that a crack in a wall would probably not qualify as significant structural damage. Mr. Marnecheck asked for an example of what 40% structural damage would be other than collapsed basement walls. Mr. James said living space on the first floor of the home, if the water rises 18 inches or above the electrical outlet level would be considered. He said that he would stay after the meeting and meet with individuals to discuss their specific situations. Mr. Nickell asked for a breakdown of the specific guidelines for damage levels. Mr. James said he would send this to Council. Chief Chegan explained that the guidelines are very detailed and they will work closely with the county as they have in the past with events such as Hurricane Sandy.

Mr. Langshaw asked if it would be helpful if the residents report the damage directly to the Office of Emergency Management. Mr. James said that the residents are welcome to contact them via phone or email at anytime with any questions or concerns they may have. He said it helps if they funnel the information to them through the city because this helps them to be able to do some comparisons of where the problems are.

Mr. Antoskiewicz said that the Mayor has contacted Senator Brown and Representative Renacci and they have said that they will help us on the federal level once the Governor petitions to have the work done.

Edward Biesiada, 10894 Gregory Lane asked if there is a time frame to apply for assistance. Mr. James said that he is unsure when this will close, but urged anyone who has damage to push the information through. He said don't wait; the sooner the better. The numbers look better when they are fresh. Chief Chegan said that in the past, they collected data for up to 4 weeks after an event.

COMMITTEE REPORTS:

All Committees, Boards, and Commissions announced the dates and times of their next regularly scheduled meetings and reviewed items currently on their agendas. All meetings are held at City Hall, 13834 Ridge Road, unless otherwise noted. A complete meeting schedule is available from the Council Office. ***Any changes to the regular schedule of Council or committee meetings are noted below.***

LEGISLATION**FIRST READING CONSIDERATION****ORDINANCE 14-71**

Introduced by: Antoskiewicz. **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1266 AMENDMENTS, SECTION 1266.04 PUBLIC HEARINGS; NOTICES, AND PART TWO ADMINISTRATION CODE, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL, RULE IB PUBLIC HEARINGS, AND DECLARING AN EMERGENCY.** Title read.

Placed on **second reading**.

MISCELLANEOUS

The following residents addressed Council regarding storm water and/or sewage flooding problems as a result of the recent storm. Mr. Antoskiewicz said that all of Council and the Department Heads will remain after the meeting to meet with the residents to address their specific concerns.

John Mutch, 12203 Padua Drive. He said that they are not just getting storm water flooding, but they are also getting sanitary sewer backup. He wants to know what has been done and what will be done to fix this problem. He said he has had to deal with the issue twice since moving to the city and it is his understanding that this has happened in the past as well.

Ron Miller, 12363 Padua Drive. He said he moved here 4 years ago and this is the third time he has flooded. He said this was the worst yet. It seems to be getting worse every time it happens and something needs to be done.

Chris Florio, 12323 Padua Drive. He said that he has flooded 15 times with raw sewage. In 2004 he had FEMA come out and he was put in contact with the Small Business Administration and received a \$25,000 loan to repair his basement. This has been the worst flood so far with raw sewage. He said that he has been told to install a back flow device but who is going to pay for this and if all 12 of us who flooded install one of these devices, then the person who never flooded before is going to get it. He said that is not fair to them. He said there is no reason that they should be flooding with raw sewage.

Sandra Kranick, 9961 Beechwood Drive. She said the creek behind Beechwood Drive overflowed and flowed like a river through the yards of some of the houses down the street from her. She did not have flooding in her basement but the neighbors across the street flooded. She asked about the last phase of flood control for her area.

Edward Biesiada, 10894 Gregory Lane. Mr. Biesiada addressed Mr. Muller as Chairman of the Stormwater Committee and requested that Mr. Nickell resign from the committee. He said that Mr. Nickell made a comment to him stating that if the city hadn't already made improvements that he would have had 3 feet of water instead of 2 feet. He found this comment abhorrent. He said in an email he received, Mr. Nickell told him that they don't know what to do next or what the plan is. Mr. Biesiada said that he has had conversations with Mr. Nickell and the Mayor outlining specific items of action effecting Gregory, Hawley, Delsy and Potomac. These items of action have been ignored. He said that the city spent \$2 million on a 7 acre basin at the top of Chesapeake and a week after it was completed, there was a flood downhill on Gregory Lane. He said it failed again last Monday. He said \$.5 million was spent on Gregory Lane replacing two 12 inch culverts with a 30 inch culvert that even the Flooding Advisory Committee 7 years ago said wouldn't work. He said the debris field of the water comes down off of Chesapeake, across York, down both sides of Delsy into the backyards of Gregory and between the houses across the other side 100 feet into the woods, and the city only has a 30 inch culvert to handle this and a 90 degree turn to the south. He said the ditch ran for 50 years to the north. He said there are two vacant lots on Delsy and he has talked to the Mayor about turning one of them into a retention basin, but he was told it wasn't feasible. There is a vacant property on the south side of Delsy, he suggested turning that into a retention basin. Directly where this water comes off of Chesapeake, up on Potomac there is a flow through basin. He said he has had conversations with the Mayor and Mr. Nickell that this is worthless. There is an uphill side and the pipe comes directly down into the outlet pipe. He said he went there last Tuesday and it is covered with debris. He said he has recommended to the Mayor and Mr. Nickell that this should be a retention basin. Build the downhill side up 20 feet using the dirt from the two vacant lots the

city will excavate on Delsy. Take the horizontal outlet pipe and raise it vertical 20 feet in the air. This will slow down, between these three properties, tens of thousands of gallons of water. He said the city is spending \$2 million dollars to move this administration to a new building, but don't seem to care about the people's property values or their emotional stress. He asked if anyone on Council had water in their homes. Mr. Nickell said he has in the past but he spent thousands of dollars to rectify the problems. He said that Mr. Biesiada should feel free to talk directly to him about any problems he has. Mr. Biesiada said the city should take the \$2 million for a new city hall and put it into infrastructure.

Mr. Antoskiewicz reminded all those present that the Council and Departments Heads will remain after the meeting to meet with residents.

ADJOURNMENT

Moved by Mr. Petrusky, seconded by Mr. Kasaris to **adjourn the May 20, 2014 City Council meeting**. Roll Call: Yeas: **Seven** (Antoskiewicz, Nickell, Petrusky, Langshaw, Marnecheck, Muller, Kasaris). Nays: **None**. **Motion carried.**

Meeting adjourned at 8:32 p.m.

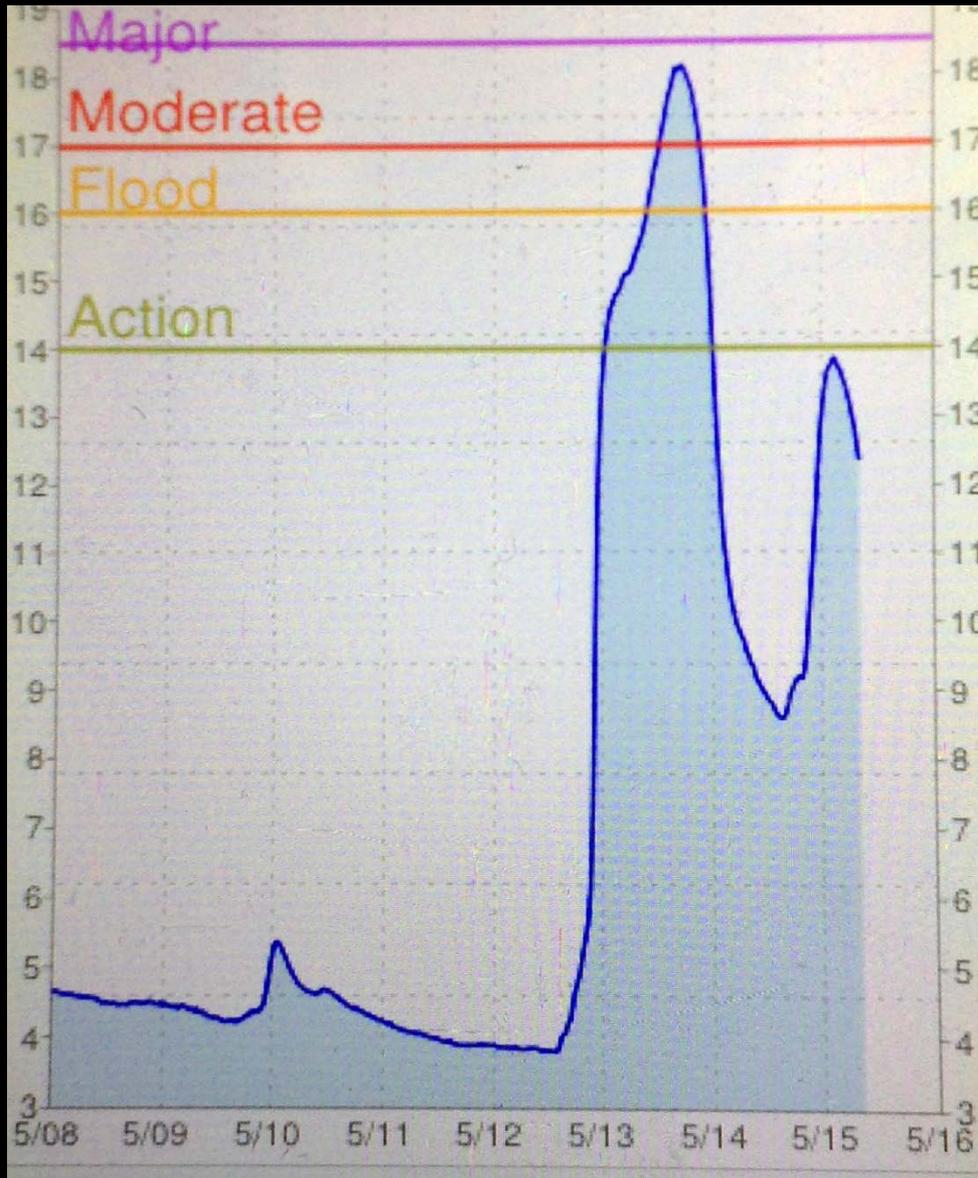
APPROVED: /s/ Larry Antoskiewicz DATE APPROVED: June 3, 2014
PRESIDENT OF COUNCIL

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES



After the May 12 storm

General Overview

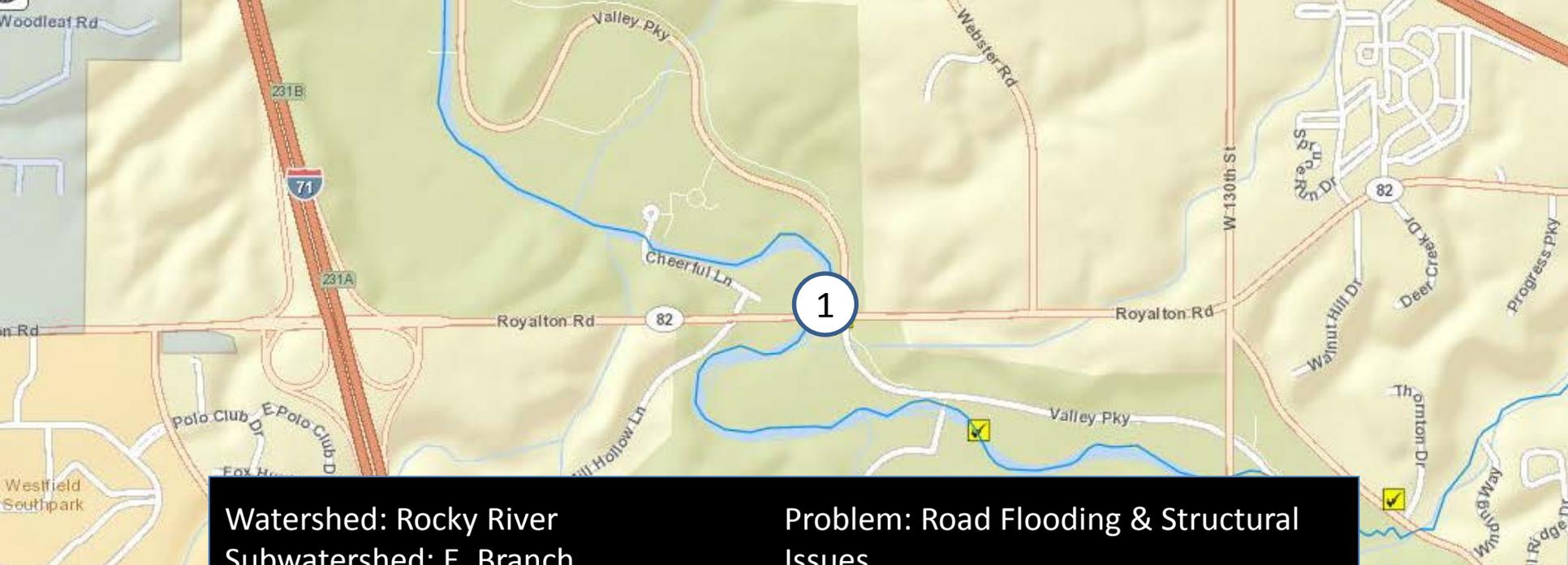


Cuyahoga River Level

5/12/14 Storm Event Response

Key SWIM Field Inspections

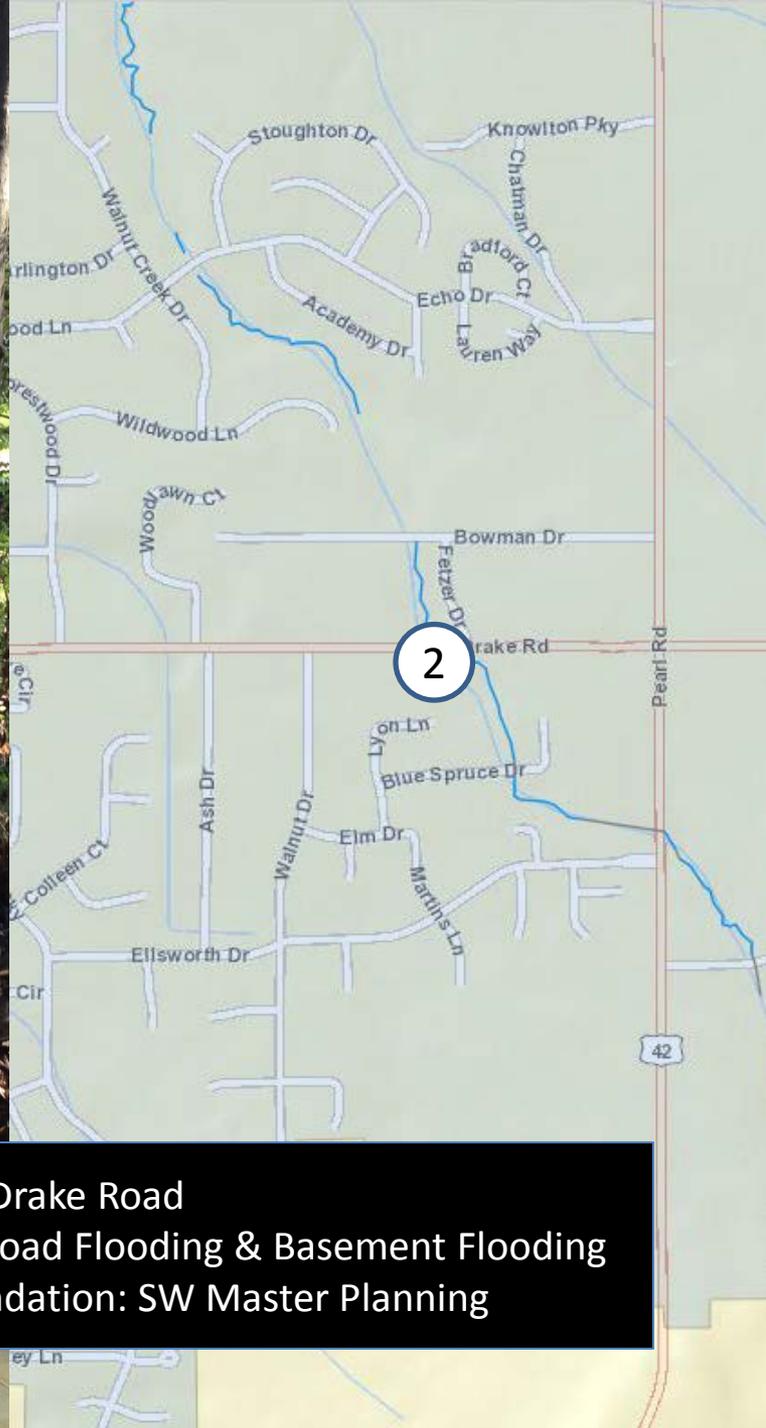




Watershed: Rocky River
Subwatershed: E. Branch
Community: Strongsville,
Location: SR82

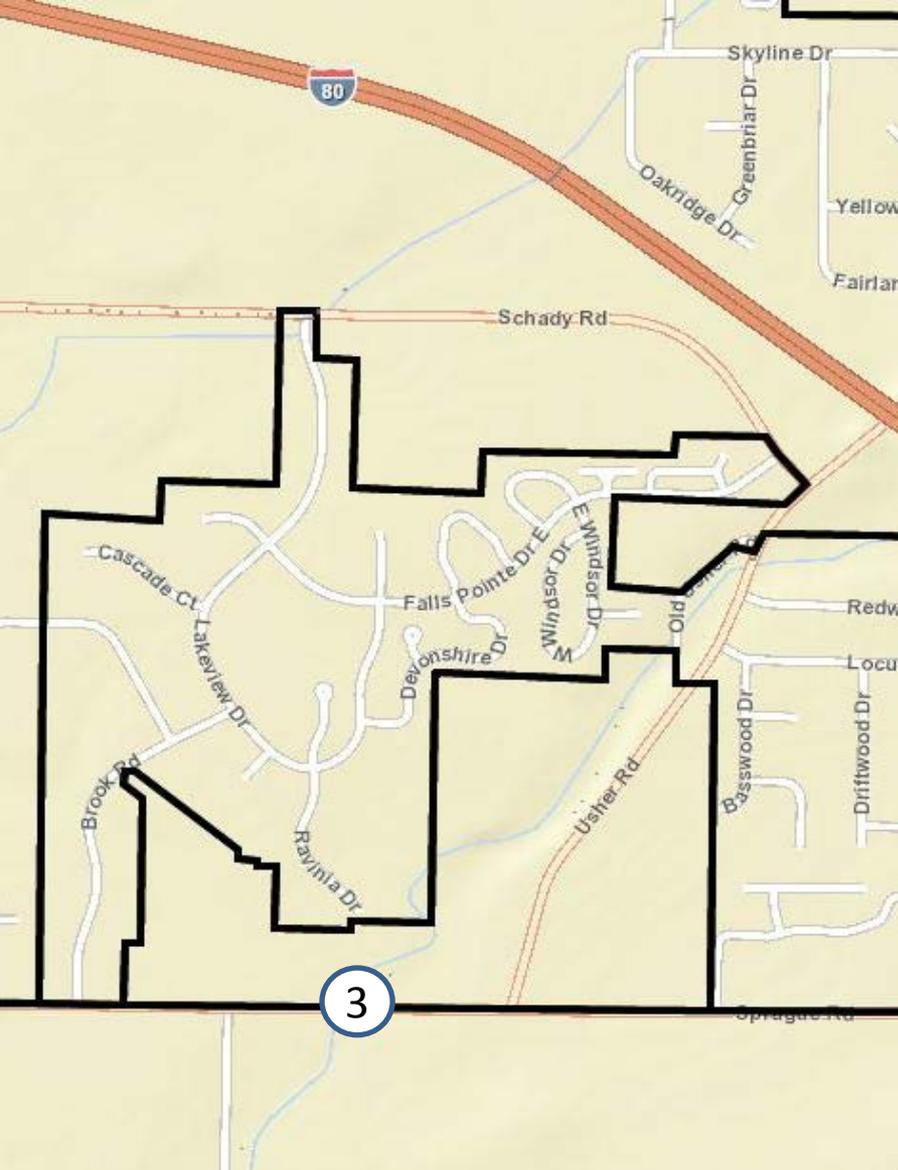
Problem: Road Flooding & Structural
Issues
Recommendation: SW Master Planning
& Further Analysis





Watershed: Rocky River
Subwatershed: Baker Creek
Community: Strongsville

Location: Drake Road
Problem: Road Flooding & Basement Flooding
Recommendation: SW Master Planning

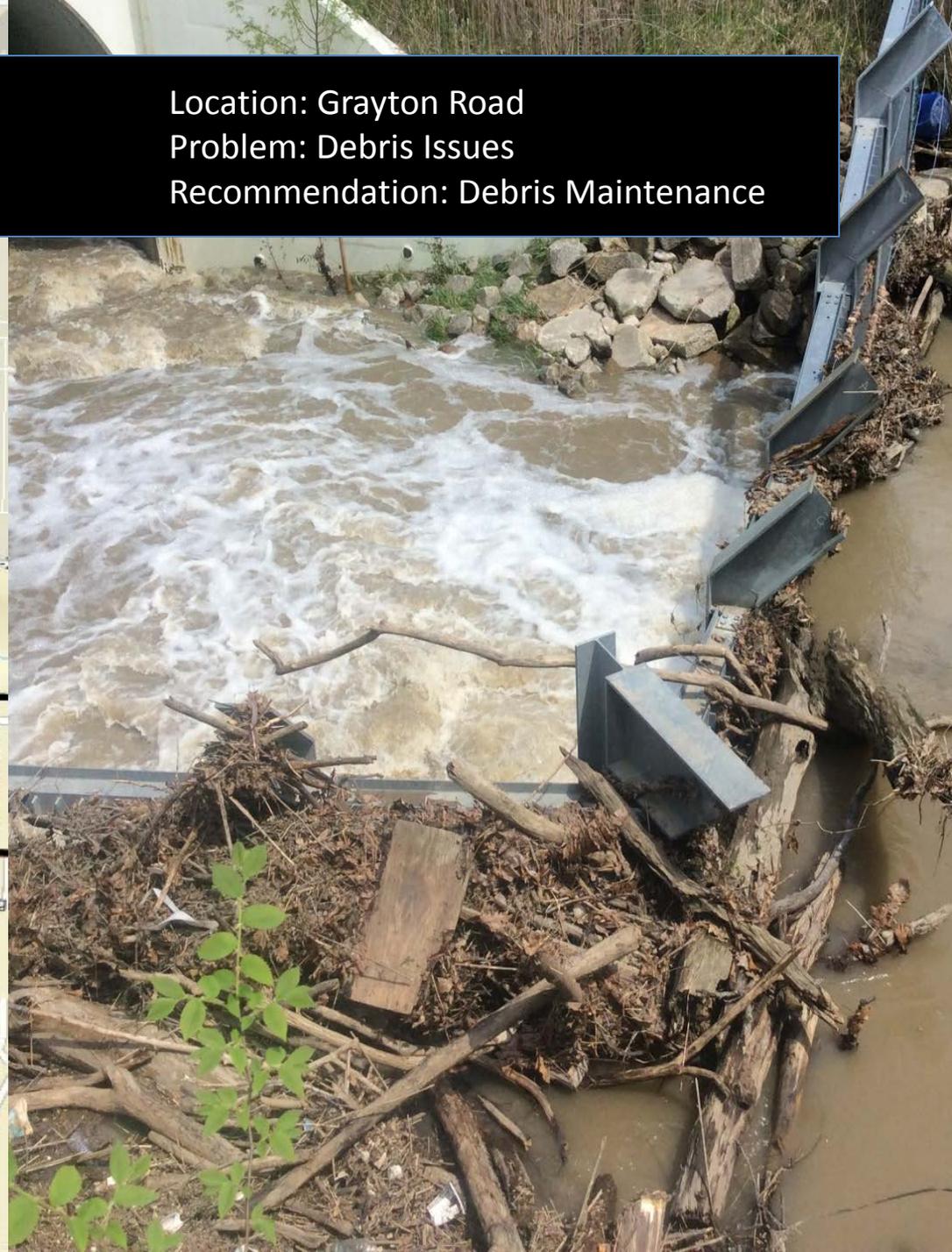


Watershed: Rocky River
Subwatershed: Plum Creek
Community: Olmsted Township

Location: Sprague Road
Problem: Road Flooding
Recommendation: SW Master Planning

Watershed: Rocky River
Subwatershed: Abram Creek
Community: Cleveland

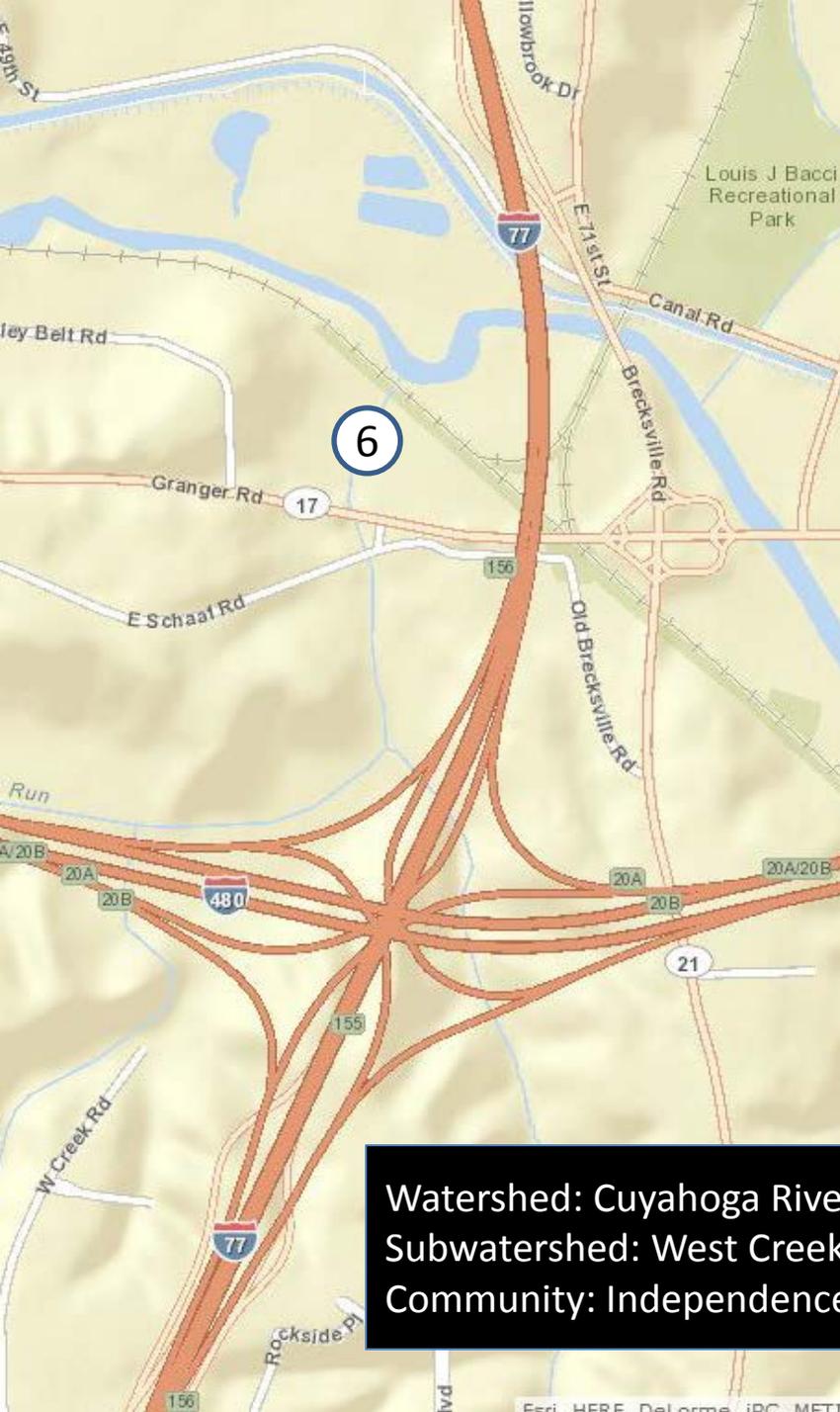
Location: Grayton Road
Problem: Debris Issues
Recommendation: Debris Maintenance





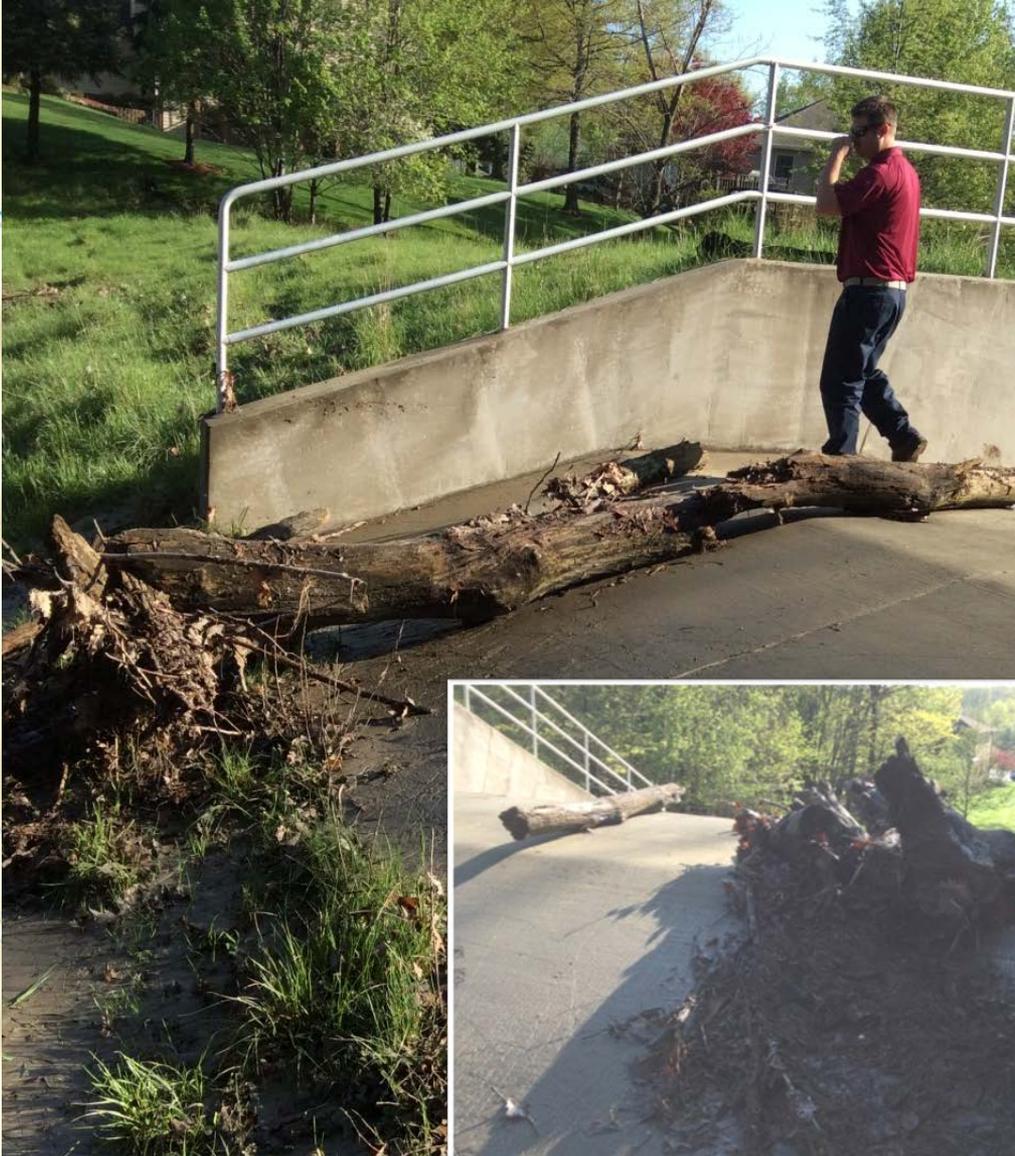
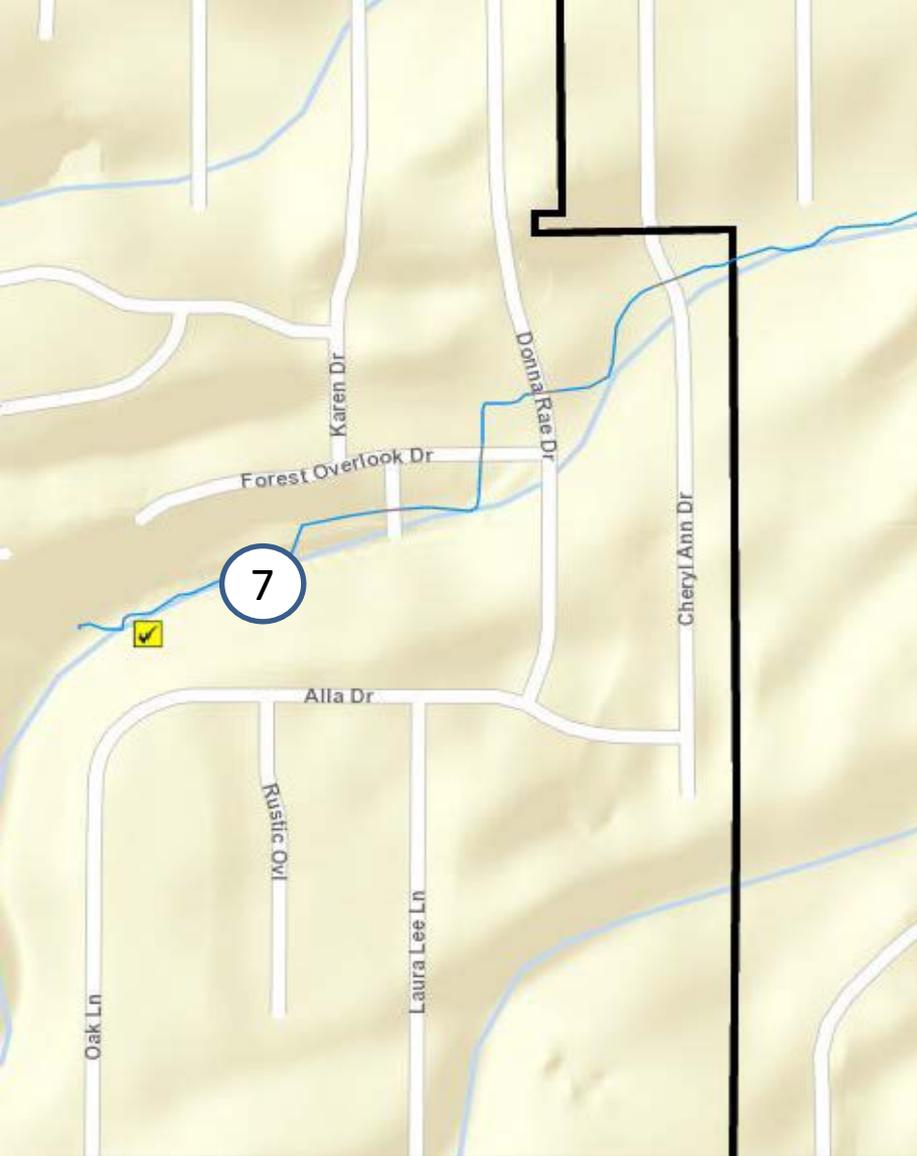
Watershed: Cuyahoga River West
Subwatershed: Big Creek
Community: Cleveland

Location: Puritas Basin (Control Structure)
Problem: Debris Issues
Recommendation: Debris Maintenance



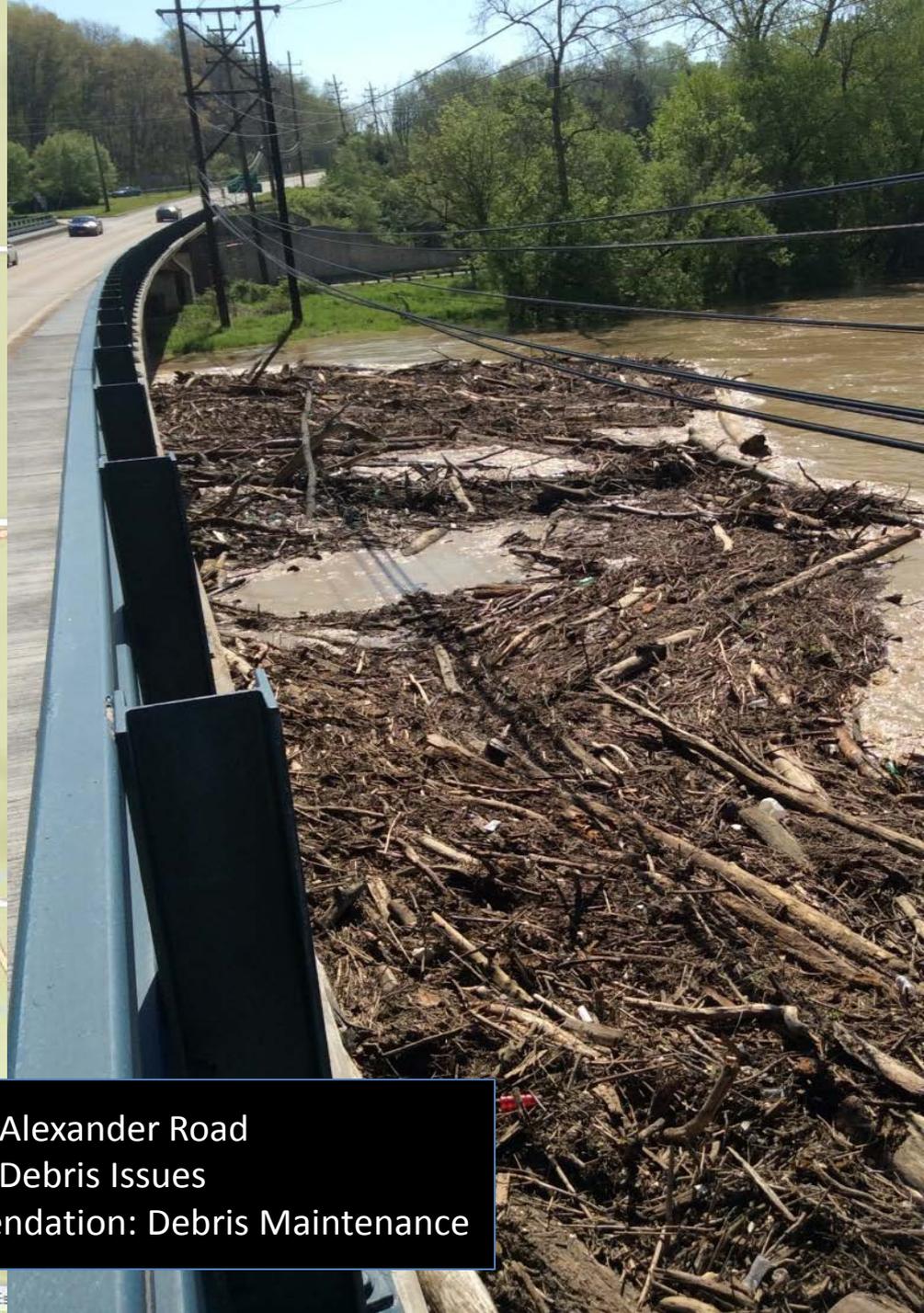
Watershed: Cuyahoga River West
Subwatershed: West Creek
Community: Independence

Location: West Creek Confluence
Problem: High Water
Recommendation: Monitor



Watershed: Cuyahoga River West
Subwatershed: Hemlock Creek
Community: Seven Hills

Location: Forest Overlook Basin
Problem: Debris Issues
Recommendation: Debris Maintenance



Watershed: Cuyahoga River
Subwatershed: Main Branch
Community: Valley View

Location: Alexander Road
Problem: Debris Issues
Recommendation: Debris Maintenance



Watershed: Cuyahoga River East
Subwatershed: Sagamore Creek
Community: Valley View/
Sagamore Hills Twshp.

Location: Canal Road
Problem: Road Flooding
Recommendation: SW Master Planning,
Debris Maintenance

Watershed: Cuyahoga River West
Subwatershed: Unnamed Trib
Community: Brecksville

Location: Vaughn Road
Problem: Road Flooding
Recommendation: SW Master Planning



Watershed: Cuyahoga River West
Subwatershed: Big Creek
Community: Parma Heights

Location: West Ridgewood Drive
Problem: Debris, Potential Property Damage
Recommendation: Debris Maintenance

