

**STORM WATER COMMITTEE MINUTES
OCTOBER 6, 2015**

The Storm Water Committee meeting was held on October 6, 2015 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:03 p.m.

PRESENT: Committee Members: Chair Steve Muller, Vice Chair John Nickell, Dan Langshaw; Council: Larry Antoskiewicz, Gary Petrusky, Paul Marnecheck, Dan Kasaris; Administration: City Engineer Mark Schmitzer; Other: John Jencson, Louis Krzepina, Terri Long, Alan Long.

APPROVAL OF MINUTES

Moved by Mr. Nickell, seconded by Mr. Langshaw to **approve the September 1, 2015 minutes.** Yeas: 3. Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Storm Water/Infrastructure Maintenance Monthly Report

A copy of this report is attached to these minutes. Mr. Kasaris said that there is a culvert on Ridge Road that has had 3 barrels there since July or August. He said he took a look at it and said that the road between the berm and the dirt is gone. He asked if this poses a risk to the road. Mr. Fielding said there is no risk and we will get to this either later this week or early next week. Mr. Fielding said that there is just a little crack in the sandstone underneath the asphalt and we will need to put a form underneath, pour some concrete over the top and then recover the asphalt. It should take 3-4 hours to complete.

2. 2015 Projects/Ohio Emergency Management Projects

Mr. Nickell asked for an update on the Cedar Estates basin. Mr. Schmitzer said that it is going through the permitting process right now. The EPA is doing their final review on everything and we are working with our consultant on any issues that come up. He said that they are pushing as hard as they can without jeopardizing the entire permit. Mr. Nickell asked if they will have to wait until spring for construction. Mr. Schmitzer said no, they can work over the winter. He said that is the perfect time of year to do this work and will actually help us with costs because people are looking for work over the winter. The site won't have the final landscaping, etc. until spring.

Mr. Kasaris said that last year the Turnpike had grant money available for storm water projects and asked what year those grants were for. Mr. Schmitzer said the first year they came out the money was available as of July 1, 2015. We were awarded grant money for the noise walls along with 3 other cities. All cities agreed to submit as one package with ODOT managing the project. This is currently scheduled for the summer of 2016. Mr. Kasaris said that we had also asked for money for several other projects. Mr. Schmitzer said we had 3 other applications in at that time and none of the 3 were awarded the first year. We reapplied for the second year and were awarded money for the York Road drainage improvement which is located near the York Road ball fields. He said he met two weeks ago with ODOT staff and this money will be available July 1, 2016 for these improvements. Mr. Schmitzer gave an overview of the project improvements. Mr. Kasaris asked if we will reapply for those projects that have not yet been awarded grants. Mr. Schmitzer said that he believes we can reapply in January or February 2016 and we plan to do so.

Mr. Schmitzer reported on the Cedar Estates, York Road, Tilby Road project. He said he just finished the estimate a week ago with Soil and Water and we are estimating the cost at just under \$90,000 to do the improvements on the Long and Jencson properties, as well as an adjacent neighbor. He said they are working on getting the specifications together and will go out to bid the week of October 19, 2015 and have the bid accepted at the following Council meeting. He said that he will be meeting with the residents involved to get written permission to access their properties. He will review with them at that time more details of the project which will include flattening the slopes along the banks, putting in natural vegetation, gabion baskets and benches to soften the slope so it does not erode. He said we plan to do the work this year and finish around the end of November.

Terri Long asked how this will affect the time frame for the grants. Mr. Schmitzer said that they are sending an invoice tomorrow to Cuyahoga County Soil and Water. Once this is submitted, they will submit it on the same day to the grant people and once that is done we are locked in and the money will be available. Ms. Long asked if it mattered that the project had not yet been bid out. Mr. Schmitzer said no. Most grants work this way by going off of an idea or concept, knowing that you don't have everything completed at that point. He said we have enough information and an estimate of cost so that the people awarding the grant are comfortable. He said that the city will have the money in place before we even go out to bid or shortly thereafter so when the contractor is due his payment, we will already have the money in hand.

Mr. Schmitzer gave an update on the OEMA projects. He said there are 3 project areas left to be completed: the Lynn, Hawley, Delsy area, the Elmwood Oval area, and the Bunker Road area. He said they had a preconstruction meeting with the sewer district who is handling the Bunker Road project on our behalf. The project will take around 2 weeks to complete and we are estimating that the contractor will start in about 2-3 weeks and finish up around the second week of November. Mr. Schmitzer said that the Lynn, Hawley, Delsy project is anticipated to begin work next week. It should take about 2 weeks to complete. We will then begin work on the Elmwood Oval project. He said that we have secured all the necessary access rights. This means that all the projects should be completed by Thanksgiving. Mr. Nickell asked if the access permission is temporary or permanent. Mr. Schmitzer said all permissions are on a temporary basis, and for these projects they are good through the end of 2015 calendar year. Discussion on parking of equipment was held.

3. **Turnpike Mitigation**

Discussion held under Item 2. Mr. Kasaris said that he received an email from a resident at 3616 Valley Parkway. The resident's property backs up to the turnpike and she said that she called Mr. Carpenter at the Turnpike asking if they had any plans for noise abatement in her area. Mr. Carpenter told her no, and said that the city needs to start the process. Mr. Kasaris asked if this is correct, and if it is, what do we need to do to start this process. Mr. Schmitzer said that he does not know if this is correct and does not know what we would need to do to start this process. He said that he can look into this and get back to Mr. Kasaris.

NEW BUSINESS

Mr. Langshaw asked the Law Director for an update on the NEORS D Storm Water program. Mr. Kelly said that the communities that opposed the imposition of the storm water fee are represented by one group of lawyers. There are also a number of appellants who were represented by Sheldon Burns who are property owners such as apartment building owners, shopping center owners and other organizations that have large, non-porous surfaces that are going to be significantly impacted by these storm water fees. He said that after the decision was published by the Supreme Court, both of these entities, that being the 5 remaining communities in the coalition and the property owners all filed motions for reconsideration. There is an avenue on the appellate ladder that allows for an aggrieved party to ask the court to reconsider its decision. Mr. Kelly said that he has read these arguments and the briefs, and in his judgment the Supreme Court is not likely to be persuaded to change its view. In fact, in the last few days we have received the brief in opposition filed by the Sewer District. He said that based on the decision that was made, none of the justices are likely to change their views in which case the motion for reconsideration will likely be overruled. Mr. Langshaw said it was good legal advice to remove ourselves from this case. Mr. Kelly said that this was an effort that the Mayor made to resolve this in favor of our community. Mr. Kelly said that he also received this week a signed copy of the agreement we made with the sewer district. NEORS D withheld their signature on this agreement relative to the storm water initiative because of the pending litigation. However, they went forward as of their last meeting and gave their approval. Mr. Langshaw asked if there was money being held in escrow until matters were decided. Mr. Kelly said that there is a significant pot of money that Mr. Ciaccia has at his disposal. As part of the agreement that the Mayor negotiated with NEORS D, prior to the time he became a member of the sewer district, the district is going to contribute \$800,000 to the project for Cedar Wood retention basin. Mr. Langshaw asked that

this be put on next months' agenda. Mr. Muller agreed. Mr. Kasaris asked if the reconsideration is denied, is there the possibility of an appeal to a federal court. Mr. Kelly said that federal style issues and constitutional issues were raised in some arguments, however he did not feel that they were briefed nor were they the basis for any of the appeals. Even though they were bandied about in the court rooms both at the trial court and at the appellate level, he did not believe there would be any basis for a federal appeal.

ADJOURNMENT

Moved by Mr. Muller, seconded by Mr. Nickell **to adjourn the October 6, 2015 meeting.** Yeas: 3. Nays: 0.
Motion carried. Meeting adjourned at 6:25 p.m.

Storm Department Monthly Report – September 2015

- Sept 1st Gabriella –Red Oaks- Rip out and set up sections of street
- Sept 2nd 9350 Ridge Rd- Saw cut jackhammered and remove concrete and old brick from Catch basin vac-d out casting and jetted crossover.laid 5 courses Of brick.
- Sept 3rd 9350 Ridge Rd- Laid 2 courses of brick, set casting and formed the curb and poured Concrete
9333 West Hampton- vac-d out catch basin and jetted lateral.
- Sept 4th 9350 Ridge Rd- Set form drilled and dolled concrete and poured section of apron.
Red oak – Gabriella- Poured catch basin and monument boxes.
- Sept 8th Gabriella- Rip out concrete and form for street slab
- Sept 9th Eagle Chase-Royalwood- Rip out concrete and formed sidewalk.
7655 Akins- Hydro excavated a 12”plastic pipe- dead pipe and capped it.
- Sept 10th 13890 Stoney Creek- Rebuilt double catch basin set casting to grade.
- Sept 11th 13890 Stoney Creek- Poured concrete slab and the catch basin.
9500-9503 Potomac Dr – poured concrete catch basins.
- Sept 14th 7000-6024 Cady- Restored berms with asphalt
Hillside - Saw cut all joints on new concrete
James Town- Saw cut catch basins for concrete removal.
- Sept 15th 82-Giant Eagle- Saw cut and removed bad section of street replaced with 6” of new Asphalt.
- Sept 16th Apollo Retention- Cleaned concrete trough- bored 2 -10” holes in concrete structure.
10740 Sherwood Trl- Televised 12”storm line located buried manhole.
- Sept 17th Service yard- Poured concrete in drive entrance to recycle yard. Rip out and formed rear Section of service drive.
- Sept 18th Service Yard- Poured 26 yards –ripped out asphalt formed and graded.
- Sept 21st 3155 Fir Tree- Sinkhole- Flooded and Televised 12” storm main found no issues with The storm main.

	<u>Service yard-</u>	Poured 30 yards of concrete- ripped out and formed the east lane Entrance into the recycle yard.
Sept 22 nd	<u>Service Yard-</u>	poured 18 yards of concrete to the entrance of the recycle yard. Excavation removal of asphalt set up forms on service drive.
	<u>Sir John</u>	Asphalt repair to the street.
	<u>James Town-</u>	Jack hammer and removal of concrete around catch basins.
Sept 23 rd	<u>Boston Rd-</u>	Crack sealing Boston road
	<u>Service yard-</u>	Poured 50 yards of concrete in east lane service drive, excavated Remove Asphalt set forms and graded stone.
Sept 24 th	<u>Boston Rd-</u>	Crack sealing Boston Rd
	<u>Service Yard-</u>	Poured 30 yards east lane of service drive, set 4" riser on catch basin by fuel pumps- plained asphalt next to new concrete
Sept 25 th	<u>4291 Sir John</u>	Re brick catch basin to grade set casting
	<u>Service yard-</u>	Plained asphalt next to new concrete. Asphalted around fuel pumps and Blended a new 2" asphalt strip next to new concrete.
Sept 28 th	<u>Sir John-</u>	Vac-d joints out and asphalted
	<u>Service yard-</u>	Excavated east lane of service drive remove asphalt set forms graded Stone and tamped.
Sept 29 th	<u>Sir John-</u>	Poured concrete in 2 rebuilt catch basins and landscaped.
	<u>Service Yard-</u>	Poured 30 yards-excavated removed asphalt in east lane of drive to Driveway apron set forms graded stone and tamped.
	<u>9511 Tilby Rd-</u>	Jetted storm main
	<u>12217- 12247 Albion Rd-</u>	Jetted storm main.
Sept 30 th	<u>Service Yard-</u>	Poured 54 yards of concrete finished east lane to driveway apron.
	<u>8479 Pamela-</u>	Jetted storm main
	<u>11225 Ridge Rd-</u>	Jetted storm main and vac-d storm line.

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