

## UTILITIES COMMITTEE MINUTES FEBRUARY 5, 2019

The Utilities Committee meeting was held on February 5, 2019 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:19 p.m.

**PRESENT:** **Committee Members:** Chair Paul Marnecheck, Vice Chair John Nickell, Dan Kasaris; **Council:** Larry Antoskiewicz, Gary Petrusky, Dan Langshaw, Cheryl Hannan; **Administration:** Mayor Robert Stefanik, Law Director Thomas Kelly, Wastewater Supt. Mark Smith, City Engineer Mark Schmitzer, Service Director Nick Cinquepalmi. **Other:** Lou Krzepina, Linda Barath, Haley Johnson.

### **APPROVAL OF MINUTES**

Moved by Mr. Kasaris, seconded by Mr. Nickell to **approve the January 2, 2019 Utilities Committee minutes.**  
Yeas: 3. Nays: 0. **Motion carried.**

### **UNFINISHED BUSINESS**

#### **1. Inflow/Infiltration of Storm Water**

Mr. Smith said that they will start in the Eagle Chase subdivision which will consist of 25-35 homes. We will then spend the rest of the year working in the “planets” area. He said that they expect to find a lot of violations in this area. Mr. Kasaris asked why we believe there is a lot of I&I in these areas. Mr. Smith responded that these areas have not been tested in the past and these are older homes so it is expected. He said that a lot of these homes were hooked up illegally. Mr. Petrusky asked where the break is in the “planets” area between North Royalton and NEORS. Mr. Smith said that they will be working on Saturn, Apollo, Titan, Athena, Jupiter, Mercury and Sunset. Mayor Stefanik said that the break line is roughly along Wallings Road with some minor zig zags. Mr. Nickell asked when PVC pipe started being used vs. clay pipe. Mr. Schmitzer said that it was in the early 1980’s. There were still some problems early on but the PVC pipe is much better today.

#### **2. Turnpike Sludge Line**

Mr. Kelly said that the accident was October 2017. A subcontractor to the contractor doing work on the turnpike took down the sludge line. They have Progressive Insurance and there about 7 different claimants for the money. Progressive has \$1 million in coverage and the limits are exhausted so we are reaching up the line to the contractor’s insurance carrier which is Liberty Mutual. He said that they are waiting to make a connection with their adjuster. Mr. Marnecheck asked if there is any cause for concern. Mr. Kelly said not that he is aware of. He said that there was some indication from the adjuster for Progressive that Kokosing adjuster had some sense that they did not bear any liability and we do not agree with this. Mr. Marnecheck asked if Kokosing was the contractor. Mr. Kelly said yes and the subcontractor was the trucking company that did the damage. Mr. Kasaris asked what the statute is on this. Mr. Kelly said 2 years so we are coming up on it this year but we are hopeful that they will see the light. He said that it is a pretty simple equation; the damages are fixed and we all know what the number are. Mr. Kasaris asked what our loss is. Mr. Kelly said that our loss was in excess of \$800,000 but this includes the cost of the engineering study to establish the parameters for the reconstruction if this had to be done. Mr. Kasaris asked what happens if we don’t have an arrangement by September. Mr. Kelly said we will file. Mr. Kasaris asked if our Law Department would handle this or would he sub it out. Mr. Kelly said that he has not made up his mind or spoken to the Mayor about this yet. He said that he will see to it that a lawsuit is in place. Mr. Antoskiewicz asked if we have any part of the \$1 million from Progressive. Mr. Kelly said that the way the insurance game works is that the carrier needs to try to settle all of the claims within the policy limits. They have contacted all of the claimants and said will you all take a reduced sum proportionate to your loss. Our answer was not at this time, and to his knowledge they can’t settle with the other claimants without leaving themselves exposed to us for the full amount of our damage. He said they need everyone to sign off and he doesn’t think anyone has. He said that we are waiting to hear from Liberty Mutual to see if they will come up with the roughly additional \$300,000 which would cover all of the claimants. He said that they have been playing phone tag and expects contact soon.

3. **B Plant Screw Pumps**

Mr. Kelly said that a meeting is scheduled with all of the principles on Friday morning so he will have an update at the next committee meeting.

4. **Plant A Permit**

Mr. Smith said that this is still in Columbus waiting for approval. Once it is approved we will receive a copy.

**NEW BUSINESS**

None.

**ADJOURNMENT**

Moved by Mr. Kasaris, seconded by Mr. Nickell **to adjourn the February 5, 2019 meeting.** Yeas: 3. Nays: 0.  
**Motion carried. Meeting adjourned at 6:28 p.m.**