

## **STREETS, BUILDINGS & GROUNDS MEETING MINUTES**

August 9, 2021

**In Attendance:**      **Vermilion City Council:** *Monica Stark, Council at Large; Emily Skahen, Ward One; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five (late arrival). Absent: Steve Herron, President of Council; Frank Loucka, Ward Two*

**Administration:** *Jim Forthofer, Mayor; Chris Howard, City Engineer; Amy Hendricks, Finance Director; Chris Hartung, Police Chief; Tony Valerius, Service Director; Chris Stempowski, Fire Chief*

**Call to Order:**      Steve Holovacs, Chairman, RESOLVED THAT this Streets, Buildings, & Grounds Committee comprised of the committee of the whole does now come to order.

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### **TOPIC ONE:      Elberta Ditches (Carl Hill)**

S. Holovacs provided prior history on this project by explaining they had money in stormwater and council had asked the engineering department to give them an estimate as they were trying to do a trunk line from the south end to take water from south of Liberty through Elberta and out to the lake. At the time, Council was told it was going to be about \$450,000 to \$500,000 and Council agreed with it. They added some things as they continued discussions, but after they went out to bid it turned out to be twice the amount – it came in at \$1.2 million. The city did not have the money under the stormwater, so at that point they had to regroup because they had residents that thought the city promised them some drainage. At that point, this is when they came back, and this is when the ditches were discussed, and the city proceeded with it because the city did not have the \$1.2 million to do the trunk line. He noted that Carl Hill came before council last week and discussed the American Relief Plan. He asked city engineer, Chris Howard if he had any information on the ARP and if it could help the city on this or not.

C. Howard explained the eligible uses of the American Recovery Plan are obviously water, sewer, and broadband. The government has been vague, but they have provided some guidance on the requirements of what you can use this money for. He said if you have a stormwater project it has to have a water quality benefit, so just installing storm sewer pipe does not qualify with this funding. It is mainly geared towards sanitary, water improvements, and broadband. Storm sewer improvements like replacing culverts and roadside ditches do not qualify for this funding.

B. Brady addressed Section 1080.10 (c) & (d) of the Codified Ordinances, which she stated the city and stormwater committee need to live by. She said it reads in the code – (c) The City may determine that properties which were originally part of an open ditch drainage system, will remain so unless the City deems otherwise. Property owners wishing to modify, upgrade or enclose an existing open ditch system will be responsible for the costs. (d) Properties that were originally part of an enclosed or covered system, will remain closed/covered, unless the City deems otherwise. Property owners wishing to modify or upgrade an existing closed system will be responsible for the costs. She said down in VOL this has been an issue over and over again, and bottom line – it is an upgrade, which means upgrading from a ditch to a pipe system, which is at the homeowner's expense. She said Elberta residents were lucky that they got under driveway pipe put in when the streets were done. This was something they did not do in VOL when the streets were paved, so they did get some benefit that VOL did not get. She said the cost from changing from a ditch to a pipe is the homeowner's expense. She said if the city would decide to put a 24" pipe down the street, the property owners would be responsible for the 12" pipe and the city would have to pay for the other 12" pipe. However, the city does not enclose ditches.

E. Skahen asked the city engineer if there was anything that could be done. C. Howard asked if she meant enclosing the ditches. E. Skahen said some way to alleviate the problem the residents are having. C. Howard said when the plans were done back in 2014, it originally was supposed to be a trunk sewer to pick up Liberty, but obviously the funding wasn't there, so the pipe size was reduced to convey the open swale based on what was available. He said the city does not fill in ditches unless it is a detriment to the road. He said council could go to the stormwater committee and ask them. S. Holovacs asked if council wanted to refer this or is this something the administration wants to do or not. Mayor Forthofer said when they were discussing this amongst themselves he was told they could not enclose the ditches on Elberta - this is when he was informed of the section that Councilwoman Brady read. He said it is at the homeowner's expense, and even if the city did it for them, there are many other ditches that would also have to be done and the city would go broke filling in all the ditches. He said the administration could not find an answer right off the bat, so they talked about trying to find some way to give relief.

Carl Hill of 8203 Barnes Road said he has property at 373 Elberta. Upon listening to everything that was said he understands that everybody who has been through this from the get-go knows that originally there were five tiles that were damaged/plugged. He asked originally just for the street crew to come down and dig the ditches out. This is all he wanted. When council decided they could drain south of Liberty but would need a 3' tile down there

– this is when they came to \$1.2 million. This is when the 51 tiles were put in, but they only needed five. This was overkill. Now you have the ditches and his idea on this is – if you guys cover the ditches up right now just on Elberta Road because someday he is thinking the city will want to drain the south of Liberty, so if the city already has all the pipes put in, then all you have to do is connect it somewhere down the road and it is done. This would be feasible and what he is looking at. He understands it is a lot of money, but they originally just asked for the ditches to be maintained and cleaned out. You've got elderly people that cannot do this, plus the engineer said if it affects the road – you've got a berm between the ditch and the road, and his yard is falling into the ditch. They cannot keep anything growing in there because you have to maintain it, and nothing grows in it. At his house in particular there is never any water. You want to put those catch basins in every so feet, but there is no water at his house. It is ridiculous to have a catch basin. They have 4" of water going through a 36" deep ditch. He said this was a circus from the get-go and he understands this, but down the road the city has the option of putting water from the other side of Liberty down Elberta like the city planned on – you just don't have to do it now. He is asking council to consider this because the city got half the job done – all the city has to do is put the pipe in and bring the water when they want to. If the city can get a grant on the stormwater, this will cover it. The rescue plan money he is talking about does have a mention of stormwater – this is what he is basing his request to council by. He said he got the information from the OTA. C. Howard said they have this information too, but it goes into further detail and says it has to be a water quality improvement for stormwater. C. Hill said this is a water quality improvement if you drain south of Liberty – they have to do this sometime – it's bad. He said his driveway drain was broken and he would have paid the city to buy a new one and put it in. There were four others beside his that were broken, but the city came in and put 51 in – this is why the money was up there – they did not need 51; they needed five. He said bring the backhoe down – it would have cost them \$20,000 for two or three days – this is all they were asking. He said everybody here now that was here then knows what happened and all they asked was having the ditches dug out to where they would function and five tiles. This is all they asked. He asked council to consider this.

Homer Taft of 3972 Edgewater Drive said he was principally before council to talk about the VOL sewers, but in fairness he has been reading through all the reports and the sanitary sewer overflow reports, and the sewer map of which he will get into later. One other place that has some overflow problems besides the major problems in VOL is Elberta Beach and that is sanitary sewer. He is told there is even some problem with the overflow of the bathtub he will call it to catch some of the sanitary into the lake. He is told the sewers in that area are not in the best of shape and there is clearly probably some sanitary or some stormwater inflow into the sanitary sewers,

so this is just something council may want to think about as they go through the problem.

Miscellaneous:

B. Brady asked Tony Valerius if he could explain what is happening with the big barges that are coming from the lake to Showse Park because a lot of people are questioning it and she would like to get it on the record as to what is happening.

T. Valerius explained the Army Corp of Engineers have been dredging in the river and they will be dredging from the mouth of the river down to the bridge, and then they are depositing the dredging's out near Showse Park. They are doing some near shore dumping. He has received a couple complaints, so he called the Army Corp of Engineers and they stated that they are following all of the specifications of the EPA as far as near shore dredging goes. He knows they have reached out to couple of the residents who called him. B. Brady said they have gotten some debris. T. Valerius said he got some pictures as well. B. Brady just wanted to get this out in the paper as to what has been happening.

B. Brady asked how the east wall is going. T. Valerius said the expected completion is at the end of September. Mayor Forthofer said the project is coming along well and noted there is \$5.7 million from Congresswoman Kaptur, and her administrative aids have told him that it could very likely go towards the west wall – not this year of course.

Homer Taft of 3972 Edgewater said he read through all the Corp stuff on this, and federal law actually requires the sandy deposit close to shore, and what they are taking is largely from the entrance to the harbor and it is large silt material and sand, and this is what is being dumped. The silty material when it gets into the river is supposed to be dumped two miles out.

E. Skahen asked to refer the Elberta Ditches to the stormwater committee. G. Fisher said once they have a full stormwater committee, they will schedule a meeting.

S. Holovacs adjourned the meeting after no further business came before the committee.

Next meeting: September 20, 2021 – 7:00 p.m. – Vermilion Municipal Complex, 687 Decatur Street, Vermilion, Ohio

Gwen Fisher, Certified Municipal Clerk