

STORMWATER COMMITTEE MEETING MINUTES

of Monday, October 4, 2021

Present: Members: Matt Hasel, Greg Drew, R.J. Hickey, Craig Snyder, Dave Terken (*late arrival*)

CALL TO ORDER:

Matt Hasel, Chairman called the Monday, October 4, 2021 Stormwater Advisory Committee to order at 6:00 p.m. in the Vermilion Municipal Complex, 687 Decatur Street, Vermilion, Ohio.

APPROVAL OF MINUTES:

R.J. Hickey MOVED; G. Drew seconded to approve the meeting minutes of May 3, 2021. Roll Call Vote 4 YEAS (*No vote by Terken – late arrival*). MOTION CARRIED.

NEW BUSINESS:

M. Hasel MOVED; G. Drew seconded to nominate Dave Terken as Vice Chairman. Roll Call Vote 4 YEAS (*No vote by Terken – late arrival*). MOTION CARRIED.

Michael Simpson, 1091 Adams Street (Correspondence dated April 4, 2021)

M. Simpson said he has lived here since 1974 and has had a water problem when it rains hard for quite a while. The water rises above the ground level around his house and across the street to the road level. The whole thing fills up – it is like a catch basin there. There are no catch basins by his house but there are some within 300 – 400 feet. There are six of these catch basins that were put in about six years ago. He has no idea why they were put in because they do not do anything. He said the big problem is by Center Street as the water builds up. After the catch basins were put in the pipe was never cleaned out, so the pipe has never drained properly since he has lived there. He has watched the pipe drain into Edson Street, which they redid the whole road and put in new piping, and this runs fine. However, when it rains the water is up to the road and the pipe is only flowing less than 50 percent. He isn't sure if the pipe is plugged or if it is too small or has been misaligned over the years. The condition has been the same since 1974. In the mid-90s they had a heavy storm, and it actually collapsed the walls of his basement. He had a lot of damage over the years. Until recently when it started flooding he would put a sump pump in and start pumping water into an open field on the east side of his house. The water flooding his property is coming from the stormwater pipe from the rest of the road. He has pumped water two – three hours after the rain has actually stopped because the pipe is full and there is nowhere for it to go. It cannot get out fast enough, so it just collects in his area. He called the city and stopped in to talk about this problem several times and everybody says they will look into it – nothing – he has not heard a word about anything. He came to talk about his problem because things have changed around his area. The empty field to the east is a

housing development with many new homes, so pumping water there is not an option anymore. He was told by the city that his downspout had to be moved because he had an old pipe going down there and it was too close to the property line, and they were going to be grading on those new homes in back of him. In a heavy rain there is a little swale in back of his house and it always comes up to creek level – there is a lot of water running through there. He now worries about where this water is going to go now that they are those grading those houses toward his house. He thinks he is the only basement on that side of the street, and he thinks this water is going to go into his basement and he is worried about it. He is asking if this situation can seriously be looked into as to what can be done. It feels like there is new development all over town and Adams Street gets left behind.

M. Hasel asked T. Valerius if there has been any investigation on the city's end. T. Valerius said as far as the new homes in the back the city engineer has done final grading checks to make sure the water does not flow onto the neighbors. A couple of them failed in a home behind Mr. Simpson, but he thinks they were addressed. He thinks the new homes meet all of the requirements for grading. As far as what can be done with Adams Street – catch basins were put in five or six years ago and at that time the lines were shot, and they are occasionally shot as needed. He knows there is a storm sewer on his side and there is a catch basin to the north of him and one to the south. The city will take the truck down there and jet those lines. The map shows it gradually moving over to the other side of the street, but if he can tie into the storm sewer then this would help. Hopefully they can jet the lines to see if there is an issue that is clogging it up and whether the issue is Edson, or it is further south. M. Hasel asked if a catch basin in front of the residence would help. T. Valerius said it probably would not make a difference.

M. Hasel said it seems to him this is something they can follow up on. He asked if the city could let them know if they were able to jet it out and see where the obstruction is. It necessarily is not a project to recommend, but more of finding out what is causing the problem and maybe the city can let them know if a project needs to stem from this. He told Mr. Simpson to feel free to send a status email to the committee just to make sure if there is a project that needs to result from this or if it is just a maintenance problem.

Michael Sigg – 332 Niagara Road (Correspondence dated June 21, 2021)

G. Fisher advised the committee that Michael Sigg was not in attendance, and he did not respond to her email advising him of the meeting. M. Hasel tabled the matter.

T. Valerius responded by saying the street department investigated the issue that Mr. Sigg was having over a month ago and they shot the lines, and they came across some obstructions and dug it up and found that what was placed in the ground for a storm sewer was old boilers that abutted up against each other and they were rusted. They removed these old boilers and replaced it with a piece of pipe and reconnected to existing pipe, which helped the flow much better. Further

investigation needs to be done to the north of his house and they are working on this. M. Hasel asked if Mr. Sigg is aware of these repairs. T. Valerius confirmed he was aware.

M. Hasel said for the record, repair work has been done and if the homeowner wants to present anything down the road, then they can add it as an agenda item, but for now they will mark this as a resolved issue.

Elberta Ditches – Carl Hill, 373 Elberta (Council/Committee Minutes of August 2 & 9, 2021 as reference)

Carl Hill said he has been here before, and the committee is aware of his battle plan. He said they have humongous ditches in front of the houses where they were planning on draining the south of Liberty Avenue down through Elberta Road. He said a council member made a comment at the council meeting he attended on August 9, and he did not respond to it, but now he would like to respond to that comment. The comment was – “We did not get away without getting a little gift – we got brand new tiles put under our driveway.” He responding by saying they have a three-foot ditch and a four – six-inch tile – what are you going to do? You have to put bigger tiles in. So, this was not a little gift to them – it was part of the major plan – the master plan. Again, this is probably the last time they can probably discuss this, but he would love to see some of the stormwater money used to cover these ditches up because the people are having trouble maintaining them – most of them are elderly and they have had knees and hips replaced, and they cannot get down into those ditches and keep them clean without getting a fine from the city. So, something has to be done. He said he does not live on Elberta, but he does have a rental. He said the renters there do not care – this is up to the landlord, including his rental as it is up to him. He would like the committee to consider using some of this money to cover those up and when the city wants to start draining behind Liberty Ford, the Post Office, and Giant Eagle, then they can put them down Elberta Road. He knows it will be trouble getting a tile underneath Liberty Avenue, but things are getting easier all the time with the equipment they are getting. If you do not do it now, then do it sometime in the future – at least get the ditches covered up. They are a hazard in the wintertime and people can slide into them. When they put their garbage out you have a big garbage truck and a little space on the side with a huge ditch. People are nervous. He said garbage blows out of the garbage truck and collects in the ditch and they cannot get it out because it is too deep. It is one hassle after another, so now that the city has these grants available there is a lot of places to use them, but they have been dealing with this for about 10 years now, so consider doing this too.

M. Hasel believed the ditches were put in about eight years ago and none of the present members served on the committee at that time, but he was aware of the project. C. Hill said he is not blaming any of the present committee. M. Hasel said it was his understanding that at the time they had looked at the storm sewer in well excess of the budget and this is why the plan went to the ditches. He asked if the ditches were existing that were just deepened or what was the existing situation

there. C. Hill explained the whole thing that started this ball of wax is that the ditches had not been dug out and cleaned with the backhoe for at least 45 years. Right behind Elberta Inn when it first started they would get cabbage heads coming down the ditches, but the house behind Elberta Inn – his ditch was a tire track – this is how deep it was. All he was asking was for the city to come down with the backhoe and scoop them out so they could drain, but they got three foot deep and wide on each side and this is not what he wanted. It was overkill and it could have been a couple days' worth of work and maybe \$30,000 - \$40,000 tops, but the city did almost a million-dollar job. They dug his ditch so deep and exposed the Columbia Gas line that feeds his house. Then, they had to have Columbia Gas come out to drop the gas line. You cannot have a gas line exposed six inches – this is dangerous. He doesn't know what kind of engineering went into the design of this project, but it wasn't very good. They ought have known how deep that gas line was, and they went six inches below the gas line on his house. They had five tiles that were obstructed, and the city put in 51 tiles. It was bad engineering all the way around and he isn't even an engineer and knew this. He has been stating that from the get-go and anybody can figure out that something was wrong with this.

M. Hasel asked C. Hill if any sections of the roadway were replaced with ditches or was it just deepening the existing ditches. C. Hill said they just deepened the existing ditches. M. Hasel asked if there are drainage problems currently. He knows it is a nuisance having three-foot-deep ditches. C. Hill said no, it is just the opposite. They have had torrential storms and have had four inches of water, which is called leaf dams. This is when the water is not moving fast enough to wash the ditch clean. There were leaf dams, and they are still there today. There has never been more than four inches of water in the three-foot ditch – what purpose does it have other than a hindrance to everybody and a nuisance. It is unsightly and it is constantly collapsing into the ditch because nothing is growing on that side and if you do get something to grow then you have to weed whip for five hours down a three-foot ditch.

Councilman Holovacs said he was on council at the time this happened, and this project went out for bid, and they had engineering estimates at about \$450,000 - \$500,000, and they came in at \$1.2 million, and at that point it was covered piping all the way, so they had to change the whole plan, and this is where the ditches came from. He said people that did have pipe they got dug out. People who wanted them could have gotten it done during the construction, but they would have to pay the contractor. He believed M. Hasel was working for K.E. McCarthy when this was being done because they were the engineers who oversaw the project, but they did not design the project. M. Hasel said he had nothing to do with this project.

Al Kalzewski, 1184 Wildwood (Ref: Council Minutes of September 1, 2021)

Al Kalzewski said his complaint is about the erosion due to a failed system. The storm water sewer and related piping were installed on this property about 36 years ago and the problems are two-fold. The stormwater flows at the top of the bank

and just kinds of dribbles over the bank and erodes the soil. It has been doing this for 36 years and it now has dug a nice gorge. The second problem which is more serious is that the piping system is broken. The concrete pipe has slipped out of the bell housing fitting and consequently the water flow is now around that pipe and going around the bank and it has washed out two huge concrete structures that support the concrete piping network, and they are now down sitting in the ravine. In addition, there is a natural gas utility that runs parallel to the stormwater line, and he is hoping the natural gas line does not become a casualty of the broken stormwater line. To be robust, he has solicited opinions of various officials about this situation to confirm or disapprove of what has been going on. About six years, Lynn Miggins who was a civil engineer at that time came to the site as she had originally designed the current system that is in place, but when she saw that the concrete support knees were blown out and the water was draining over the top, she said that perhaps the system could have been installed a little differently – in other words all the way to the bottom of the ravine. The broken pipe system had to naturally be repaired and L. Miggins had reported that she would report her findings, but he does not know what became of this. He said the second person he solicited was Jeff Grunda, a homebuilder in construction. He asked him to help and investigate the pipe and to see what happened inside, so they shined a light inside and they could see that the pipe had slipped out of that bell fitting confirming that some of the water is flowing against the soils bank and not going through the pipe, and therefore, blowing out those concrete structures. He also had confirmed this was a very serious problem and somebody needs to know, so he is making the committee aware of it now. He said he talked to Councilman Holovacs who viewed the site and he verified it is a serious problem and that the integrity of the bank's stability was in question. He also indicated that the stormwater system is in need of repair now and should be given a high priority. All his neighbor's stormwater on Wildwood comes through that sewer on his property and goes out over the top of the bank, so they want the system to work correctly and safely, but not at the destruction of his property.

Additionally, he said he talked to Henry Kishman who was gracious enough to write some letters to make Mr. Valerius aware of the severe nature of this stormwater on his property. Unfortunately, Mr. Kishman passed away and they will miss him. He said he has been trying for 10 years plus to make folks aware and he has gotten nowhere, so he really needs the stormwater committee's assistance on getting this repaired and replaced. He said the city has easement rights to his property, so he is hoping they will take this seriously and do the work to get this repaired. Time is marching on, and destruction continues to grow. He has been at this task for a long time, so he is asking the committee to please raise the priority and repair the serious problems at this site.

M. Hasel said that was one of his questions – the easement, because he knows a lot of the lakeside properties can become an issue as far as the access, so he is glad to hear this. He said Gwen Fisher just brought it to his attention that this project was on their stormwater list, and the estimated cost that was provided wasn't a huge

sticker price. Also, based on the minutes, it seems the administration is recommending it.

S. Holovacs thanked Tony Valerius and Chris Howard for meeting him at the property. He said this is a street drain that drains the cul-de-sac in Wildwood and the easement goes through Mr. Kalzewski's property and it sounds like the bell probably separated and it will continue washing his property away, so with this easement it is actually taking care of the street and he is aware that C. Howard is working on some pricing. He feels it is a project they should look at because of the street itself and he is draining the majority of the street through his property. M. Hasel asked if this is the sole outlet for this street. S. Holovacs said at this point he believed it is, but he thinks there is one when you first come in, but he does not now where that drain goes.

M. Hasel asked when the original design of this project was. Al Kalzewski said it was 1985 – 36 years ago. M. Hasel asked if he was the original homeowner. A. Kalzewski said no there was one homeowner that lived there about seven or eight years and then he has been there since. M. Hasel wondered why a concrete pipe would have been used and why the joints separated. A. Kalzewski said they probably did not separate right away. He called L. Miggins about eight years ago, and this is when he thinks it failed.

G. Drew questioned if the stormwater committee motioned to recommend this project to Council as his notes on March 8 included this as one of the projects for Council to look at. He even noted there was a 40' drop in the back. G. Fisher said she had that note too but could not recall where they placed this project on the list. S. Herron thought it was on their list.

T. Valerius said the City Engineer did prepare a preliminary design for this project with an approximate estimate of \$50,000 - \$60,000, which is more than the initial estimate they listed. He said if the stormwater committee would like to move forward, then the City Engineer could perform the site work and prepare the drawings that would include the headwall with a type of concrete sluice with a rock channel at the bottom.

G. Drew MOVED, M. Hasel seconded to recommend this project as a priority and to include the new estimate. Roll Call Vote 5 YEAS. **MOTION CARRIED**.

Melissa Dempsey of 3170 Jerusalem Road said she has lived at this residence since December 19, 1991 and 10 years ago a variance was given to one of her neighbors to build a garage next to the property line. About a year and a half ago, they had all their gutters diverted into the back yard. She has been talking to B. DiFucci and B. Holmes about this. She stated she has moldy drywall in her basement, and she is disabled. She has had back and knee surgery and has not been able to work in three years full-time, and she has been trying to get this resolved. She said they put an elbow onto where the water is coming out, which is less than two feet from her property line. She has dogs and her backyard is a mud hole where her dogs have to

go outside. This is ridiculous that this keeps going on. She pays taxes like everyone else and is just asking for some resolution and it is not happening.

M. Hasel asked if the problem is in the city right of way or is it all private. M. Dempsey said it is on her property line basically – it is coming down the hill from their house and it is right next to her fence and her basement floods. She had to get a battery backup because she kept burning up sump pumps from this problem. They have had some heavy rains within the last two years, and she has no drywall left in her basement, and the dogs cannot be down the basement because there is mold down there. She should not have to incur all of this – the city should have taken care of it last year.

T. Valerius said that B. DiFucci has been out there, and he understands that both of their back yards are a hill that goes down to an area, so when the water is coming out of the downspout on the garage it was directed to her property, but it all ends up down at the bottom of the hill, so he did have them put an elbow on it so that the water diverts down his back yard. He understands it all pools at the bottom of the hill and flows.

M. Dempsey said the Lorain County Engineer said if she needs a diagram to show the slope and how her yard is down here and theirs is up here and how the water is draining, then they will be perfectly happy to give that to Mr. DiFucci or whoever needs it. She said her water cannot run up hill and theirs cannot run up hill.

M. Hasel said he is trying to get an understanding without seeing any maps or pictures, and he knows she is frustrated and a lot of time they get pictures ahead of time, so it is hard for them to visualize this scenario. M. Dempsey said the city and her ward councilman has all the pictures. M. Hasel asked if this had been an issue before the garage was constructed. M. Dempsey said no. M. Hasel asked how big the garage is. M. Dempsey said originally they received a variance for a two-car garage because they thought they owned further over on the property line and when they found out they didn't, they had to alter their plans to go to a single car garage. She said this is typical in Vermilion – nobody knows their property lines and they hire contractors that use apps that say land line and they perpetrate that they are surveyors, and they are not! This is another issue she will take up with city council. She said she is emotional about this, and she has animals and has lived here all these years and have never had a lot of issues, and has never been to a meeting, and this is why she does not know what she is supposed to do.

M. Hasel thanked her for coming and hoped this could be resolved. He said if a project transpires from this – this is what they're here for as they try to recommend projects. They usually do involve public improvements, and he thinks they are hamstrung as far as being able to go on private property and recommend projects. M. Dempsey said there are plenty of ways to divert it into the field and other places, other than right next to her fence and back yard.

S. Herron invited her to stay for the Council meeting at 7:00 p.m. and said she could address the other matters at that point.

The next meeting will be determined at a later date.

Adjournment:

R. J. Hickey MOVED; M. Hasel seconded to adjourn the meeting after no further discussion came before the committee. Vote 5 YEAS. **MOTION CARRIED.**

Gwen Fisher, CMC, Certified Municipal Clerk