

**STREETS, BUILDINGS & GROUNDS COMMITTEE MINUTES**  
**OF MARCH 9, 2020**

Municipal Council of the City of Vermilion  
Municipal Complex, 685 Decatur Street, Vermilion, Ohio 44089

**In Attendance:**        **Vermilion City Council:** *Steve Herron, President of Council; Monica Stark, Council at Large; Emily Skahen, Ward One; Frank Loucka, Ward Two; Steve Holovacs, Ward Three; Barb Brady, Ward Four; Brian Holmes, Ward Five; Gwen Fisher, Certified Municipal Clerk.*

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

**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:**            **Mapleview Ditch Project (Funding – Don Romancak)**

Mayor Forthofer conveyed that Peter Zwick of the Lorain County Engineer's office called him Friday to say that within the next 30 days or slightly thereafter, they should start breaking ground. The last time he attended a Mapleview Ditch meeting at the Lorain County Commissioner's office, the Commissioner's approached him about whether the city would be interested in matching the amount donated to this project by Brownhelm Township, which is in the amount of \$10,000. Some members of the Vermilion community live in this area and are up for possible assessment, so to discuss all these numbers and how this might affect the administration, city council, or the members that live along there, Don Romancak, Director of Lorain County Community Management was present to explain the project.

Don Romancak said on the Brownhelm ditch he is happy to say they're at the point where they've received bids, which were lower than the estimate, so this was good news. On the negotiations with the Hartwick and Stone families who own a parcel, they're nearing a point of completing the land transaction which should remove the final piece of the puzzle to allow this project to move forward and have a pretty good understanding of the costs. When the county engineer looked at the project there wasn't any identified damages to the property. He said when looking at the costs, he saw a net benefit to the property and the property owners calculated an \$83,000 damage to the property by the county improving the ditch, which would have doubled the total costs that would have been paid by the community. They're happy to have worked with the property owners, and the county is in the process of purchasing the 5-acre parcel, which they will do for \$50,000 through the County Port Authority. The Port Authority would then have an

ability to market the property and sell it on the private market for redevelopment. The County Prosecutor, County Administrator and Board of Commissioners all acknowledge that not all the \$50,000 should be attributable to the stormwater project. Currently, they're figuring that value to be somewhere around \$15,000. Reason he brought this up is that he will lay out all the costs with the project and how the process works.

Initially, the County Engineer estimated the project at approximately \$98,000. The bids were competitively bid, and they received six bids. The successful low bidder came in at \$83,500 and Brownhelm Township committed \$10,000 to extend an area that will flow through a pipe. The County had committed \$91,000, so they had a total resource of \$101,000. He has a hard cost of \$83,000, plus another \$15,000 for land acquisition that brings him up to \$98,000, so he's almost at a break even.

He said the stormwater money is collected solely from township residents, so when they go forward with community grants they go through the whole notification process and they let people know what their assessments could be, and then they have to send out notification to each property owner letting them know what their potential assessment could be for the construction and then the ongoing maintenance assessments of that ditch. He said Vermilion residents received a postcard from the County and a certified letter. The letters indicated the costs of what the landowners in the city would have to contribute to this project because the County's dollars are strictly to benefit the township. If they have a cost overrun, then assessments would have to be sent out to everyone. With a fair amount of certainty and knowing if the City of Vermilion were to commit to match what Brownhelm is committing, then it should give them more than enough resources, so even if they do end up with a change order in the field for something unforeseen, then they will have enough resources to cover those costs. If they come in with the project as expected and say they only need \$900, then they can work with the administration and the City to determine how to handle the remaining \$9,100. There are couple of different ways it can work; one is that they can use the money knowing what the ongoing assessments would be for maintenance, and spend this money down, so that no one would get a maintenance assessment charge, or they could return the money to the City. The City always has the option in working with the County to pick up those assessments on behalf of the property owners. They're attempting to move this project forward quickly and expeditiously and trying not to disrupt the people's lives any more than they have too.

They had to design the project around a couple of garages that sit on an easement and they will have to move a couple of fences and sheds. They'll be using postcards to notify everyone of when the construction will be expected to begin literally in their back yards. This will give them an opportunity to make arrangements to move the fences and small sheds that

need to be moved, rather than having the contractor do it and risk potential damage, since they're not supposed to be there.

B. Brady said her understanding is that the County has a right of way where the ditch is going. D. Romancak said they do within the City of Vermilion, but there are garages there. B. Brady asked where the 5-acre parcel is located. D. Romancak said it's located at River Road and it's a triangular piece to the north and it's in Brownhelm Township. B. Brady asked if they don't have access across it. D. Romancak said this would have been a property owner that would have been assessed and they would have been placing an easement on their property because the County will be maintaining the ditch from the Brownhelm side. It's the least disruptive to all the residents within the area that they only have one house – they own two parcels and one is vacant wooded and then they have the Stone-Hartwick property which is wooded and farmed. Otherwise, they're in the back yards of approximately 25 Vermilion residents who have maintained their back yards and have nice lawns. He said for the County Engineer to walk through their yards twice a year and have equipment come through would not be the best situation. B. Brady asked if the city residents would lose the benefit of the ditch or the drainage. D. Romancak said their drainage will be enhanced and when they put the ditch on maintenance, then if a tree would fall across the ditch and there would be an obstruction, then the resident can call the County and they're responsible for the maintenance. B. Brady asked what kind of assessments they're talking about. D. Romancak said final assessments haven't been completed, but he thinks the assessments on the Vermilion houses were low; not even their whole property drains to the ditch. Much of their properties drain to the street. There are some properties further on, such as Mr. Cassell's property that have been developed that would have larger assessments, but he thinks the assessments were around \$25 - \$30 for the individuals along Rolling Meadows. There were some that were substantially larger than this, but there would be an ongoing percentage. This is based on the final certified cost of the project and then the maintenance is based on 5% of what the cost is. So, these would get allocated across all the property owners and the County Engineer would be the one to calculate it. He understands the assessments will be an inconvenience and irritant that they're paying when other neighbors are not. He said a lot of people are concerned with what the County will be doing in their back yards. B. Brady asked if the maintenance assessment is annual and D. Romancak said yes and it will show up on the real estate taxes, and it's permanent. They do set this assessment for the residents of the township and every year the Board of Commissioners suspends the collection of that assessment so long as they have enough funds within their stormwater district. This is one of the things they've been able to do since they've created the stormwater district – to no longer charge the residents the stormwater fee and a maintenance fee.

Mayor Forthofer said the people who live along Rolling Meadows and about the ditch are in the situation that they'll be disturbed. The engineers are

trying to be as least destructive as possible, but they'll have parts of their back yards chopped off. They'll also be assessed and they're probably the ones who benefit the least from this ditch being cleaned. Most of their water drains to the street and the most beneficiaries are going to be that further south.

City Engineer, Chris Howard stated that the last time the City saw plans was in 2018 and he wasn't aware if they had changed since then. D. Romancak didn't think there had been dramatic changes. Mayor Forthofer thought there was one change which involved the house that's right up against Maplevue Drive where widening the ditch would take out part of their garage. Part of the Brownhelm Township money is making that a pipe. D. Romancak thought it was roughly 100 ft. of pipe that is being installed next to the Schladden property who since has sold their property. The plan was shared with the new owners before they closed on the house and they still bought the house, so he thinks they're okay with this.

C. Howard said since the County is going to buy the property there were conversations before about moving the ditch further east so they're not impacting the sheds, fences, and garages. D. Romancak said they don't have enough money to do this. Theoretically, they could but they're having a lot more cost and the County Engineer is trying to reestablish the slope to limit the amount of cutting and erosion once they get the ditch to start flowing again. They're going to be doing a quite a bit of excavation to get the original flow line. In some areas, it was in excess of 3'. C. Howard said if they take it further east then they're not impacting the property owners as much because the County owns the property. D. Romancak said he wasn't sure how many more thousands of dollars they would need to do this, and it would probably be another year delay for the people who are flooding.

C. Howard asked who the low bid contract was awarded to. D. Romancak said it's Big Tree out of Columbia Station who has done several projects for the County. They have been very active in the Amherst area lately.

C. Howard noticed there was a \$1,000 maintenance fee and questioned what it's for. D. Romancak said it's a requirement of Ohio Revised Code and it's basically to allow the account, which is part of the project cost for accounting for assessments and so forth, but if they're able to keep this project under then it doesn't get charged to the project because essentially the Stormwater District is picking that up. C. Howard asked if it would be a deduct off the final assessments. D. Romancak said this is correct and they are expecting essentially that the final assessments will be suspended and never collected. They must have a project cost in excess of \$101,000. He doesn't have the final closing costs, but they have picked up every possible cost for the Stone and Hartwick family, so it's probably closer to \$20,000, unless the City of Vermilion is able to contribute some funds to the project. C. Howard thought it would be nice for the taxpayers of the city to see a dollar amount

for the construction assessment. D. Romancak said the County did send them the original, but they haven't recalculated based on the costs because they weren't going to go through this exercise until the project was done, but he could look at the letters that every resident got. He said a couple of them were not happy, but they're relatively small. C. Howard asked if the extra \$10,000 is something that will benefit all the property owners in the City of Vermilion, and whether there's excess for covering assessments or annual fees. D. Romancak said they need to be flexible and the County is trying to be as flexible as possible to keep this project moving forward because of the amount of flooding and they determined there was a drainage easement that wasn't in anybody's best interest in enforcing it, so the County has done their best to try and balance everything.

M. Stark asked if the property owners that will be assessed are only the property owners that live on Rolling Meadows. D. Romancak said any that are in the watershed of this ditch. It just happens that it's the people on Rolling Meadows because of how their properties are situated – the watershed line runs through their back yard. M. Stark asked if the County will be moving sheds and fences and will be replacing them as they are in a different location. D. Romancak said they're hoping the property owners can relocate and take down their sheds and fences. The County is offering them this opportunity because the contractor would just move the structures out of their way, so that they don't damage it. Ideally, they would like the property owners to move the structures to where they would like to have them located. The County Engineer will be working with the contractor to make sure they know the limits of construction. M. Stark asked if the letters they received stated it was in the best interest to move their structures. D. Romancak said they communicated this with the handful of people that have fences or sheds in the area. They also communicated with people who have more substantial in that they will work around it. They will be sending out another mailing to inform the residents that this work will commence. They're trying to alleviate the residents concerns to the best of their ability.

B. Brady said the water is going under West River and then down into the river and wondered if they would be changing the flooding from the top of the hill to the bottom of the hill. D. Romancak said the County will be restoring the original flow line and based upon what the engineers are saying there is an adequate outlet, so the water won't do any damage. They're just restoring the flow of what the water was when these houses were originally built. The water is backed up and now they're using other people's basements and yards as detention basins and streets, rather than having this water flow down and under. B. Brady said they had trouble with water on West River and coming down the hill which caused damage, so she would hate for the City to end up with a problem because they have more water across the street. She said the City will give them \$10,000 for this project and may have to spend \$20,000 to fix a problem with having more water. D. Romancak said if the County finds that they will cause a problem, he feels

confident the Board of Commissioners and Stormwater District would work with the City of Vermilion to solve it, especially if the County was contributing towards it. He is relying on their engineers to know what they're doing.

F. Loucka asked when the ditch was first put in. D. Romancak wasn't sure and said the easement was placed when the land was platted, and the ditch was there then. S. Holovacs directed this question to K. Cassell as he was building houses back there 35+ years ago. K. Cassell thought it was the early 80's.

S. Holovacs asked for the administration's recommendation on what they suggest Council should do with regards to committing \$10,000 to this project, and what fund they would pull it from. Mayor Forthofer said his inclination is that it would be advisable to contribute the \$10,000 if they had the choice what to do with the money if they didn't need it moving forward. He said they could either return the money to the City or could help mitigate the assessment to the property owners. He said when there is a heavy rain, Maplevue floods and crews must be sent out immediately because it's full of debris from the south because the culvert is plugged as a result of the ditch not being maintained. The city does have some stake in this with the street on Maplevue that is vulnerable every time there's a heavy rain, and they have people further south that are asking the city to help with clearing out their back yards. Therefore, he thought it was in the city's best interest to contribute the \$10,000.

D. Romancak said most of the people on Rolling Meadows are looking at a construction assessment of \$216.93 and their maintenance assessment is \$2.48 annually. He said there was an assessment of \$1,391 for construction and \$14.88 on maintenance, and another for \$2,248 for construction. C. Howard said he does have a copy of this, but just wanted to see if the assessment amounts changed because it was dated 2018. D. Romancak said the engineer's estimate hasn't changed since then, so he doesn't believe any of this has changed. If so, then they're talking about one percent. C. Howard asked if the township's contribution was going to their residents. D. Romancak said it's going to the project. They're directing it to one house as they're paying for the County extending the culvert section by roughly 100 ft., so they get past the Schladden's garage.

Ken Cassell said when he attended meetings at the County, they had a map/plat of the Maplevue Ditch proposed project and wanted to make sure Council had it. It was noted that Council had received this. He said when this originally started Maplevue where it crosses the street – south of there was three properties that were included. He asked if these properties are included now. D. Romancak said yes. K. Cassell said he still owns 10-acres of land there to be developed. It was platted many years ago when the first street was platted. He is now getting an assessment and wants to make sure

the assessment for his property is proportionate to all the other properties north of there, which are abutting the property. D. Romancak stated that all the properties within the watershed are being assessed based on upon their benefit, which is determined by the County Engineer and the formula to distribute the costs. K. Cassell said for the benefit, the drainage ditch is in the back yard of the properties on the east side of the street. The properties on the west side of the street get the same benefit. Are they being assessed? D. Romancak said yes if their water is flowing there, then they're getting assessed. K. Cassell confirmed that all water flowing into this is getting assessed. D. Romancak said within reason yes. They're not going all the way to Birmingham. K. Cassell brought a point to council's attention in that this goes all the way down to Route 2 near the highway, and under Route 2 coming into the beginning of this property is a culvert that is either 36" or 42" – all of which channels all the water from Route 2 and south of there from the golf course into this drainage course. So, there is no participation from the state, and this is where a huge chunk of the water is coming from. If it wasn't coming from south of there, then why would they have put culverts under the highway of those sizes. He wants to make sure everyone is being assessed appropriately. He wants to make sure proportionally that everybody is gaining from this. It seems that the property south of this is probably getting more benefit from this, but the money should be assessed across the watershed. D. Romancak said there is no proposal as they haven't received any word from the state that the highway is being flooded, so there is no condition in the operation. Their water moves fast enough, so there is no tangible benefit that they could point to. They haven't received any complaints, concerns, or requests to be included in the project. They're defining the benefit area in the watershed. Otherwise, they could continue to assess others who aren't seeing any flooding issues. They're addressing where they see an issue which is south of Maplevue, so the water should flow off Ken's land better rather than now it's backing up to the point where it's overtopping Maplevue and it's backing up the water that's coming from Candy Lane because the pipe inside the ditch is silted up. Their outlet is minimal. The City of Vermilion and Brownhelm Township has spent an amount of time cleaning debris from the box culvert because it gets clogged up quick due to the lack of water flow. K. Cassell asked if this project will go south of Maplevue taking in the three property owners south of Maplevue; that ditch will be opened and extended? D. Romancak said there is a ditch there to be improved and shaped so that it will accommodate and move the water. K. Cassell said the last meeting he attended at the County it was said that this was cut off at Maplevue and that there wasn't going to be anything extending south of Maplevue to collect the water from there. D. Romancak said they are going south as they are impacting several properties and ideally it will be moving that water that's coming through the rear and wooded areas. K. Cassell said he's not complaining about his assessment if it's done equally and fairly to all the property owners that are benefitting from it. D. Romancak said the assessments will only be for the cost overrun, if there would be one. This is part of the reason why he is asking if the City of

Vermilion can provide a little bit of funding by matching what Brownhelm Township is doing, so they can hopefully not assess anyone for the construction.

**M. Stark MOVED**; F. Loucka seconded to authorize the administration to contribute \$10,000 towards the Maplevue Ditch Project out of stormwater funds, with the expectation that the City has the final choice of how the money will be allocated or reimbursed if the County isn't in need of the additional money for overruns. Vote 7 YEAS. **MOTION CARRIED.**

## **TOPIC TWO: Wastewater Treatment Plant**

Mayor Forthofer provided a power point presentation to Council showing the exceptional work done by the staff at the Wastewater Treatment Plant. He introduced Rob Yost the Superintendent of the WWTP and Tony Valerius who helped raise an alarm to him on a situation that caused a problem for the city. R. Yost explained that on January 29, 2020 they were down for about a month as a 4" shaft busted on the screw lift. He said there is not a lot of moving parts; only a bearing assembly and gear drive as it's a very simple machine. It handles the volume of water and they have two of them. They never need to turn both on because one handles it. The screw lifts handle the flow on the west side of town, and it accounts for one-third of the city's flow. When this busted, the gear box came down. Thankfully, the staff was there when it happened, and they were able to get on top of the situation. They found a bigger pump (8") to make sure they could handle that kind of water.

Mayor Forthofer conveyed that a third of the waste that comes into the plant is lifted by this screw up to the point where it continues to be processed and when it broke it means that people don't stop flushing their toilets. R. Yost said they relied on their second pump and when they go for a month span, they really shouldn't rely on this one pump as the EPA would frown on that. He said this pump was on its last leg and they were looking into getting a drive for it at the time. Now, the screw lift is repaired and whisper quiet. Mayor Forthofer said with the influent coming in to not being lifted, people kept flushing their toilets. The plant is next to a river and he was worried, but the staff stayed up around the clock (Rob Yost, Mike Lazusky, and the rest of the crew) to watch this. R. Yost said they only had to stay up around the clock for one night as they found a backup pump and were able to get it installed.

T. Valerius said they wanted to have a back up and right now they have two screws; one screw runs all the time and then they do exercise the other screw at times, so they always have a screw running in case something happens. In this case, one screw went down and they had the other screw working, but then they were without a backup because the screw that broke was going to



be down, so they had to rent a pump, which they did the following day to make sure the city had a backup in case the second screw went down.

Mayor Forthofer said the WWTP employees don't get a lot of visibility. He said this is a science and they are highly certified and are in a constant state of continuing education. This is smart work rather than physical work, plus because of the nature of the work these employees must have extra vaccinations because of their constant exposure to this type of material. These are people that will step up and make sure the right thing happens. He said there are new technologies out there that shreds stuff as it comes through and mechanically pumps it. He asked R. Yost if he wanted to take this opportunity to come before Council to ask to upgrade the plant, but R. Yost said no as modern day plants still have these things, and they would probably need to get a permit to install these new pumps from the EPA, so that would take time, and he said these lifts bring up anything. R. Yost said the maintenance guys did an awesome job. Council applauded their dedication to the work they do daily to make sure a crisis is diverted.

R. Yost spoke highly of his qualified staff as they know their jobs. R. Yost said when he took this position two years ago, Council had allocated \$200,000 for a bar screen and they spent half that much due to Mike Lazusky negotiating a better price. They also put up a pole barn to store their totes of chemicals.

M. Stark asked if there was anything the WWTP needed as far as future upgrades. R. Yost said there are three secondary clarifiers in the plant that have parts from 1964, which need rebuilt. T. Valerius said this would be coming before Council soon.

### **TOPIC THREE:     Nautical Drive (Paving/Stub – Jim Machkoff)**

F. Loucka explained that on behalf of Jim Machkoff at 1087 Nautical Drive and Dr. C.J. Nock at 1088 Nautical Drive he wanted to bring up concerns on the street that is poured concrete, with a jog where two houses sit where there is about a 40' concrete stub, and 180' is asphalt paved deteriorated roadway. He said Mr. Machkoff built his house in 1981 and the original owner at 1088 (Carl Humphries), built his in 1991. The concrete stub about 50' at the intersection has been there since 1981 and the rest of the frontage was packed gravel. Mr. Machkoff indicated that he appealed to the City sometime in the mid-90s to have their section of Nautical Drive blacktopped, but their request was denied. Subsequently, Mr. Machkoff indicated that he and his former neighbor Mr. Humphries had split the cost of having the roadway in front of their homes blacktopped in approximately 1996 of about 180'. F. Loucka asked Council to put some visibility towards it when looking at road plans to possibly pave this roadway asphalt before it deteriorates to a point where it needs to be totally rehabilitated. Granted the street doesn't get much traffic and there's two houses on the street, although it gets traffic over to the west side of the river and at Anchor Point, which is an unpaved road on the other

side of the Lagoon. He said the city did some durapatching a couple years ago, but it comes and goes. He wanted to bring this up for future consideration when they're discussing road plans. He said this shouldn't be much of an expense and noted these homes are the two most beautiful homes on this street. He doesn't understand why it wasn't included when they concreted Nautical Drive.

T. Valerius said the city does maintain this area with durapatch and there was a main break down there last year and this spring they will have the asphalt company come in to make repairs to the patch that was dug out of the road. He said years ago it was an unfinished, unimproved street and then they built the homes there and they must have put the asphalt in themselves. F. Loucka said they spent about \$4,000. He said he would at least like to get an estimate to pave this section but understands it's up to council.

**TOPIC FOUR:        Sanford Street Water Main Replacement (Construction, Adm. & Inspection Services)**

S. Holovacs said as the city prepares to get the pricing on this project, he realized they didn't authorize the construction, administration and inspection services, and asked C. Howard if he had anything he could present to Council for these services. C. Howard said he can provide a proposal at Council's request for next Monday. He said the bid opening for this project will be held on March 12, so he should have the information for contract award ready for the next Council meeting. He noted this project must be done before the Safe Routes to School Project starts.

**S. Holovacs MOVED;** B. Holmes seconded to have legislation prepared to authorize construction, administration, and inspection services to Bramhall Engineering for the Sanford Street Water Main Replacement Project. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**TOPIC FIVE:        Vermilion Road Phase II (Construction, Administration & Inspection Services)**

C. Howard explained the City put the project out for bid (LPA project) and since they did the design his firm can't do the construction, administration, and inspection services, so the City posted a request for qualifications and received eight letters of interest of consultants. The information was reviewed and evaluated, and the highest rated firm was K.E McCartney & Associates, Inc. The City has requested a fee proposal and would recommend this to be included on the agenda for next Monday.

**S. Holovacs MOVED;** S. Herron seconded to have legislation prepared to award construction, administration, and inspection services for the Vermilion Road Phase II project to K.E. McCartney & Associates, Inc. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

**TOPIC SIX: Fire Station Ongoing Architectural Services**

C. Howard advised Council that the plans are complete, and construction will begin hopefully by the end of the month. He said Mark Wagner with Poulos & Associates has been priceless for the city when going through the process as he's added a lot of value. Therefore, he recommended the city considered continuing his services during the construction of the project. He can serve by attending meetings, reviewing shop drawings, and being the eyes and ears for the City, which he feels is beneficial. His not to exceed hourly rate would be \$15,000, which is about three hours a week of his time. Chief Stempowski totally agreed that Mark has been an asset during this entire project and thinks it would be beneficial to keep him onboard. He said everybody chosen by the Mayor to be a part of the firehouse committee has done a phenomenal job, and he thinks Mark has been a critical component. S. Holovacs agreed and said he was fortunate enough to be a part of this committee and everybody added something to the table. He said this has been a long road but a good road and feels Mark is a great asset as well, so he would highly recommend him. Legislation is not required as this amount is under the spending threshold.

**S. Holovacs MOVED;** M. Stark seconded to authorize the Mayor to enter into a contract with Mark Wagner of Poulos & Associates in an hourly amount not to exceed \$15,000. Roll Call Vote 7 YEAS. **MOTION CARRIED.**

Chairman Steve Holovacs adjourned the meeting after no further discussion came before the committee.

*Next meeting: April 13, 2020 @ 7:00 p.m.*

*Gwen Fisher, Certified Municipal Clerk*

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