

**CITY OF INDEPENDENCE
UTILITIES & SEWERS COMMITTEE MEETING
MINUTES
AUGUST 25, 2020 4:30 P.M.
VIRTUAL MEETING VIA ZOOM**

Present: Chairman James Trakas
Councilperson Kenn Synek
Councilperson Dale Veverka

Also Present: Vice Mayor Dave Grendel (arrived at 4:38 p.m.)
Councilperson Kathleen Kapusta (left at 5:00 p.m.)
Councilperson Chris Walchanowicz
Mayor Gregory P. Kurtz
Finance Director Vern Blaze
Procurement Coordinator Dennis Zdolshek
City Engineer Don Ramm
Lorraine Rader of First Energy Advisors

Chairman Trakas called the Utilities & Sewers Committee virtual meeting of August 25, 2020 to order at 4:30 p.m.

Chairman Trakas said very good. We are a full committee, and the first item on our agenda is discussion of consumer cost savings strategies with a firm known as First Energy Advisors. This was a request from the Mayor and Dennis, and I am happy to turn the meeting over to them for their enlightenment on this topic.

Mayor Kurtz said what we have is an opportunity here to make sure that our customers, our commercial and residential consumers, are given the best possible deal in terms of energy costs; and so we have with us I believe, Dennis you could speak more at length in terms of your discussions with Lorraine Rader from First Energy Advisors and how she can help us bid many suppliers and how she can end up saving our community, our constituents money in the process.

Procurement Coordinator Zdolshek said good afternoon everyone. Actually we are dealing with our current with Tom Day of Emerald Energy. First Energy Advisors is the new group that came on board. Basically they will on our behalf, the City of Independence, they will seek bid prices for our electric. The current contract expires February of 2021. Lorraine will talk about that. She will also talk on the opportunity we have for the residents and commercial businesses throughout the City and the advantage we could gain by working through them.

Debi if you could let Lorraine speak.

The Clerk said she is on the line.

Procurement Coordinator Zdolshek said I see she's on board.

Lorraine Rader asked if everyone could hear her. She just wanted to make sure everyone could hear her.

Ms. Rader said her connection is not great, so I apologize, but I am going to start off by just introducing myself. I am Lorraine Rader from First Energy Advisors. I am an affiliate of First Energy, and as an affiliate we have been introduced to the City to look at your electric accounts. We have had a longstanding relationship with the City of Independence. First Energy has had a very good relationship with the City of Independence, and we are proud to be working with you in a partnership to try and save the community money on its electric bills. There are other people who can do this. I know you have had an advisor helping you. A little bit of difference with us is that my team has been doing this for a really long time; as a supplier at first. We have a ton of experience, probably 100 years of experience between the 5 of us; and what we do is we go out and as a buyer we are able to work with agents. We saw both sides of the contracts that we work with, and we saw what the agents were doing in general; and when (inaudible) was separated from First Energy, my group came back to First Energy and said we will do that function. We will be that agent, and we will make sure that we understand what our customers' needs are, find the best suppliers and bring that mix together at a reasonable price. That is the most important thing that we do. We have a ton of expertise, and behind us we have the power of the First Energy shared services. So, energy efficiency groups, our communications groups. We have a legal team that we work with. We have a products team that works with us; and we also have people who help us monitor the market. So, we are able to understand pricing dynamically any day of the week; and again, we have a lot of experience understanding what contracts are like because we have seen them from very different sides.

Ms. Rader said we did look at your load, and we put a plan together. We did bid out about 9 or 10 accounts; and your contract is up for renewal in February of 2021. This is a contract for your electric load for your community buildings, like your Police station, your City Hall, the Fieldhouse, whatever else is in that load that you gave us. We were able to go out to multiple bidders. We used an electronic partner to try to make the bid even wider, as wide as possible. I don't think very many agents have an electronic or digital platform where we send it out to as many as possible to bid on your load. We did that. We know that you are targeting for a September 8th or 9th contract sign or at least to look at pricing then. That's what we plan on doing. The schedule right now for that load is to provide you what we would call refresh pricing on the 28th of August. On August 31st we are going to have a list of competitive bidders, and then by Friday, September 4th we will ask for another pricing refresh and ask buyers to hold that price; and if that pricing and the terms are what we have advised and what you agreed on, then we will ask for a contract. We will review it and make sure that the contract would be ready for signature at the Council meeting around September 9th.

All of this working hand-in-hand with you and making sure that the contracts are favorable, and that we are looking at the right conditions for signing. If you don't feel comfortable signing this, the contract actually does renew in February; and there is time to look at other bids. We could ask for refresh pricing later if we don't feel that the pricing is there. Right now that is the

schedule that Dennis and my employee, Lance Bolender have worked through to try and help you with that commercial load.

Ms. Rader said I don't know if you have any questions about what we do, what kind of services we provide or anything about First Energy products.

Chairman Trakas said I would like to ask a few questions. First of all Dennis to you, Mr. Day, we no longer are utilizing his services. Was there a mutual on that or what was the purpose of bringing in a new vendor?

Procurement Coordinator Zdolshek said well you know their contract expires in February of 2021. You know the Mayor and I had some discussions, and we just thought we were going to test the waters, see what other opportunities are out there. The way that we were approached by First Energy Advisors, they work on our behalf as a consultant, similar to what CBIZ does. What they will do is they will present to us a 1, 2 or 3 year price that we would then present to Council; and Council would make their decision based on the data, if it's something we should exercise or if we should just hold off. Then we could do it again, and we could ask for them to reset the pricing again for the October meeting and so forth.

The one advantage with First Energy, because they are working in a 5 day price hold, the prices are much more competitive than what we found with Emerald because Emerald feels, they are looking long term and they are looking to place a larger customer base. Therefore, they have to stretch that price out, and the longer you have to exercise a contract, it affects the price. The price gets more expensive. I don't know how to explain it, maybe Lorraine could do a better job explaining that aspect of it.

Chairman Trakas said I think I can understand that part of it. So, our current is this Emerald.

The second question by way of follow up, and I will let anyone else who wants to ask questions, but I had a couple of specific questions. So, this is only for City buildings, what is the universe that we are looking at here, and this contract expires in 2021, are we allowed to work with First Energy Advisors on this? Are we currently under contract? How does that work?

Procurement Coordinator Zdolshek said Mayor you might be able to address that better, or I believe that we did enter into an agreement for First Energy to operate as a consultant to the City and source our City buildings or City properties. This doesn't in any way tie in to our residential customers; but there is an opportunity for us to also work with First Energy to assist us on the residential side. I have done some research looking into NOPEC, we have been involved with them for a number of years, and after I did my research, NOPEC might not be the best opportunity for the residential side.

Chairman Trakas said those were my questions. Does anyone else have any questions?

Councilperson Kapusta said I do have a few questions. I remember reading back, and I believe it was around January or so of this year in Crain's when they were talking about First Energy emerging from bankruptcy, and that this advisory group would be formulated. So, when you talk

about 100 years of experience, am I correct to assume that is not in this same capacity, this broker type capacity however?

Ms. Rader said yes. We were working on the buyer side where we did see brokers (inaudible). We have actually seen both sides. I think that as a (inaudible), we have seen agents who only represent one supplier. We have seen agents that charge high fees. We have seen agents that are reasonable. We tend to want to be the agent that provides a ton of expertise on the market.

Councilperson Kapusta said and I remember reading also that the Ohio Consumer Council had voiced some concerns; and this was on the residential side. I realize that, but I am still interested in asking this on behalf of consumers because they felt there might be with consumers at least some confusion with the First Energy name; and also some potential issue. Am I correct, does First Energy still own the 3 regulated utilities of Ohio Edison, Toledo Edison and Cleveland Electric?

Ms. Rader said First Energy does have the 3 utilities. We are also an affiliate. The utilities have (inaudible).

Councilperson Kapusta said sorry, you are fading out a little bit.

Ms. Rader said our company, First Energy (inaudible), and they are an affiliate, and Ohio Edison is an affiliate, Cleveland Electric is an affiliate, Toledo Edison is an affiliate. First Energy Advisors is also an affiliate. So, we are all affiliates.

Councilperson Kapusta said and in looking over some things on your website, it said that there was a question and answer part, and it says do customers or suppliers pay your advisory consulting fees? It does say that it usually is the power supplier, but it said also that there are instances where the customers prefer to pay First Energy Advisors directly for their services. Could you explain a little bit about maybe why in that case?

Ms. Rader said so when I ran the program in some of the communities, some very large communities in Illinois; those communities preferred the fee to just be a set fee, and they just asked them to run the program to run what we will call our Request for Proposal, and that's all they wanted us to do. That didn't include services of upkeep for making sure that, I attempt to not just industrial, I also do a (inaudible) load. In Ohio there's a lot of upkeep with activation services, but there are instances where a community could choose to pay. I only want to you to run a bid process, and I think you have been probably involved with consultants that way; and they just charge you a fee, and the community pays a fee and that's the end.

Councilperson Kapusta said may I ask also a listing of your communities in Ohio that are part of your client base currently for the services that we are talking about?

Ms. Rader said so right now we are a startup, and we have been here for a year. We have been working with various clients. On the community side, I have been assigned the City of Youngstown, and the community of Madison Township and Lawrence Township. I am in conversations with several others for their May renewal. We just landed the Lordstown contract

in Warren, and we have (inaudible) out in Geneva and a couple of other clients that are smaller. I am not sure exactly how many more on the small commercial side, but I will say we don't have a full client base compared to some of the other agents; but in my past, I have had hundreds of communities that I work with, and my employees have had hundreds of clients that they service. So, we are building up our list, and we are working hard to make sure our clients are served at that same level; and we do have experience in that.

Councilperson Kapusta said thank you.

Chairman Trakas said okay Lorraine, why don't you continue. One other question I did have for you was so what do you base the bidding process on? Can you provide some samples of what, are you looking at strictly price or is it the type of power being generated? Obviously, base load power means a lot to assure that there's a steady supply, and that we don't have interruptions. I was curious what are your, when you go to bid, what type of variables are you asking for?

Ms. Rader said so one of the first things that we do look at is what you want, and our job is to make your job easier. So, there are a lot of communities that prefer all their power to be renewable, and we can go to renewable sources. There are suppliers out there who have good financials, who have medium financials, who have bad financials; but we want to (inaudible) and want to make sure that people who know how to and have done it in the past. So, that is part of the process, and we make sure those projects are (inaudible) and are fair.

As far as generation, that's up to, you have a community; and if you prefer to have that type of generation, buyers that tend to have baseload, tend to be in this market a lot longer. There are some others that are out there that just paid in the market, and those tend to be a little bit (inaudible). I know that with Direct, your catch up was with Direct; Direct does not have base load. They were just purchased by NG, and we will have relationships with NG. We are signing a contract with them.

So, again it's a wide thing. We work with people who have that type of base load, or we could work with local; and I guess (inaudible).

So, those are kind of the choices that we have out there, and we can work to expect that. Definitely, we will get bids from all of them, and we look at the stability of the companies.

Does that answer your question?

Chairman Trakas said it sure does, thank you. I am a big believer in base load power.

Mayor Kurtz said Mr. Chairman, the bottom line is that we believe that in our review that First Energy Advisors, with Lorraine's experience and her team, would give us a more robust position and competitive. It would create more competition which should lower our price. That's the goal, and that's why we were hoping that if they fulfill their end of this arrangement, it's going to be good for the City of Independence long term.

Chairman Trakas said it sounds like it. Any other questions?

Procurement Coordinator Zdolshek said you know if I might just interject briefly here, the thought process behind First Energy Advisors is they will bring, they will take our energy load out, they will bring us back multiple offers. Those offers will be held for a 5 day period. At one point and time Council would have their privilege either to accept that offer or just say hey no we are not interested, and we can walk away. That was one of the things that was interesting about this concept is because in no way are we obligated or bound by any proposals that First Energy Advisors puts forth.

By trying to set the price, take a snapshot in time, it does also provide the opportunity for some additional savings because we are dealing with a commodity.

Chairman Trakas said understood.

Ms. Rader said I would also like to add you gave us permission obviously to look at the load, and we compiled the data; and we did send it out for a first bid. It looks as though your savings, compared to what you are paying today, are around \$20,000 a year on the 9 buildings. So, it's really a good time to be in the market, whether you are going to short, medium or long term, that's 12 months, 24 months or 36 months. So, we did send it out to a number of suppliers.

Mayor Kurtz said to Ms. Rader will you make that recommendation in terms of, will you give us in advice in terms of how long you think we should go out for?

Ms. Rader replied yes. We will work with you to look at that.

The other piece is I think again we are a full service, but we just don't look at your industrial load, which is the City bill. We also have the ability to look at that direct load, and if at any point you wanted to know how well your current (inaudible) with NOPEC is, we are here to help you with that also. We have information on that, and I believe I can help this community and foster savings for you.

We also have an energy efficiency curve that helps us make recommendations about (inaudible). So, we do provide those services.

Chairman Trakas said okay. I would like to see if it's possible Mayor to contract with First Energy Advisors, and also what we are doing now with what energy companies are supplying so we can have a frame of reference when we get those quotes back if that would be okay.

Mayor Kurtz said absolutely. I know Councilperson Synek had a question too.

Councilperson Synek said I was just curious to know how much does the City spend annually on electricity? Is it a \$10,000, \$100,000, \$1,000,000 endeavor? What are the total annual dollars involved here?

Mayor Kurtz said well Dennis I will give you a chance to think about that while just know that during this first review, just to analyze it, there's a \$20,000 savings. So, Dennis can you tell us what in the aggregate it is annually?

Procurement Coordinator Zdolshek said unfortunately Mayor I do not have that number. I will put it together, and I will get an e-mail out to everyone along with the First Energy contract and the information that Chairman Trakas had asked for.

Mayor Kurtz said the Finance Director might know that off the top of his head, not to put him on the spot; but it's hundreds of thousands of dollars I am sure.

Finance Director Blaze said the Finance Director does not have that in his optimist hat.

Ms. Rader said if I may. Your current contract is about \$180,000 with the load that you have given us. It's 3.7 million kilowatt hours, and currently you are paying 4.89 (inaudible). It's about \$181,000. It would save you about \$20,000 a year on that.

Mayor Kurtz said there you go.

Finance Director Blaze said for electric for municipal buildings, municipal properties that we are responsible for electric bills in 2019 it was \$402,000; separate from that is the electricity we pay for the street lights. In 2019 that was \$261,000; so combine the 2 and we are at \$663,000.

Mayor Kurtz said I believe this review was only for 8 buildings or so. Is that correct Lorraine?

Ms. Rader said that is correct, it was 9. We could bid all of them. I looked at what you would call an eligibility file that any broker who is licensed in the State of Ohio, which I am, they can get a listing of all accounts with the City of Independence. I see about 60 accounts, and so I know you have the (inaudible) of multiple bids (inaudible). We have a very low priced product that would perhaps subsidize some of the electric bills.

Mayor Kurtz said Mr. Chairman, if Council agrees, we can let them continue to work on saving us money.

Chairman Trakas asked is there any objection to that path forward from Council? None here, that sounds like a good idea Mayor.

Mayor Kurtz said well Dennis thank you for your effort, and Lorraine thank you.

Ms. Rader said thank you so much for the opportunity. I am passionate about this. I know we can help save you money. I am looking forward to working with you.

Chairman Trakas said just make sure when we are saving money that the lights will go on like our friends in California who thought everything could be windmills and solar panels. Solar panels don't work when there's forest fires, right?

Ms. Rader said they work much less in northeast Ohio unfortunately because we have a lot of cloudy days.

Thank you all. I will get with Dennis, and we can discuss how you would like me to proceed. Procurement Coordinator Zdolshek said okay, I will give you a call tomorrow.

Ms. Rader said thank you all. I really appreciate the opportunity.

Councilperson Kapusta said Chairman Trakas I need to excuse myself for another commitment, but I just want to make sure I heard this part. Thank you. Have a good meeting.

Chairman Trakas said thank you. In fact before you leave colleague, Kathleen has asked a couple of times that we perhaps bring in NOPEC to explain their program. We are contemplating doing that at our next meeting in September. Maybe we can even have other people who would want to present so we will have a little bit more information on this topic by the time it comes up next year.

Councilperson Kapusta said thank you.

Chairman Trakas said the next topic on the agenda is the Don Ramm show with song and dance and soft shoe on the general update on storm/flood call list which was rather extensive in May. I am sure he's whittled that down. Don, the screen is yours.

City Engineer Ramm said thank you Mr. Chairman.

Chairman Trakas said I would say floor ordinarily, but it's probably a screen.

City Engineer Ramm said if you recall, this is a map we put together that documented the calls, nearly 100 back at the end of March from the events that occurred; and since that time, even though it's been very minor, we have had some follow up calls. So, I think it's safe to say we are about 100 for round numbers. We have quantified in the different categories, and I can tell you that Joe Potoma in my office has worked diligently with Leon Karas and his team to try to make steady progress on a lot. Many of these issues, I would say 80% to 90% of them have at least initially investigated, and there are still probably 10%, 15%, 20%, we still need to make some better progress on them, but we are marching through them. They are very time intensive, and it takes a lot of resources and energy and focus to investigate to the level that we do on these areas.

I have updated the map to bring in some issues that we are going to focus on here later on the agenda, and then I will also be able to provide a little bit more of updates on certain areas of town that we want to make some special note of.

One area from the events in late March was some basement flooding at the turn on Timberlane and Scenicview. There was some road flooding in this area, and we came to find that this storm sewer, a large diameter storm sewer had a significant amount of debris from the stream that comes through the highway and enters into a headwall. So we made significant improvements using United Survey and Geotech to clean up the pipe, and we are working with some vendors to

design a trash rack on the headwall to try to keep the debris out of the pipe and also put some debris deflectors upstream of the headwall. So, those are our plans going forward. We are trying to make some progress on that. I think we have made a good amount of effort to mitigate this area for the time being.

Chairman Trakas asked Don for us civilians, could you explain what a trash rack is please?

City Engineer Ramm said sure. I have some slides further down, but let me fast forward.

Chairman Trakas said that's fine, just get to them when you want to. That's fine.

City Engineer Ramm said just kind of big cages is really what they are. Big cages to protect pipes, the holes, inlets; here are some debris deflectors. This is right up in Valley Woods; so nothing more than posts to deflect the debris to keep it from entering the headwall, and then a big cage. So, these are treatments that are around town, and we are trying to bring them over. Right now this headwall does not have any of those treatments.

Chairman Trakas said thank you, understood.

City Engineer Ramm said the next area in question was the Valley Woods issue. We have some major upstream upland flows that come down a steep ravine and really impact these 4 or 5 homes here and end up flooding the street and impact access to the whole street when the road gets flooded; so we have engaged a civil engineer, Chagrin Valley Engineering, to look at a feasibility study of what we can do upstream to try to manage the water better. I have engaged them just last week, and we are going to keep going on that investigation.

We are also trying to treat the symptom in the watershed. This is Mr. Tsevdos' property, so when that stream comes through here and enters a headwall, it goes through a series of manholes and catch basins and ultimately tries to work its way out to the street. So, we consider these to be overflow structures. There are opportunities for when this headwall overflows. We have a manhole here, another inlet manhole here, a supplemental catch basin up to the side. What we would like to do is to try to improve their efficiency and make better use of them in the overflow conditions when debris gets to the point where this thing doesn't take water. We have opportunities to utilize some of these devices, cages on the structures. We do also want to improve this trash rack. It is very tight up against the headwall. We think coming out a little bit further away would do it, make it more efficient to trap the debris but still allow flow to come in as the water is coming up the headwall. So, Joe Potoma has been working with East Jordan Ironworks, albeit rather slowly. They have taken dimensions, and we are waiting for some drawings of a fabrication of a trash rack. It's just very slow with the virus; it has caused some supply problems in the industry. So, we are patiently awaiting that information; but just to give you an idea of what the strategy is here in this neighborhood. We haven't forgotten about it, but we have a plan. So, if there's not any questions there, I can keep moving.

Chairman Trakas asked any questions? There were none. Chairman Trakas said please feel free to go ahead Don.

City Engineer Ramm said these are just some more photos of the actual structures. This is the actual rear yard. So, this manhole for instance sits high above the grade, and we plan to lower it and utilize the cage, similar to what we are going to do in the rest of the yard.

Chairman Trakas said I do have a question on the cage aspect of it. Can you get a cage that gets blocked because of all the trash around it, and how do we clean that? Whose responsibility is that to clean those areas?

City Engineer Ramm said so the City has an easement here in this rear yard. So, all of this infrastructure is the City's. So, certainly it's ours to maintain, particularly to respond to in a flood event. The residents do a fantastic job to keep an eye on it daily or during the storms. So, we are all teaming up to do the best we can; but ultimately it's our responsibility.

Chairman Trakas said thank you.

City Engineer Ramm said moving on, the Lafayette project came up, kind of at the tail end of our infrastructure project out there. We brought this up at one of the prior meetings. We have a plan to put a new storm sewer in the rear yards of Lafayette, ultimately through the side yards of Latonia; and we are making some good progress on that. We have added some drainage off to the south behind Mr. Patacca's and Ms. Bigge's property because ultimately a lot of this overland flow heads due east and really impacts these basements. In this sewer, picking up some rear yard water of these Lafayette yards and also conveying a lot of this water into this system and then around to the side. We think we can really make improvements here. Here is some rough cost estimates that Catts Construction has agreed to utilize their unit pricing from our alternate bid on Laurel and East Ash for a very similar project that we have completed. We have funding, we do believe we have adequate funding that could accommodate this with the current budget in the project. We are working on acquiring these property access agreements. Law Director O'Brien helps us put these together, and the property owner gives us permission and our contractor permission to come do the work; and also we had a clause in here that in the process of doing this at no cost to the residents, that ultimately we would secure permanent storm drainage easements, that's the area shaded in the pink here. Some residents are having a little bit of hesitation, reservation about the granting of a permanent easement that gets recorded at the County Auditor's site and becomes an encumbrance to their land. So, we are trying to work around that. We are not forcing residents to provide us that easement. We would be satisfied if they just give us permission to come do the work, install the infrastructure. So, we have 3 of these out of 7 secured. We are working to get the other 4, and we believe the contractor is ready to install that pipe. He will have the materials delivered later this week, and we would like to get going as early as next week or the week after at the latest, assuming we could get an agreement with everybody, which we are still very hopeful that we will.

Chairman Trakas said good.

City Engineer Ramm without any further questions, I will keep moving.

The next item was 4902 East Pleasant Valley Road, and this is a significant culvert problem there. This will give you an idea of where this property sits in relation to surrounding areas. It's

on the south side of the road, north of Eastview, south of Pleasant Valley. It sits in a significant ravine coming through here, and we were notified, to give you a little bit of a timeline here. The owners notified us around the end of April, and since that time we have been steadily coordinating with them, the Jolliffes. I apologize I don't know the correct pronunciation after 3 months.

So, initially I met the resident out there, Jeff, to look at the pipe and agreed immediately that there is a major problem that if didn't get addressed quickly, it would turn into something really significant. As a courtesy, we got a representative from Geotech out there to assess the conditions. We did also investigate whether this was on a dedicated easement to the City. We couldn't find no such documentation, but we do believe there is a history of the City involvement with the pipe that's there some number of years ago when it was replaced once before.

So, working through, we had some rough idea costs which is upwards of \$50,000 initially; and we met with the owners. I met with them on July 8th to try to just discuss an opportunity, public/private partnership that the City might be willing to pursue, if they would be interested and willing to have that dialogue and conversation. They said initially they were in favor of it, and so we immediately got our creek maintenance contractors involved to visit the site, look at it. We gave them some general parameters to get some quotes; and they turned in some numbers. Ultimately, it cumulated in receiving a petition from the owners on Monday, August 10th for an assessment project.

This is an old site plan, 2008, of when a modification of the house was made; and this pipe was already present at that time. There was no proposed work at that time because it was in the ground and functioning. I believe it was installed originally in the 1980's or 1990's. I don't know the exact date, but in responding and looking at what's out there, it's a 5 foot diameter pipe with about 14 or 15 feet of cover; so it's about 20 feet from the drive surface down. So, there's a good amount of fill over top of it. This is the outlet end, heavily eroded. There was a failure over a joint in the pipe, and the water is no longer flowing through it. It's eroded through the bottom. Here are some more pictures of where the bottom is gone, and you can see here this debris. There's a significant amount of debris and shale. This is the upstream end. It gets forced down through this culvert under pressure in many instances. You can imagine the abrasion that occurs. It's very similar, ironically, to the Patriot's Way situation and so was the mitigation for it. This is another good view of the embankment that has failed at the top of the pipe.

So, we did secure some quotes from Catts and from Geotech to basically replace the outermost, the downstream most 20 feet of pipe; and then to then put a field paved invert in all 60 feet of the pipe; and that's really to reinforce the bottom with concrete paved gutter. It really creates a nice reinforcement of that bottom section of the pipe that gets all the abuse. So, these prices, Catts Construction was \$110,000, and Geotech was considerably less than that, upwards of about \$60,000. We feel that could be attributed to I think just experience. I am not sure how many jobs like this Catts has done. I mean they are capable, and they probably were conservative on some of these bid items; but we feel very comfortable with Geotech. They performed again very identical repair from the Patriot's Way project from just a couple few months ago.

Chairman Trakas said the more expensive one seems to have gabions. Does the Geotech one offer gabions as well?

City Engineer Ramm said no, their proposal really only called for the (inaudible) protection at the outlet. It's rip rap, this item right here. I think a means and methods from Catts, they felt like having these caged gabions at the outlet could help them with their embankment work to really kind of lock in the embankment. It wasn't anything we required, but they chose to do it on their own; and consequently, their prices came up as a result of it.

Chairman Trakas said that's \$30,000, so yeah; but you don't believe that's necessary.

City Engineer Ramm said no. In fact, this treatment is again nearly identical with Patriot's Way. The only difference was on Patriot's Way was the inlet side of the culvert that had failed and got blown downstream into the pipe. On this 4902 property, it's the outlet end of the pipe.

So, ultimately we shared these costs, the lowest estimate with the owners, and received this petition thinking that we were going to march through an assessment type project where the City would participate. The work would be performed on our City contract, creek maintenance contract; and we would work out some details of the cost participation and the term of the assessment. We did initially think that 25% and 75% cost share would be fair, and that would be 25% City, 75% the property owner. We do feel that while it's providing access exclusively to the drive for the house that sits well back from the road; all the utilities that serve the house run over top of the pipe in the embankment, the sanitary sewer, gas service and it is situated such that a failure to this conduit and a washout of this embankment could seriously jeopardize downstream culverts under East Pleasant Valley near the I-77 interchange. So, I do feel like it's prudent for the City to participate and share the costs in this project, particularly since we have some involvement going back in time on this very pipe that has been compromised now at this time.

Mayor Kurtz said Mr. Chairman, this is an example of a public/private partnership that you and I discussed some time ago, not necessarily in this venue; but whether it be a house or property to increase property values for those who can't afford it or a public/private partnership where there may be multiple parties, be part of something where the City is the conduit to accomplish it. Our costs would be a minimized situation. In this one because it acts like a dam effect for downstream, and we have had a number of calls from people downstream about erosion, and like the Director said, if in fact it fails, it's going to be catastrophic.

So, the thought is this would be one of those where we would do an assessment like we would if it was a house that needed to upgrade for the quality of housing stock in our community. We talked about it one time, I believe our conversation centered around putting money aside into a fund for that type of concept; and we have a number of these projects that were outlined earlier this year that there are a number of residents who would be part of a program. For example, like a stormwater issue in the backyard; we have a number of those we talked about or identified earlier this year that if they would all come together, we would be the conduit. We would put it on the duplicate. We would fund it, and then we would be reimbursed for it. In this case, the thought was, unless Council has a different position, is 75% and 25% and giving them time to be

able to absorb that type of cost. I think it's another example of how we can extend these public/private partnerships.

Chairman Trakas said Mayor I absolutely agree with you. I think that's a tremendous approach. Does anyone else have a comment on that?

Vice Mayor Grendel said I fully agree with the Mayor and with your views Jim. It's an excellent program.

Councilperson Synek said it would help residents to get a really big project done. When there's an assessment. I presume they will pay that back through their property taxes for a period of years. Is there an interest factor on that? Or is this essentially an interest free way for a homeowner to get a project done?

Mayor Kurtz said they would pay the same interest rate we would be paying, some market driven rate; but it would just give them the flexibility, and if they sell the house or something happens, then we would be made whole in terms of our percentage. The thought was this would be another vehicle. After listening to members of Council earlier this year talking about, creating a hybrid of just going in and doing something or asking or getting the residents, the beneficiaries to participate; so it's trying to put all the thoughts that Council has collectively voiced in their opinions over the past several months and we are just trying to come up with vehicles that get these things done. It's not always at the complete burden of the City.

Councilperson Synek said also other observations, the homeowner gets the benefit of Don Ramm's expertise. There's not an added cost for his involvement. We are just talking about the cost of the contractor, and so the City's contribution is at least 25%, and that's certainly a good thing. It's good to get this off the list. Again, I will recognize Don's significant contribution to this that is a cost. It doesn't necessarily get charged to this project.

In another sense Mayor, do you see this 75%/25% split as kind of a model for all projects going forward? Or is this something you are going to evaluate on a case-by-case basis?

Mayor Kurtz said that's a very good question. First of all, you are absolutely correct in terms of we talked about that; and we felt that the Engineering Department and all of our consultants, advisors, all play a major role in whatever initiatives in driving some of these projects. That's just something, costs we would absorb; but it's a template. This is just a template. It could change, depending on the different circumstances, the public necessity; but we wanted to get something before Council that we could launch this program with, it gets us a new paradigm and a new thought process.

Chairman Trakas said wonderful.

City Engineer Ramm said Mr. Chairman, I would just like to say in speaking with the residents; I do believe they were invited to the meeting. They did want the opportunity to speak at the meeting, especially discussing this significant project on their property. When they signed the

petition, the 25%/75% that was an initial proposal, an offer; but they expressed some desire to revisit that split. I just want to let them have an opportunity to speak if they are on.

Mayor Kurtz said I believe they are on. We should make sure that Jeff has a chance to speak; and again, this has launched this program and however Council wants to craft it, I am open.

Mr. Jeff Jolliffe said I appreciate it, and hopefully everyone can hear me. Usually I use my phone to dial into Zoom meetings, it's just a little bit different talking through a computer.

I do appreciate everybody's time. I appreciate this getting on the agenda for tonight. Don, thanks for giving a good overview of what we are looking at. Some of those pictures I hadn't seen yet; so it's good to see what it actually looks like inside. Unfortunately it is a 60 inch culvert. We do get significant amount of rain that comes through here, especially in the spring time with everything west of us in Seven Hills, everything is feeding into that. With that amount of water, Don I remember the one day you were out here, the gentleman from Geotech was actually inside that tube; and an hour later it started to rain, and I sent you a video where that water rose almost 7 feet above the tube. I have video of it, and I sent it to you. It just kind of goes to show the amount of water that is coming through there. It could be a dangerous situation. I have spoken with some of the property owners downstream, and the erosion that they are seeing too is starting to become pretty significant. It's not just for us, I think it's going to benefit everybody down the road.

Going back to Don, we believe it was done in 1983 when that culvert was put in. I was able to pull some information from Council notes. Unfortunately, they weren't as accurate as they are today; but we did find some stuff as far as some City maintenance for residential culvert back in July of 1983 or something like that.

Originally, we are all for it, doing a partnership with the City. I think the thing that kind of surprised us was really the total dollar amount. So, unfortunately it is a significant amount for us; and we were hoping to see if we were able to adjust that 75%/25% to something different to lessen the burden on us to help pay for that just because it's not just something that's going to be benefitting us, it's going to be benefitting everybody around us. If anybody wants to see the videos of the water, I certainly can send them to you.

I know the day this collapsed, it was the day we had that heavy rain. I think it was in April. That water was close to about 3 feet from coming over the top of the driveway. So, Don your estimate was right, about 20 some feet that water rose. That is how much water that collects in that culvert. It is significant from upstream for sure. You are looking at 14 feet plus another 6; you are looking at roughly 20 feet; and that water was about 3 from coming over. The only reason why I knew that is because I saw where the water line was. Unfortunately, that 60 inch probably not big enough, but on the flip side, it's going to cost a heck of a lot more to widen that and do other things. We are just trying to get this thing replaced and shore up the driveway. We are concerned that the driveway would get washed away. We are seeing significant erosion.

I do appreciate the time today, and again, the thing for us is just because of the dollar amount. We are all for a split. We are just hoping to see if maybe we could adjust those percentages to make them more favorable for us.

Chairman Trakas said very good. Does anybody else have any questions on that?

Mayor Kurtz said don't all speak at once Council.

Councilperson Veverka said I have a question Mr. Chairman. Recently a house began on Hillside, and they put in a bridge. The house set back kind of at an angle; so does that mean that we are pretty much then going to be responsible for a fourth of the cost of replacing that bridge then down the road?

Mayor Kurtz said well I would say, my reaction to that comment is that, one, anything that is put in today is properly sized for today's events; and I believe that when we pretty much put them on notice that they are responsible. This is again, I think Don said it was a 1983 investment, and I don't think we had quite the level of sophistication that we have today. I do know that one party with the bridge on Hillside, after the last storm, they actually got because of our ability on an emergency basis, they went in and cleaned the creek and all of it on their property at no charge to the City.

Councilperson Veverka said okay.

Chairman Trakas said I think Mayor what I am hearing, go ahead Councilperson Veverka.

Councilperson Veverka said and another kind of halfway related question, up on Eastview Drive there is a home that has a bridge. The bridge basically has failed. Would we bear the responsibility then for replacing 25% of that bridge?

Mayor Kurtz said I am not aware of those circumstances, but Councilperson Veverka what is your position, what do you think we should do?

Councilperson Veverka said well I'm just wondering if we become involved to any kind of a great degree; I know we avoided this situation with the Brecksville Road's drainage issue, and they ended up taking full responsibility for the cost. I am just trying to get a handle on how we set up the rules to make it legitimately fair.

Mayor Kurtz said well I think that anything that affects other homeowners is one criteria. Anything that has been in for 40 years probably presents a different set of circumstances than anything that was approved in the last decade. If you believe that we shouldn't do anything, then I guess that's a position to take.

Councilperson Veverka said I guess my biggest comment is we need to go in a direction that we make sure we establish exactly how it's going to be so it's as fair as it can be across the community. So, if we are committing to a particular percent in this situation, basically we have set a precedent for future efforts. That's something we need to consider very carefully.

Mayor Kurtz said I guess my question is are you comfortable with this, or do you have a suggestion as to an alternative approach?

Councilperson Veverka said well considering this is a fairly new thought as far as with me, I have to think about it a little more.

Mayor Kurtz said fair enough. Listen, this is a concept that we put together based on discussions with Council earlier this year, and it's a way to facilitate some of these projects. It's not going to be appropriate for everyone, every project. Some will decline on the surface, but if there's a necessity and impact on other properties, that's probably the criteria that at least I would use and Don has been using. We are very generous in terms of some of the things we do for our property owners over the years.

Again, I think this is one strategy. If it was a house we were working on for a person, and we wanted to do an upgrade to keep the housing stock values; I wouldn't contribute anything other than the vehicle to get it done. In this case, there is an impact potentially as the Engineer said that could affect downstream houses, their properties and the State of Ohio. So, again each one is going to be an unique situation, and Council is going to have to vote on each one. If you have some input beyond today after you have had a chance to think about it, it's all about collective discussions.

Councilperson Veverka said thank you.

Vice Mayor Grendel asked am I correct to understand that the work back in 1983 the City participated in at that time?

Mayor Kurtz said yes they did. I don't recall all the specifics of it, but there was some, yes there was participation back then. I think we may have done, there was paving involved if my memory serves me correctly. It was a more robust project.

Vice Mayor Grendel said I see.

Mr. Jolliffe said when it happened back in 1983, that driveway actually got raised. When we built the new house, so that driveway went up probably about 10 feet or so. I don't have the exact numbers. There was a concrete culvert actually on the other side. That was the old concrete culvert that was there. It washed away, the driveway. In speaking with, my wife's family owned this house since the 1940's so in speaking with them when it happened. It was a storm like that just came over, and the City back then, from what I am investigating and seeing through City Council notes, we think it was only like \$10,000 or \$11,000 for the culvert work that was done. So, obviously times have changed, and money has gone up. That's what was put in. We don't have the exact records of the exact work, but we do know that the driveway was washed away at that time.

Mayor Kurtz said I do know the Streets & Sidewalks Chairman at the time though.

Vice Mayor Grendel said since the City participated back then, I would think we should again participate at this point too.

Mayor Kurtz said that makes this more of just a situation too.

Chairman Trakas said I think the question that Jeff had for us is there any desire to up the City's participation? Mayor, obviously you helped negotiate this to a 25% participation rate; so if we put this on his tax bill at the full value over 30 years, it's \$2,000 a year which is not a small amount of money. So, I was wondering if anyone had a different thought with respect to the participation rate? My philosophy on these things is always it's easier for the City of Independence to find \$30,000 than for residents to find \$30,000. It is just my opinion. I know that we also provided the expertise of Don and his office, which would be a substantial benefit. So, you don't have to go out and hire your own engineer. You don't have to go out and hire a firm to do this type of thing. So, there is certainly value to that. Does anyone have, I would be willing to consider a higher percentage personally. I really believe in this type of a program, and I like where we are going with it; but if we negotiated 25% already, what was the philosophy behind that?

Mayor Kurtz said in all fairness, it really wasn't negotiated. We just inserted it because I wanted to get a placeholder. I wanted to get something because really Council is going to make the ultimate decision. I am flexible, like I said earlier, if in fact; we were talking more like 15 or 20 years and if that was the right range of time. If we went to 40% or something, that's Council's decision. I can help steer it, but I am not going to get myself all worked up, I am just trying to facilitate a problem before it becomes a crisis.

Councilperson Synek said I would just comment that there can't be but 1 or 2 other communities in Cuyahoga County that would even consider helping out a homeowner in this way. Most communities would go to the homeowner and say you have a problem, here's the phone number for contractors who you can call to get your problem fixed. Most city governments in Cuyahoga County, the State of Ohio, would not even be willing to touch this project at any price. It's the homeowner's problem in most of the world. Here in Independence we are a small community, we take care of our own, we help this property. Obviously, it was 30 some years ago, so we have some responsibility to come to the aid now with this project; but you have to be very careful as this circumstance clearly indicates of making improvements on private property because it comes back to get you 30 some years later. Had we not put that pipe in 1983, maybe the homeowner is just calling contractors and we are saying sorry we can't help you.

The City has some responsibility in this, but we have to be very careful about using public money to make improvements on private property. In this circumstance, we have a major water issue that is affecting multiple property owners, and I have no problem getting involved in this one. I really don't, but we just need to be very careful about investing public money in improving private property. I think a 75%/25% significantly better than any property owner outside of Independence would get anywhere else in the State of Ohio.

Mayor Kurtz said at least spread it over time too, so it's not like they have to come up with money and go borrow it.

Vice Mayor Grendel said we are looking at a \$60,000 price tag on this job here, it's my understanding.

Chairman Trakas said that's correct.

Councilperson Veverka said and as pointed out, there has already been some time investment and some other investment as it related to the Engineering Department. I know that when we spoke about the job that was done on Brecksville Road, there was a significant water study done; and there were some other things that the City provided as to a portion of what they tried to do to help them.

I agree with Kenn. You live any place else, and basically you would be stuck. So, a 25%/75%, if we are going to go that direction, it would be worth considering.

Mr. Jolliffe said to answer your question. I have a good friend of mine in Parma, and he's in a very similar situation; and he had actually brought out some private contractors. They wouldn't touch it because of it being part of the watershed. So, he had to go back to the City, and the City is working with them to get that done. So, it is something. I hear what you are saying that it is something that, it's not like it's a culvert at the end of the driveway. This is something that is pretty significant. It's not just coming from our house. The majority of it is coming from uphill and from Seven Hills.

Mayor Kurtz said Mr. Chairman I think you have heard a couple of Councilpersons, I don't know if anybody else wants to weigh in or you want to just keep it in the air. I would like to get something more formalized so that we can catch this season, and we can lock down this vendor. I think the fact that we have used multiple vendors, we really have saved a lot of money by using this strategy too. In this case, there would be a dual beneficiary, it would be the City and the Jolliffes.

Chairman Trakas said it sounds excellent to me Mayor. I think you are going in the right direction, and what I am hearing is that there's a willingness to try to do this; and let's start it out at the 25%/75% and if someone prevails upon a different number, then we could always consider that. This will be legislated so we will talk about that.

I also would say one thing Mayor, why don't you and I work on some rules around a program that we can propose so that there are stated rules, and everybody knows what those rules are and that those could be codified in some way so that everybody knows how to apply and that type of thing. Would that be fair?

Mayor Kurtz said I look forward to the discussion. That would be great.

Chairman Trakas said okay, deal. Is there an additional topic on this one, let's go ahead and try to get that resolution of necessity on the September 8th Council agenda as well as the change order discussion.

City Engineer Ramm said thank you Mr. Chairman.

Chairman Trakas said the next major problem.

City Engineer Ramm said this is an issue at 8501 East Pleasant Valley Road. It is the CSA property, and this an overview of that parcel. They are majorly east of Kichler. They have a significant watershed and streams running through their property. We were notified, also kind of along very similar timeline in April of some problems that the management at CSA has started to notice; and it really pertains to this whole ravine, east of their driveway. I think a lot of it stems from a culvert issue under their driveway. So, we have been in constant communication, good communication coordination with a representative at CSA. He provided me with some of these photos of the culvert. They have some issues on the out stream end of the culvert as well as some open joints in the culvert under the drive; and it's resulting in some subsidence of the soil adjacent to the drive. Some of these photos show how the soil is just kind of sliding down under the guardrail, exposing some guardrail posts. There is a large utility vault, and the area around it, you can see signs of some settlement.

The ravine, there is some significant major landslides where whole sections of the slope are just dropping vertically and sluffing off laterally with whole trees sitting vertical; and a benching effect significant. It's at the top end of that, top end of this failure is our right-of-way and our utility easements and our existing new 12 inch water main that runs behind the guardrail here. So, this is a just a graphic representation of where our water main sits. This material is over top of our main, and it's starting to reduce the cover on it; and it's a situation that's very serious that I feel warrants some action. So, consequently we have engaged some vendors, but before I even get into that; I want you to know that the management at CSA has taken a large responsibility on their own. They realize that a majority of this issue is on their property, and they have engaged engineers; and they have a contractor lined up. We are working with them to get them permits they need. They were issued a temporary clearing permit. They need to build an access room and get soil, a drill rig down. They plan on taking soil borings and doing a large amount of engineering work to try to study some solutions to fix this problem. So, I don't want to give you the impression that this is a City issue exclusively. Primarily, it's the private property's issue; and they are taking steps now proactively to address it, and they want to do things right. They want to do things in accordance with the City's rules and regulations. So, we have been coordinating heavily on it. I feel it's so important that while they are doing that, I feel it is critical on our end to also march forward to protect our infrastructure because if this water main were to fail, it's a 12 inch main under significant pressure, it would be catastrophic and could really undermine and expose all the utilities and the roadway pavement on East Pleasant Valley Road.

We engaged a company called GSI, Geo Stabilization, Inc. They were the ones who did our first soil nail wall down on Hillside Road. If you recall opposite Dennis Messina's house; they came in years ago. We want to see if that similar treatment and repair mitigation technique could be utilized here, and we found that indeed it could be. They visited the site and provided us a proposal. There is a cross section if you recall. These are soil nails that get drilled back into the soil; and then a shock treat wall is built on the exposed face of the slope that's failing. It has

really performed well down there where we used it on Hillside Road. So, this was GSI's proposal, and for a little over \$200,000.

We also reached out to Geotech Services, our maintenance contractor, they also have experience in this work. They also did another wall just around the corner on lower Hillside that's also performing very well. So, we secured a price from them, and they prepared a similar sketch and treatment. It's a very similar approach, and we feel that this is something that needs to be pursued. I just wanted to bring it to Council's attention because I do believe the next step would be to get in front of Council for funding, change order funding.

Vice Mayor Grendel asked how many years was it that we did the Hillside project?

City Engineer Ramm said I would guess every bit of 5 to 8 years. We were back there just recently this spring because of some washout on the GSI wall; and the wall is performing fine, it's just the drainage on the ends was exposing and eroding the edges. So, we did have, ironically I believe, we had Geotech come back in there and help us out with shoring up the ends of the GSI wall.

Vice Mayor Grendel asked so in this case you would recommend Geotech over GSI?

City Engineer Ramm replied correct. Yes, for the value.

Mayor Kurtz said Don, have you thought about moving the water line?

City Engineer Ramm said yes, that was something that came up; and that's an expensive endeavor. I think if this treatment wasn't successful or if we did this and still continued to see problems, I would consider that to be the next option. It just gets expensive moving it south into the other utilities and into the roadway. It would be something we would have to look at for sure.

Mayor Kurtz said Don I thought over a certain size diameter pipe that Cleveland Water is responsible.

City Engineer Ramm said and that size is the transmission mains, and I don't know a specific diameter; but I do believe it's probably 15 or 18 or 20. This is still considered, it's a higher end diameter distribution. I do believe this is still considered a distribution, a local distribution.

Mayor Kurtz said I'm struggling with the amount of money to spend on it; the question is who is responsible? I am not saying your analysis is wrong at all. Please, don't misunderstand me. I am suggesting that is there another alternative? Have we taken every rock and uncovered it? Is this the best guess, or this just facilitates it?

City Engineer Ramm said this was a quick assessment, and it's a technology, it's a treatment that they can do relatively quickly, 2 to 3 weeks' worth of work and the issue can be stabilized. If not, I know Mayor you asked me and directed me to reach out to both the County to see if they could assist because of the issue with the right-of-way being compromised, potential negative

impact to the physical pavement which is still a County route. I can also reach out to Cleveland Water just to get the official formal opinion of their participation. We did consider whether or not the whole project was viable for NEORS D because of the stormwater utility grant, and unfortunately this watershed doesn't reach the threshold. It would be eligible probably for the community cost sharing, but as you know, we have that money pretty much bit up for many years on some other projects. So, we have vetted those issues, but nothing too in the weeds.

Mayor Kurtz said what if we put it on the agenda while you continue to research alternatives so that we at least cover ourselves at the September meeting; but if we can find some participation, we can always save money at that point.

City Engineer Ramm said okay.

Mayor Kurtz said I am asking the Chairman. I am asking the committee if that makes sense.

Chairman Trakas said it does to me. Other comments?

Vice Mayor Grendel asked was this water main, when we did the Pleasant Valley project, this water main was put in at that time?

City Engineer Ramm said correct, yes. It replaced the old one that was there.

Vice Mayor Grendel said so this was only a few years ago, right then?

City Engineer Ramm said I believe that was in 2013 or 2014.

Vice Mayor Grendel asked and they couldn't foresee that embankment at that time 6 years ago? It didn't look because it seems awfully close to where you think they would have picked up on it and maybe move that water main at that point when we were doing all the construction to begin with.

Mayor Kurtz said actually where would the water main be Don, do you think closer to the posts?

City Engineer Ramm said it's right here.

Mayor Kurtz asked it's already eroded up on top of it?

City Engineer Ramm said yes, this piece that jets out further south, it's already kind of coming over top of the main.

Vice Mayor Grendel said that's critical.

City Engineer Ramm said it's 6 feet down. At the time when this main went in, this was of course always a steep ravine; but we were not aware, I don't believe it had significant failures like we have seen here in the last 3 or 4 months that have compromised this upland area.

Councilperson Walchanowicz asked hey Don, that water line, could they have done anything to start that problem we are having over there when they dug down and put the water main in?

City Engineer Ramm said I don't believe so. I believe that these sorts of failures are emanating from the toe of the slope which is where the water runs in the bottom of the ravine. So, it's undercutting, the water is undercutting further back so the culvert, the way it has failed, the stream started to kind of run further south this way because of the way the pipe failed and some debris that had fallen into the normal watercourse channels. I believe this water started chewing further to the south, and as it chewed and weakened the toe, that's when I believe the top couldn't support itself and start sluffing down. I don't believe that the work that was performed up top from the water main installation had any effect on it.

Mayor Kurtz said Mr. Chairman, Don, you said CSA is going to be working on that culvert stabilization.

City Engineer Ramm said correct, yes.

Mayor Kurtz asked would there be any opportunities to create some synergies with us to maybe augment or supplement some of the costs for the water line.

City Engineer Ramm said it's yet to be determined. There's still in a very preliminary stage of acquiring soil borings and doing some engineering. I mean if we had more time, I just feel hesitant to wait. I feel like we are betting against time that this might not continue to sluff and get real bad real fast. We definitely could. They are going to have guys mobilized for sure.

Mayor Kurtz said so you are requesting that Council, that it be put on the agenda for September.

City Engineer Ramm said yes.

Mayor Kurtz said and if we find some way to mitigate some of the costs or do something differently, we will have that flexibility.

City Engineer Ramm said yes.

Chairman Trakas asked and Don are you asking for this to be passed in September or considered in September?

City Engineer Ramm said well it's a risk.

Chairman Trakas said it sounds like you want it passed.

City Engineer Ramm said yes, absolutely. I think the sooner the better.

Mayor Kurtz said well as dry as it is, now is the time to do it if we are going to do something.

City Engineer Ramm said correct. I think then at that point once our utility is secured, then we are not dependent then on the timing of this larger repair; and I feel we are much better protected.

Chairman Trakas asked Council how do you feel about this?

Vice Mayor Grendel said well it will be a greater expense if that would be compromised and would damage our water line like that. So, I think it's better to err on the side of being more cautious.

Mayor Kurtz said you know the one thing I would ask Don, when you talk to the Water Department, if that thing would break or blow out, they would come out and fix it correct.

City Engineer Ramm said well the initial thing would be to shut the valves off to stop the water from flowing, but yeah right. So, typically when a water main breaks, it's part of our agreement that they come out and repair it.

Mayor Kurtz said let's call the director and tell them look we are trying to get ahead of this.

City Engineer Ramm said correct.

Mayor Kurtz said we are going to ask Council if you would consider passing this in September, but if we can find a vehicle to manage some of the costs, then we are going to do that if that's okay.

Vice Mayor Grendel said sure.

Councilperson Veverka said that makes a lot of sense to me.

Chairman Trakas said that sounds good to me too.

Councilperson Synek said Don, can I ask a question? So, this soil wall, are we talking about something that would be like 10 feet from the street and very close and very low or is it going to be at the bottom of the hill and very high?

City Engineer Ramm said so these cross sections kind of show it, so it's at the very top end. What is unique about these sorts of methods; traditional repair would be to start at the very toe and rebuild the embankment on a very gradual stable slope. It's extremely expensive. If you recall back when Hillside was failing, and it was \$800,000 a number of years ago; and I believe both GSI and Geotech came in for \$50,000 or \$60,000, less than \$100,000. We were able to get those repairs mitigated. So, it's a significant cost efficiency to do it this way.

Councilperson Synek said you are just talking about 18 feet roughly from the edge of the road to where this wall would be.

City Engineer Ramm said correct. Pretty much mirroring where the slope has started to sluff down.

This is a different view of a different treatment, but it's at the top of the slope.

Chairman Trakas said okay. Let's give it a shot September 8th.

City Engineer Ramm said okay, thank you.

Chairman Trakas said let's move on to capital projects. By the way, on Patriot's Way, I know we eluded to that earlier; that has been fixed. Has there been any failures since we have fixed it or is that work done and complete and positive?

City Engineer Ramm said yes, all positive. It is complete. The grass is growing in on the slope, and I do believe we have paid Geotech 100% for that work; and we are in the process of submitting documentation to the Northeast Regional Sewer District. As you remember, they agreed to participate. I believe the number was \$40,000 or \$50,000. We should be receiving that reimbursement soon on that project.

Chairman Trakas said great, thank you. Now, Item 6.

City Engineer Ramm said for capital projects I just wanted to give you some things that are on our radar here for 2020. The Upper Brookside Road project Phase 2, we are currently advertising. We finally wrapped up the plans, and we are trying to see if we couldn't get some good prices. The overall budget figure was \$1,000,000, of that, there is a significant drainage component so that's why I am bringing it up for the Utilities Committee agenda; and that's very similar to Phase 1. There was a significant amount of drainage improvements to support the road and sidewalk project up there. So, this is actively being bid, and we hope to be able to bring you some information soon.

Mayor Kurtz said one question Mr. Chairman if I may. The substantial cost for drainage, is there a mechanism in there to hold water as part of it, to mitigate any downstream issues or is just to deal with the onsite water?

City Engineer Ramm said correct, this is just dealing with the onsite, but also providing numerous water quality structures for the EPA requirements; but that's not for volume treatment, it's for water quality treatment.

Mayor Kurtz said okay.

City Engineer Ramm said and that's really a driver. Each one of those structures is very costly, and I think on this Phase 2, even though it's only about 1,000 feet from Lake Charles up to Sprague, there are a number of different watersheds, and we have to have I do believe 2 or 3 of these devices up there. So, that's part of the cost.

Moving down through the list, the Hillside Road Sidewalks Improvement project, remember there are 2 of them that we are actively designing; and these are the general cost estimates, but each one of those also has storm drainage improvements components, and that's why I am just bringing it up on this list.

Chairman Trakas said Don, with respect to all the projects on the screen, is there money allocated for this, and we are doing engineering on behalf of the allocation or are we doing engineering and we have future allocations?

Finance Director Blaze said Mr. Chairman maybe I can answer that for Don. Legislation I believe covered the Upper Brookside project here in August, and legislation also covered the Hillside Road projects, the sidewalk projects; but starting at the next one Hillside Road Culvert at \$2,800,000, Brecksville Road Water Main \$4,000,000, Kleber Court, Longano, \$3,200,000 and the flood wall levy project, \$1,800,000. Although all those were listed as 2020 items in the 2020 Five-Year Capital Plan that was adopted in December; most members of Council and the Mayor should remember me saying repeatedly since then there was significantly more projects listed in that 2020 column than our ability to fund them with internally generated cash.

So, starting with the Hillside Road Culvert Replacement Water Main Improvements project and going down on that list, although they are listed in the Capital Plan, money has not been appropriated for those projects yet.

Mayor Kurtz said I don't remember that conversation Mr. Finance Director.

Chairman Trakas said we do have some selective memories Mr. Finance Director, but I vaguely remember that.

Okay, Don you can continue with all your unfunded, I mean all your great ideas.

City Engineer Ramm said this is only a snapshot of some that were at the top of my head.

Chairman Trakas said you are always full of good news, I know that.

City Engineer Ramm said so the Hillside Road Culvert Replacement Water Main, this job has been on our Five-Year Plan for some time; it's a really poor deficient water main from basically Vineyard, or even from 21, west to the Seven Hills Corp. line and also a culvert arch, a corrugated metal pipe culvert that needs to be replaced. We did submit last year for an Issue One grant program, and we were not selected. That next round of funding applications is coming up here in September/October. We haven't decided yet if we are going to try to target this again or identify the project. There are opportunities to secure some additional funding. This, if you recall, the project that we were concerned about with this sidewalk project in terms of not negatively affecting or impacting when this program does come through, and the water main improvements come through that we don't screw something up on the sidewalks. So, that is this job.

Vice Mayor Grendel asked Don, is the engineering done for the sidewalk from Greenwood to Twin Creeks? I know we started that one earlier.

City Engineer Ramm said we are getting there. I would say we are probably 70% to 80%, and we are trying to wrap it up here early in September to try and bid it out.

Vice Mayor Grendel asked do you think we can get it done this year? I know the one on the west side there from Hawthorn to Great Oaks, the engineering won't be done until November; but that will be a project for next year probably. Some of the residents had asked me who live there if they are going to see it done this year, this calendar year, or if it's going to be something that is going to be next year.

City Engineer Ramm said it wasn't moving along as quickly as I initially had hoped for, but we do think that it's fairly straightforward but for getting some buy in with some work agreements from residents. We don't need any permanent easements, and we think we have a window here, we get this thing out to bid that we might be able to still get it all completed or at least get a good start, get all the underground drainage agreements in.

Vice Mayor Grendel said I see the drainage is far less expensive than the other sidewalk from Hawthorn Trace down to South Great Oaks. It has I guess a lot more things, and I think one being a wall I believe too. Is it going to be constructed on the other side?

City Engineer Ramm said correct. There's a retaining wall, but I don't believe that's been budgeted. It's a big ticket.

So moving down forward, this Brecksville Road Water Main Improvements, this is from Rockside Road to the Cloverleaf; that was kind of a full scale resurfacing, new curbs, aprons, new sidewalks, decorative street lights. We are kind of taking a timeout on this project because we are still wrapping up the Fabrizi contract, and because we are still pursuing and investigating some other opportunities on Brecksville Road. That was a large dollar value. This job would include some ODOT participation, about \$850,000 I believe for the resurfacing because it's a State route. I do believe we also had an engineer already on board for this, but we have also kind of suspended that design for the time being.

Kleber Court and Longano, the idea was that once the Brecksville Road water main was replaced, then these next side streets that are in very bad shape; that we would be constructing those streets. They would be lumped together because the thought was that we could bid them together as a combined project or at least a Part A and Part B and try to get some good prices. They are not too far from each other. So, that was the dollar value. I think we intended to try to get going with engineering in one year, and then be in a position to bid it, construct in the next.

Chairman Trakas asked so are you thinking Don that it's really a 2021 project, a 2021/2022 project or is that how it would work?

City Engineer Ramm said well depending on how funding is and how this job, the current Fabrizi contract, we replaced a main across the Kleber intersection, not just the Longano. So,

depending on, there are some options to look at it different ways depending on progress of this secondary project as it rolls out on 21.

Chairman Trakas said well Longano continues to have water problems every time it rains. That's why I asked.

City Engineer Ramm said and the water main continues to break.

Chairman Trakas said that too.

City Engineer Ramm said so the last project on the list is the flood study. The PPA is public partnership agreement, and that's with the Army Corps of Engineers. They have drafted a legal document that really commits and binds the parties, the Corps and the City to the project. These are just a snapshot of the current funding. It's a \$10,000,000 cap for these sorts of projects. Current cost estimate, total project cost from the Corps tells us it's \$7,500,000; and there's a 65%/35% participation, and that's the breakdown of that. I only bring it up here because there has been a little bit of traction recently from the Corps. They are looking to get our agreement adopted or at least committed to so that they can run it up the chain on their end and really start to get this project lined up and moved forward on the design and the real estate acquisition easements and just to really start it because it becomes a very tangible project once this PPA agreement is executed.

Chairman Trakas said Don, we spoke about that about 5 years ago now in detail. I know Lieutenant General Wagner had good questions on that at the time. Were we planning on trying to involve Valley View in this at all? Does this impact them? At the time they weren't interested. Is that still accurate?

City Engineer Ramm said yes. So, generally when the Corps got involved, the study was much broader in area and did include Valley View; and unfortunately during the cost benefit feasibility study the projects there weren't warranted to continue. So, then ours became the sole project that kept moving through the feasibility study; and ours scores extremely high on that cost benefit because of all the businesses, the investment that is down there and the damage that occurs from All Crane and all those businesses there. So, it's equitable project. The Corps is very interested to move it forward.

Chairman Trakas said thank you.

City Engineer Ramm said so that concludes everything I wanted to share with you on the capital projects.

Chairman Trakas asked any questions on those Mayor or Council?

Mayor Kurtz said Mr. Chairman Valley View in the letter they sent they are not interested, and at least based on a discussion we had with the Corps, there's really no benefit to them. It was only after the latest iteration that the Army Corps was able to convince the National Park that they would support the project.

The questions boil down to is it's a lot of money, and Don has been working hard to try to cap and control our exposure before we approve. So, if he is successful at that, the way we are dealing an arm of the Federal Government, I would be more embracing of this project.

Chairman Trakas said understood. It's always been an expensive one, and it doesn't affect a lot of people in town. It does, and it would be beneficial; but it's not like it's in a residential area or a larger street in the commercial district either. We will continue to talk about it then, and Don if there's anything you can do along those lines, that would be great. Is there any discussion of private participation in any of this? It benefits a lot of those businesses.

City Engineer Ramm said I don't believe Mr. Chairman that we have engaged anyone. There's participation from the standpoint of the real estate, the acquisition for easements. Whether or not they would be willing to donate some of that, the value of those easements, we haven't gotten into that yet; but it will definitely be discussed at the appropriate time.

Chairman Trakas said very good. Any other questions for Don?

Councilperson Veverka said just a quick question. I know at the last meeting we had that list of residential drainage concerns, and I was curious if were any of those advanced forward and being dealt with?

Mayor Kurtz said we are constantly pecking away at the list. Obviously, we are focusing on sanitary, we are focusing on basement, we are focusing on those that affect houses. Where we are scratching our heads a little bit is the fact that there are a lot of drainage issues that will need a different strategy.

Chairman Trakas said we had close to 100. I think we were talking about actually after the investigations, making recommendations; and maybe that comes a little bit later on, but particularly we had that Dora project from last year. We were still looking at that. Is there any, we were going to try to make some recommendations to them about perhaps a culvert in the back there. Was there any progress on that Don?

City Engineer Ramm said so I think that maybe Councilperson Veverka was referencing. So, when a lot of these issues that we have been aware of and on our radar screen; so we have prepared numerous alternate bids that were rear neighborhood projects, and Dora was on there. There was the Midland/Highland was one, and there were quite a few of them. Unfortunately, we haven't been able to spend a lot of time and energy on those to reach out to the neighbors to maybe have a dialogue to see if getting back to the public/private partnership concept. Ultimately, that's where it needs to go, but we have been unable to have that play out yet.

Chairman Trakas said well that's fair. Maybe we can give you some clarity to that in the coming months here and perhaps that could be something we can work on and strive towards.

Our next agenda item, are there any other items that might come before the committee?

Hearing none, Mayor is there anything else you wanted to bring up?

Mayor Kurtz said no Mr. Chairman. I thank you and members of Council and of course Don Ramm for his in depth analysis on each of these; and we will make sure there's legislation. I appreciate any additional feedback as we move forward on some of these. So, thank you very much.

Chairman Trakas said you are very welcome. Hearing no other agenda items, I will entertain a motion to adjourn at 6:15 p.m.

Moved by Councilperson Veverka, seconded by Councilperson Synek, to adjourn the Utilities Committee meeting of August 25, 2020. Voice Vote: 3 yes/0 no; motion carried.

There being no further business, the Utilities Committee meeting was adjourned at 6:15 p.m.

Debra J. Beal, Clerk of Council
Minutes Unapproved at Time of Release 08/27/20
