

**CITY OF INDEPENDENCE
SPECIAL COUNCIL MEETING
SEPTEMBER 29, 2020 5:30 PM
COUNCIL CHAMBERS**

MINUTES

ROLL CALL

PRESENT: Vice Mayor Grendel, Councilperson Narduzzi, Councilperson Trakas, Councilperson Kapusta, Councilperson Veverka, Councilperson Walchanowicz, Councilperson Synek

ABSENT:

LEGISLATION

Vice Mayor Grendel said to remind everybody after the Special Council meeting, there will be an Executive Session to discuss personnel matters.

I guess we will get right into it. On First Reading, Resolution 2020-23, and it's a resolution amending Resolution 2020-20 declaring the necessity of improving public ways for the property located at 4902 East Pleasant Valley Road, Permanent Parcel Number 563-15-005.

Vice Mayor Grendel said Don we will let you explain how this is a modification of what we passed last month.

City Engineer Ramm said correct. When we were working through Greg O'Brien's office and working that assessment ordinance, I think we realized that the percentage for borrowing was not addressed which prompted the amendment; and then we also took the opportunity in speaking with Mr. & Mrs. Jolliffe. They had a bunch of questions that we tried to respond to, and I think it prompted some more changes that we wanted to incorporate into the amendment. So, this document was the resolution from September 8th, and then this is the revised one. I think the only two changes were some of the costs, we brought our inspection costs down because I think we can handle that administratively with our internal staff with some spot checking; and then the Jolliffe's had requested that the term be increased from 15 to 20 years. I am more than amenable to that. I think the improvements will outlast that plenty. So, I would be open. It was accommodated in this amendment.

Law Director O'Brien said and we added the interest rate.

City Engineer Ramm said right. The interest rate was set at 2.75%.

Vice Mayor Grendel said now again Don, what we are replacing here, the City had done that back in the 1970's. They had done the work previous.

City Engineer Ramm said it was a little bit more recent than that. I think it was in the early 1990's when the City participated.

Vice Mayor Grendel said the other thing too, this project, it not only benefits the owners of the

property, but doesn't it benefit neighbors downstream that could potentially harm them as well as harm the public if this would collapse and that?

City Engineer Ramm said correct. I think by not taking action and allowing this pipe to ultimately degrade and fail, it would cause major problems down here through the watershed.

Vice Mayor Grendel said so this benefits not only the residents here, but it also benefits the City and the public safety and other neighboring properties.

City Engineer Ramm said correct. The Jolliffes were invited to attend this meeting.

Vice Mayor Grendel asked anybody from Council want to ask Don a question or Greg on this issue?

Councilperson Veverka said I have a question. Don, further down Pleasant Valley Road, was there not another home that had a related problem with a water issue; and they did the work on their own?

City Engineer Ramm said I don't recall. Immediately downstream here?

Councilperson Veverka said a few houses downstream from the Jolliffe's property, on the Franko property.

City Engineer Ramm said well I don't know if it was a ravine, a pipe in a ravine issue. I am not sure.

Councilperson Veverka said okay.

City Engineer Ramm said maybe there was a bridge. I think it might have been somewhere back here. It was a garage project, and I do believe, there was not a request of the City to participate. I don't know if it was a bridge that had failed back then, it was a number of years ago.

Vice Mayor Grendel asked any other questions from Council for Don or for Greg on this legislation?

Councilperson Veverka said I have a question for Mr. Trakas. Jim, when we talked about whether establishing a program like this in the long term made sense or not, I thought you were going to be engaged in a conversation with the Mayor to try to develop some sort of a program to make sure that we were able to deal with the long term cost along with potentially any of the other issues that might raise their head as in how many different projects we would be involved in and the time period and so on. I was just curious Jim, did you and the Mayor have an opportunity to visit this topic?

Councilperson Trakas said yes, thank you for the question Councilperson Veverka. So, I put together a draft of an ordinance that is kind of a working draft that I shared with the Mayor and

Law Director for their thoughts. I went up to Camp Perry for a week so I came back and got busy; and I haven't scheduled with them in terms of putting more detail behind it. So, we took the first step, but we haven't gone the next step. I don't anticipate anything in October, but I think we will have something in the near future that might be presented to Council for consideration, and we are actively working on that together.

Mayor Kurtz said that's correct. We have collaborated to the point where we wanted to get at least one demonstration project going to see, and we are discovering the logistics, the challenges; and before we come up with a more comprehensive approach, we want to see how this one particular case, how it's going to work. Between call back and the early part of the year, we have a number of these projects, potential projects that would lend itself to a public/private partnership; but we wanted to get one oar in the water so to speak, and that's what we are doing here with this project.

Vice Mayor Grendel said and I think Mayor if I am correct, and Jim also, in the future this might not only involve this case here; there's only one resident. It could potentially involve maybe a neighborhood or 3 or 4 residents and that too; but this would be a good test case. I think this is time sensitive because of the time of the year we are in and the issue that we are dealing with here too.

Councilperson Trakas said and I think this has been a learning experience. We have already gone back, and we are drafting something new. I think we want to kind of find out how this goes, and then incorporate that knowledge into something that could be a firm Citywide pattern. I think what the Mayor and I have discussed was having something that is being able to be scaled that multiple individuals may be able to use; but at the same time, protects the City from both cost and liability, have some type of parameters to make sure that it's a fair across the board program so that there isn't any type of concern about we did something for this person, but this person is treated differently. Have something that could be used across the board and is consistent. I think we will have something like that here in the near future.

Vice Mayor Grendel asked Councilperson Trakas have you come across any other communities that have legislation of this nature that you could use as an example or guide?

Councilperson Trakas said that's a great question. I have not personally sought that out, but I will. That's a really good idea. Hopefully, we are unique. We usually like to stand out; and we are not Brecksville like as Mayor Hruby likes to say, we are leaders in our own regard here. That's a great point. I will try to see that.

Obviously, State law allows for the ability to put this on your property tax and pay it back, but that's been a longstanding part of Ohio Revised Code. To have an individual community do it, I am not aware of any; but I will certainly seek that out and try to find that for you.

Vice Mayor Grendel said it might not be in the Cleveland area, but it could be somewhere in the

State of Ohio, maybe down near Columbus or Cincinnati. I do know when we did the deer ordinance, the bow hunting ordinance back 12, 13, 14 years ago, we studied 4 or 5 different communities and tried to get the best. We even had the ODNR involved with it too. Sometimes it might take a little while, but you want to have just the right at least as best legislation that you can offer. Good work Jim. It's a difficult issue, and you want to make sure that you cover all the bases and make it fair for the community and fair for the residents.

Councilperson Veverka said a question for the Finance Director. Do we have a specific area that we would be able to get the funding for this and how would we establish the funding for the 75% loan proposal here?

Vice Mayor Grendel said I don't believe the Finance Director is on the meeting.

The Clerk of Council said he's not here.

Vice Mayor Grendel said but I did think that he had said that we would have, there would be some line items added to the appropriations. Once this is in place, it would have to be part of the discussion of the budget I think too.

Councilperson Trakas said I think that's absolutely correct. So, there isn't certainly a vehicle for this as yet; so we haven't made that determination. I do think that this, my idea behind this and in talking with the Mayor as well would be that these would be approved by Council on a regular basis for the ones that came through. It would go through the appropriations process. All of them would be public. It wouldn't be something that kind of happens overnight. These would all be very public, and so they would be part of the appropriations process through the Council; and in my own opinion, you would probably put out an allocation at the beginning of the year like any line item. Perhaps you could adjust it, but perhaps not. At the same time, you would have that opportunity to have that debate. How many of these things do we really want to do? How much do they cost? I think those are all fair public policy questions that would be incorporated into the legislation.

Councilperson Kapusta said and I think there has to be a sensitivity to that as you are saying Councilperson Trakas because we can look back, and it's just in a different scale. I remember being working for the City at that time when we had our tree ordinance, and the angst that it created to so many people when they felt why couldn't their tree be considered, then when we had to dissolve it and everything. I think we have to really tread cautiously as I know we will in looking at not only where this is going to be appropriated from, but what the potential outlay of expenditures may be for the City in years 1, 2 and beyond. That will be real important for us to consider.

Councilperson Veverka asked can I add to Kathleen's comment. The other question might be related to ability to pay. I mean, for some people it's a legitimate hardship; and I get that. In other cases, somebody views that as the golden goose that's out there just for the grabbing. That

could become another parameter as far as ability to pay.

Law Director O'Brien said if I could say just two parameters that Council needs to remember; and I know sometimes it gets lost. Whether these series of statutes in the code, there has to be a public nexus; we could not go on to someone's property without the City Engineer's opinion that the improvement is not going to protect the health, welfare and safety of the community. He has provided that in this case. So, just for any residents that may talk to Council and say hey I need to have this improvement done to my property. It doesn't end there because we need to have a public nexus.

Number two is Council has complete authority in this. If someone petitions City Council to do an assessment, Council can say no for the reason Councilperson Veverka says, we just don't have it in the budget. So, those are two things I didn't want, as you go down this path, didn't want you to forget about.

Vice Mayor Grendel said thank you Greg.

Councilperson Kapusta said and if I could in response to talk about the identification if need, whether it's perceived or genuine in the resident population. I will just tell you again from areas that I worked in, that's going to become difficult because unless you see some external barometers for that, it starts to get subjective perhaps, at least in the eyes of the participant if not in the eyes of the people who are trying to enforce that. You start to find people who will want I think the services, but will perceive, are questioning or the evaluation to be invasive. There are just a lot of things we need to think about is all I am trying to reinforce.

Mayor Kurtz said Mr. Vice Mayor Councilperson Kapusta is absolutely correct in that there are several different layers to this situation. One is one of the goals was to see if you have numerous participants on a project that they won't get done by themselves, but there is a consensus to do something, we would be the vehicle to get it done. There are a number of different potential projects that were outlined and continue to be brought to our attention relative to utility erosion or drainage issues or flooding issues that on its own 1 or 2 or 3 parties wouldn't be able to participate. Together maybe there's 5 or 10 that say together we can do this under this program. So, it's as much coordinating an effort as it is financing an effort. That's issue one.

Issue two is another phase of this goes beyond the drain water projects, this is a unique situation; and I support this because I wanted to see how efficient or how cumbersome or some of the challenges that we endure just putting this together, and we are finding out. With a more comprehensive and robust program in the future of helping people, the residents, etc.; that will be a whole other dimension that we have to follow. That's where those tree ordinance issues will become more pertinent.

Right now, the goal is to, and I applaud Council's support, the majority of Council's support for this because it's more or less an opportunity to see if this program can get traction and it makes

sense. The only way we are going to find it out if we actually try some of these and examine the impact, examine the exposure, examine how we can make it more efficient. Thank you.

Vice Mayor Grendel said thank you Mayor. Any other comments or questions?

Councilperson Narduzzi said so if I could weigh in just a second Dave. I think, if I look at this project, it's probably the perfect project to take this and try to see if it's going to work. For one, the City did do work back in the 1990's, they put a culvert in. So, that's one thing, the City is already involved.

Two, it affects more than just a homeowner. It affects people downstream as our Engineer has stated; and I believe it affects people upstream because if the culvert fails, it's going to create a lake back there because the water has nowhere to go. It has to rise probably 6, 7, 8, 10 feet before it's going to flow downstream. So, that backs up the water going up Pleasant Valley which creates erosion and stuff for the house just west of this property.

The dollar amount isn't going to change the way the City, it's not a financial burden to the City. It's going out for 20 years. So, I think we are taking little bites to see if this is going to work. I think this is the perfect scenario to try it and see if it all comes together and works. I think it's the perfect project to try it on.

Mayor Kurtz said Mr. Vice Mayor, when I spoke to Mr. Franko, when he called me about his erosion concerns, I immediately believe that this may be, at least it's an impediment, or an opportunity to slow the water down. If this was not in place, the damage that he and others might incur if it was not in place; so to me this is another example of helping others in the process of helping this one homeowner.

Vice Mayor Grendel said exactly right Mayor, I agree with you on that and the comments that Tom made. You don't know until you try a pilot project like this, and I think we always said that the money was hard to come by. We can accomplish hopefully much more by implementing a program like this. At least we should try and make every effort to make it a success.

Any other questions on this before we, I think our intent is to vote on it this evening. So, any other comments on this before we take it to a vote?

Councilperson Veverka said I would just comment in the direction that obviously my purpose in bringing these questions forward is directly to create an awareness and a comprehensive discussion as it relates to the effect of a program like this as it goes down the road. This is a program that will affect us at least 20 years, similar to the tree program that Kathleen mentions; and I know that as that program evolved and it became a real problem to extract the Council out of it. I really feel that it's important as a program to make sure that we have really dotted the i's and crossed the t's if we are going in that direction. That's my main focus, not to get us into a program that really sounds fantastic in the front. It's like helping someone to be able to solve a

problem that the City has worked on in the past. I understand that, but realizing then if we are going to do it in a long standing program that we really have to look at the picture over the years and make sure that as we evolve into this position that we may be continuing with this program, the financial responsibilities that the City will be holding to pay for, we will be holding down the road.

Vice Mayor Grendel said thank you Dale.

Mayor Kurtz said Mr. Vice Mayor if I may one more comment.

Mayor Kurtz said I want to just confirm with Greg O'Brien that if they go and sell the property that this should be paid off. That is my one point.

Also, I keep hearing about the tree ordinance, but I can tell you what, we investing money in our residential community over the years. We learned from that, but we did a lot of good things. I wonder how much potential life or property damage that we eliminated or mitigated because of the program itself. Again, it was a great program, the tree program. I am concerned if we can bring it back with a very structured policy. It will still be a good program. I think it just got too aggressive. So, these are the things we learned from, and these are the things how we govern the community, how we lead the community, how we help the community. Remember, we are supposed to help them with their issues that they can't help themselves with. Thank you.

Vice Mayor Grendel said I have full confidence that Jim and you and our Legal Department and the Mayor to come up with legislation that hopefully addresses a lot of these issues. Again, it's a work in progress, but this is like a pilot program before the legislation; but I think we will learn plenty from it. I am hopeful, and I think you are hopeful Jim that you will have something in place maybe by the first of next year or that.

Councilperson Trakas said I hope so, yes thank you.

Law Director O'Brien said Mayor I will look at assessment. I can guarantee it's going to be paid because it follows the land; and I think the AFR rate for September was 1%. So, 2.75% the City is certainly doing well with the interest rate, but I am not sure if it's accelerated and paid off in one lump sum if the house sells. I will let you know within the next two days.

Vice Mayor Grendel said Greg I would think that would go with the land, there is full disclosure to somebody buying the property. They know that the assessment is there because I know writing a number of contracts, we put that in there that they are accepting assessments also as well as the taxes on the property and everything.

Law Director O'Brien said I can assure Council that it's going with the land; whether it sells one time or ten times, that assessment is being paid off through the property tax, unless the Mayor meant something else. Mayor, I don't know if you meant paid off like it's like accelerated.

Mayor Kurtz said I understand it runs with the land, but there may be a provision that if in the future, you guys will refine this. We may want something that says if you sell your land, your assessment, the City reserves the right to ask for payment or something.

Law Director O’Brien said it’s possible. We could mirror the statutes in our code and then put that provision in there; but I have to obviously do a little more research.

Mayor Kurtz said this is just, I think the Vice Mayor said it clearly, this is a pilot project before the program; and it’s good because we are having a robust discussion, and everybody is getting a chance to weigh in. I think that really helps me, and I am sure Councilperson Trakas. We are all learning from this, and I appreciate the input.

Vice Mayor Grendel said and I do think like you say, it goes with the land or if we need to have an acceleration because that’s part of the process when you are selling your property you give full disclosure that you are paying this assessment, this is how much extra you are going to be paying on your real estate taxes. The buyers will take that into consideration on their offer. They might lower their offer a little bit.

Mayor Kurtz said that’s fine. I agree. I just throw it out there. That’s good. Thank you.

Vice Mayor Grendel said thank you Mayor. Any other comments before we take a vote on this legislation?

FIRST READING

RESOLUTION NO. 2020-23 A RESOLUTION AMENDING RESOLUTION 2020-20 DECLARING THE NECESSITY OF IMPROVING PUBLIC WAYS FOR THE PROPERTY LOCATED AT 4902 EAST PLEASANT VALLEY ROAD (PPN 563-15-005) (**I: MAYOR KURTZ**)

Moved by Narduzzi, seconded by Trakas, to read by title only. Voice Vote: 7 yes/0 no; motion carried.

Moved by Grendel, seconded by Narduzzi, to suspend the rules. Voice Vote: 7 yes/0 no; motion carried.

Vice Mayor Grendel said Resolution 2020-23 passes unanimously 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kenn Synek, Councilperson
SECONDER:	Tom Narduzzi, Councilperson
AYES:	Grendel, Narduzzi, Trakas, Kapusta, Veverka, Walchanowicz, Synek

ORDINANCE NO. 2020-103 AN ORDINANCE TO PROCEED WITH THE 60-INCH CULVERT REPAIR AND REPLACEMENT ON OR

ABOUT 4902 EAST PLEASANT VALLEY ROAD AND
ASSESSMENT UPON 4902 EAST PLEASANT VALLEY
ROAD (I: MAYOR KURTZ)

Vice Mayor Grendel said Ordinance 2020-103, and that’s an ordinance.

Moved by Trakas, seconded by Kapusta, to read by title only. Voice Vote; 7 yes/0 no; motion carried.

Moved by Kapusta, seconded by Veverka, to suspend the rules. Voice Vote: 7 yes/0 no; motion carried.

Vice Mayor Grendel said so it passes, again by the same 7-0 margin.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jim Trakas, Councilperson
SECONDER:	Kathleen Kapusta, Councilperson
AYES:	Grendel, Narduzzi, Trakas, Kapusta, Veverka, Walchanowicz, Synek

MISCELLANEOUS BUSINESS:

Vice Mayor Grendel said we will turn this over to Don Ramm regarding the Upper Brookside Road bids.

City Engineer Ramm said Vice Mayor Grendel, I was hoping to talk first about one other road project that we would like to do.

Vice Mayor Grendel said go ahead Don.

City Engineer Ramm said it pertains to East Schaaf Road, and we have taken a look at some of our old records. We think it was last paved a number of years ago.

Vice Mayor Grendel said probably when we still had horses.

City Engineer Ramm said a month or so ago we showed you sections of pavement in Brooklyn Heights and in Independence on Valley Belt; and we want to show you a similar scenario where the Brooklyn Heights pavement on East Schaaf is in pretty good shape, nice curbs. The pavement has been maintained, concrete aprons; and then unfortunately on our section it has been neglected for many years, and it’s extremely distressed. It is in need of some significant investment to get it upgraded.

So, I was just scrolling through some Google street views showing the numerous distresses, pavement condition, obliterations of curbs that are hardly even visible. This section has curbs, I think the grass is well over into the curbs or through the curbs. There are significant utility patches that have failed. This is an apron at one of the properties, and it’s just in terrible condition. Catch basins are struggling out there; again, it has been somewhat neglected over the

years.

Sometime pavements can be distressed, and it's cosmetic; but this pavement rides terribly. There is some significant rutting. This level is two inches wide, and there are gaps underneath that are almost equal to the width of the level. When you ride it's like speed bumps up and down this street. It's one of the worst riding streets in the City I believe. Looking at some of our Mannik & Smith documentation over the years that we have assessed, in 2017 this road was given a PCI of 25 which is at the beginning of the failure rate; but again that was in 2017, that's already 3 years old. Looking at our Five-Year Plan, we had kind of identified that it wasn't going to be done until 2022 with some engineering in 2021 which we feel needs to be done sooner. If you think, like right now we would be looking at maybe forward it, we kind of checked some of our old works, looked at our plan from 2012 to 2016, our Five-Year Plan and showed that this section of road was in our plan to be done 5 years ago which is unlike a lot of roads where we kind of extend and push projects down the ways for numerous reasons. I just wanted to bring that to everyone's attention that it's been on our docket to get done for quite some time.

Vice Mayor Grendel said I was going to mention to you Don that we have had it on the Five-Year Plan for a decade with it getting pushed back.

City Engineer Ramm said right away I'm thinking how we can get this done, and our current maintenance contract says vehicles, mechanisms to try to get a maintenance operation performed, and depending on how extravagant we want to get, we can use our Asphalt Road Paving contract for the asphalt mill and fill work. We could also look to Catts Construction in our 2020 Concrete Road Maintenance, it's where we are looking to entertain some curb replacements, catch basin repairs, aprons. It's just a matter of how much work we want to consider doing. I have reached out to both of these vendors. They have committed to being able and willing to perform the work here in the next 60 days if so directed; and they have also agreed to honor the unit prices. So, I think there are mechanisms ready to go.

I have looked at what it would take, the quantities and extrapolating those unit prices. So, the area in pink is really the Ronyak work, using their bid unit prices. You can see the dollar value of about \$255,000. All the items in yellow pertain to Catts Construction work relative to the casting adjustments and catch basins and curbs if so chosen to be done. You can see it adds a decent amount of cost; so the total project nearing \$635,000 which again when you compare back to some of the 2015 estimate, which did include Fuhrmeyer, but again 5 years old, but certainly well below the Mannik & Smith numbers that were projected out for 2021 and 2022. So, I think it's equitable and very cost effective; and more importantly, timely. We can get it done quickly.

So, you want to ask where the money is at with those current contracts. The Ronyak contract was awarded for \$1,400,000. Total performed to date is \$920,000; so sitting in the P.O.'s we have available almost \$500,000 for the Ronyak portion of the work; and one thing I want to

make mention of that in all this work up here we had an alternate for Brookside Road that was designated about \$350,000. That was the resurfacing from Brecksville Road up to Eastview. That road got pretty beat up with the construction of Upper Brookside that Catts Construction has just recently completed; and in looking at the road condition, we feel like a mill and fill maintenance effort probably is not going to cut it up there. We might want to consider doing something a little bit more thorough, maybe next year and budget some more money. So, the point being that a good portion of this money is sitting available and likely will not be performed this year, making it all the more available for use with Ronyak to be re-designated for the work on East Schaaf.

Mayor Kurtz asked Don are you saying that there's \$495,000 plus \$348,000?

City Engineer Ramm said no, \$348,000 is a portion of this.

Mayor Kurtz asked are you recommending we do not perform Alternate A because there really is a better way to do in the future?

City Engineer Ramm said right and knowing that Upper Brookside Phase 2, it could be beat up even more. I think it's prudent to just push this project off.

Mayor Kurtz said okay.

City Engineer Ramm said it frees up all that money I believe if we want to re-allocate it.

Mayor Kurtz asked you need how much for Ronyak for this?

City Engineer Ramm said \$255,000 of the \$400,000 contingency. So, I am saying we can cover, we can more than cover it.

Mayor Kurtz said okay.

City Engineer Ramm said so moving forward looking at Catts Construction. This is a misprint, this is actually the 2020 Concrete Maintenance Contract; and we awarded this job I think late in July to the tune of about \$380,000 and to date they have not gotten started because we have been busy with other jobs. They have had a big job in Parma. That could be good, and it could be bad. So, we are at a point where if we wanted to continue with Citywide work, that's where this money would get paid; but saying that Catts is willing to again be redirected to go and spend this money which coincidentally it's extremely close to what this is, almost to the dollar. So, it's sitting there. It's available, if we didn't want to ask for more money or an extra dollar. The downside is of course, all the Citywide work would kind of get postponed. So, if you had the palate to try to want to do every nickel of this contract and try to do the concrete work on Upper Brookside, then of course you are in a position where you have to try to find some new money.

Councilperson Narduzzi asked Don what was that Citywide work you are talking about?

City Engineer Ramm said it was just kind of the traditional work all over the City, the worst of the worst, catch basin failures, slab repairs, joint repairs, just all sporadically around. There were a couple of good stretches of curb and gutter replacement in some certain neighborhoods. So, it kind of ran the gambit around the City.

Mayor Kurtz said what you are saying is if we would, all we would need is a motion because we are not re-allocating funds, we are just going to repurpose them internally; and then if we want to add more money in a couple of weeks for some of those miscellaneous, and the Finance Department agrees, we would be in a position to do that.

City Engineer Ramm said correct. I'm saying it's a potential, a mechanism and a strategy to get it done; and Catts would honor their pricing. They stated that if the Citywide work got pushed to the spring of next year, they would honor the 2020 prices.

Mayor Kurtz said I would like to have Council at least make a motion authorizing these changes because I don't want the Administration to do that without your consent and approval. I also think that after talking with the Finance Director, if we re-allocate some money into these miscellaneous projects before next month, I would like to see if we could do them if it's \$100,000.

Councilperson Narduzzi said well if you keep reading, there's \$100,000 coming back from Brettin that we can throw in there right.

City Engineer Ramm said I threw that in there specifically to bring it to everybody's attention that as these jobs get wrapped up around the City, and we are looking to see. Ideally we always hope to have money to turn back in, and we had asked for a change order of \$100,000 when we thought that we had some significant extra work. We were conservative to a large degree; and so we think there's going to be a nice chunk of money coming back on Brettin.

Councilperson Narduzzi said and Lafayette's finishing up too. Was there any extra money in that because we were looking good at the end of last month?

City Engineer Ramm said correct, and I would say yes there is; and we are kind of already tapping that with that storm sewer work that we were adding in the rear yards of Lafayette and Latonia. So, we are going to be dipping into that, but it's possible when that work is done and the final numbers come in that there would be some money available there.

Mayor Kurtz said well don't discount the landscaping and all that Don.

City Engineer Ramm said correct. I am not accounting for that.

Mayor Kurtz said okay.

Councilperson Veverka asked Don, any core sampling done on Schaaf Road?

City Engineer Ramm said yeah I do believe a number of years ago. So, there's brick pavement underneath that asphalt, and you can see it in some of the potholes or along the edges of the curb where it's exposed. We think there is 3 to 4 inches of asphalt over the brick. It varies depending on when you are in the center line or near the edges; but the idea would be to mill off most of the asphalt down to the bare brick.

Councilperson Veverka said okay because I know that when we decided to do Rockside Woods North we were hoping to do kind of a similar project correct, and then we ran into issues with what's underneath. We had to do more extensive repairs. So, I just want to make sure that we pretty much cover that possibility so we won't have to go back and dig into contingent money to do it properly.

City Engineer Ramm said correct. So right, we know that it's brick pavement; and we think the majority of it is in great shape considering its age but there are areas where you can see this alligator cracking. It's a sign of severe pavement failures below, so the base pavement is probably very stressed here. So, in the estimate we did account for some base repairs, 6% base repairs; so there is funding allocated for full depth repairs with this scope of work.

Councilperson Veverka asked now would that be concrete repairs then?

City Engineer Ramm said correct. We will rip out the brick, and we will pour back the full depth concrete, probably every bit of 9 or 10 inches; and then we will overlay that with 3 inches of asphalt.

Councilperson Veverka asked so there will be some asphalt left, you said mill certain amounts; and we would still have some asphalt above the brick?

City Engineer Ramm said it depends. When you mill the surface trying to keep a nice profile and cross slope, there could be some asphalt that is still left behind; but during traffic with the construction traffic, it might fracture and just might be so brittle that it might just end up popping off with construction traffic and/or the commercial traffic that uses that road.

Councilperson Veverka asked because it's a brick road, is there going to be potential deterioration of the brick?

City Engineer Ramm said when you mill it, you like to get it covered quickly; and if you ever watched Ronyak, or even Cunningham Paving, they were just north of town up there on 21. They don't spend a lot of time. There's not a lot of gaps between when they mill the road and when they come and put that first intermediate course of asphalt down. It seals the base pavement up and prevents a lot of deterioration that would otherwise occur if you had big gaps of time between when you open it up and when you first covered it. So, Ronyak would be definitely poised to do that.

Vice Mayor Grendel asked Don if we go for the complete, the \$634,000 project total, would that be completed yet this year or would that be going into next year too?

City Engineer Ramm said we think 60 days we can bang this job out, and we think the concrete, so how the schedule would go. Ronyak would get in there and mill it, put the intermediate down, and then leave for a little while, and then Catts would come in and replace the curbs, the under drain, the aprons and catch basins. Then set all the castings to be adjusted, and then Ronyak would come back to do the final surface. It would be very similar to how we attacked a lot of these residential neighborhoods.

Vice Mayor Grendel said it makes sense to do the full, I don't think we should just do a half-baked job. I think it makes sense. This has been neglected for so many decades that we need to do it right at least to give it a chance to last for a number of years.

City Engineer Ramm said yes, it's been neglected for many, many years up there.

Councilperson Narduzzi asked how far would that come Don? It's going to come from the border line of Brooklyn Heights all the way down to where?

City Engineer Ramm said so when we looked at the pavement out there, definitely you could really see where the pavement goes from being pretty good to where it changes. So, we would catch it up, and that's an interesting point. The first half of this section we think the corp. line runs down the center line; so there might need to be a need to engage Brooklyn Heights to see if they want to participate or we will just do our one lane. It might feel a little strange just doing a few hundred feet of just the north side. So, it's something that we have to consider.

Vice Mayor Grendel said we did that with Sprague I think. It didn't look good as far as that goes.

City Engineer Ramm said and yeah the estimate, we have tried to account for full width for the full length; and on the easterly end if you recall a number of years ago when ODOT did Granger Road, we improved the little connector road with curbs and resurfaced it. So, it's in good condition; so we feel like this project for Schaaf would terminate just east of the connector road, kind of almost in front of the parking lot of the veterinary hospital, before Fuhrmeyer continues.

Mayor Kurtz said Don let's not get silly up on the top of the hill. We are good neighbors. We have a good relationship with Brooklyn Heights, and I would just be consistent.

City Engineer Ramm said okay, I'm just bringing it up because we would like to.

Mayor Kurtz said it's Council's decision, but I think we have a good relationship with Brooklyn Heights.

Councilperson Narduzzi said and I'm sure that is just a simple grind and overlay up there. You

are not rebuilding the underneath up there. I am thinking when you start coming down the hill is where the deterioration is at.

City Engineer Ramm said correct, it's in better condition up at the top.

Councilperson Trakas said I had a couple of questions. First off, are we still foregoing the water projects on Longano and Kleber Court?

City Engineer Ramm said for this year Councilperson Trakas. We are just not ready. We have design engineering, those projects are very valid, but we don't have them queued up yet.

Councilperson Trakas said the second question I have is we allocated these funds, and we hired these vendors based on a bid that they bid for a different type work. How is this project exempt from the bidding? I don't understand. It doesn't seem to be a carryover to me.

City Engineer Ramm said well so our 2019 Asphalt Road Maintenance is exactly this sort of, this exact work. It's the milling and resurfacing. So, these bid items and these unit prices were right out of the 2019 contract for the variety of the roads that we did.

Councilperson Trakas said for a different purpose though. This is a road project, and now it's a specific project. I think this needs to be bid.

Mayor Kurtz said it's a maintenance item. That's the purpose of these contracts.

Councilperson Trakas said we are redoing the whole street aren't we.

Mayor Kurtz said no, we are just doing up to West Creek.

City Engineer Ramm said the key is the maintenance effort. It's a maintenance effort versus a reconstruction.

Mayor Kurtz said we are not going in and tearing the whole road out, are we Don?

City Engineer Ramm said no. We are trying to salvage 95% of the brick pavement that's out there and just upgrading and doing maintenance on the surface pavement and then replacing components that have deteriorated.

Mayor Kurtz said I would encourage any Councilperson that hasn't been on Schaaf Road the last couple of years to drive that street, wear a blindfold and tell me which city you are in. Don't tell me you are in Independence, I can tell you.

Councilperson Narduzzi said I can say Don that the pictures you gave us don't do that street its injustice. Just drive down there once, it's a shame that it got to be to this point, and I understand where Councilperson Trakas is coming from; but this is exactly what I think these extra contracts are for. This street is terrible. It's terrible and to say that it should be bid out. We are getting

dollars, the amount of dollars that we had in our contracts this year I don't think it's going to get any cheaper than what we are getting these numbers at now.

Mayor Kurtz said if it was a full blown contract Councilperson Trakas I would say I agree with you.

City Engineer Ramm said and when we spoke to Ronyak, in essence to them, they feel like look we are going to come out grind and resurface a road, whether they go down to Brookside or whether they come to Schaaf, to them it's just where they turn their equipment, what street they pull off. It's really no different, hence the inclination about the unit prices.

Councilperson Veverka said I would say with tongue and cheek, just the people on Brookside.

City Engineer Ramm said right, understood.

Councilperson Synek asked Councilperson Trakas are you done?

Councilperson Trakas said I am.

Vice Mayor Grendel said go ahead Kenn.

Councilperson Synek said I would echo Councilperson Trakas' concerns. Seeing the pictures, that doesn't look like just a maintenance and repair.

City Engineer Ramm said surface maintenance.

Councilperson Synek said this doesn't look like just a maintenance, patch a few things here and there to me. You guys do this for a living, I know; but this looks like more than just your average sort of patchwork or repair which these contracts were originally left for. Being that as it may, I would ask Don Ramm do you have any concerns about Ronyak and Catts working together on a project like this? In a perfect world, wouldn't you have one contractor responsible for everything? Aren't we kind of setting ourselves up for like not my job, when we have two contractors on a very small area, and I can just predict lots of changes.

Vice Mayor Grendel said if I am correct Don, wasn't Evergreen, was that done with two different contractors, concrete and asphalt?

City Engineer Ramm said correct. In fact we actually bid it that way; so in essence, the City was the general contractor, and we coordinated with C.A. Agresta for the concrete work and also with Ronyak for the asphalt work.

Vice Mayor Grendel asked Meadowbrook too, was that the road that came down? Is that Meadowbrook that goes down to Evergreen?

Mayor Kurtz said no Tanglewood.

Vice Mayor Grendel said to me it seemed like that job was a perfect marriage of those two companies. They coordinated everything together. The residents were well pleased, and the outcome I think is excellent.

Councilperson Narduzzi said Ronyak does all of Catts' blacktop work. They did the Lafayette subdivision. So, Catts comes in and does all the underground work, they do all the curbs, gutters and then Ronyak comes in and does all the blacktop work. Regardless, if Catts had the whole contract, Ronyak would still come in and do the blacktop work.

Mayor Kurtz said I think the Engineer said it best, we act as our own general contractor then.

Councilperson Veverka said right. It sounded like what I heard was Ronyak comes in does the grind and puts a first layer down, and then Catts works around them and then Ronyak comes back in to do the final, similar to Dania.

Mayor Kurtz said yes sir.

City Engineer Ramm said very similar, identical.

Vice Mayor Grendel asked so it's my understanding then Mayor we need just a motion from Council for this project?

Mayor Kurtz said that is my understanding.

Vice Mayor Grendel said I know I endorse that, and I will make the motion.

Mayor Kurtz said to take the funds from the maintenance contracts for Schaaf Road.

Vice Mayor Grendel said yes sir.

City Engineer Ramm said if I could just bring up one point. In the 2019 Asphalt contract we never really formally authorized a change order to extend it to 2020 because for numerous reasons. So, I wonder if we ought to just formally do that in the same motion just to maintain the consistency and in essence validate those same unit prices from one year to the next.

Vice Mayor Grendel asked is Greg O'Brien still with us?

Law Director O'Brien replied yes sir.

Mayor Kurtz asked how would the motion read?

Law Director O'Brien said if Debi could find the actual ordinance, I think it would be appropriate for us to say a motion to extend through, they are going to do it this season Don still?

City Engineer Ramm said correct.

Law Director O'Brien said that's good. It would be a motion to extend the ordinance number through December 31, 2020, a motion to amend and extend through December 31, 2020.

Vice Mayor Grendel asked so would we be able to vote on this without or does Debi need to get the ordinance number first?

Law Director O'Brien said I think it would probably be more precise if we just get it. Is she on the phone?

The Clerk said yes I'm still here.

Law Director O'Brien asked Debi do you think you could find it real quick?

The Clerk said let me see. That's Ordinance 2019-71.

Vice Mayor Grendel said so I guess our motion then will be to amend Ordinance 2019-71, change order, to have it extend to December 31, 2020.

Moved by Kapusta, seconded by Walchanowicz, to amend Ordinance 2019-71 and extend it through December 31, 2020 and to allocate any excess funds to the East Schaaf Road project. Council polled: 6 yes/1 no (Veverka); motion carried.

Mayor Kurtz said and it's adopted.

Do we have to do anything with Catts Mr. Law Director or is the narrative that was explained good enough?

Law Director O'Brien asked is Catts a sub of Ronyak?

Mayor Kurtz said it's a separate contract, an ordinance from 2020.

Vice Mayor Grendel said my understanding is we approved this for \$379,869; and what we need for the Schaaf almost takes every dollar, but it's \$378,224.

Law Director O'Brien said that's what you need Mayor is that motion.

Mayor Kurtz asked do we have a motion?

Law Director O'Brien said amend the Catts Road, if we have the ordinance number it would be better for the record. Sorry Deb.

Vice Mayor Grendel said this is their maintenance contract.

Mayor Kurtz asked this is the 2020 Catts maintenance contract?

City Engineer Ramm said it's really a reallocation of funds, not of a change order because it's the same calendar year.

Mayor Kurtz said it's just a reallocation of funds.

Law Director O'Brien said I am assuming Catts had a monetary limit on it.

Mayor Kurtz said to answer the question Deb, we do not intend to take any action after the Executive Session.

The Clerk said okay, thank you.

Vice Mayor Grendel said there's been no services performed to date or no money spent.

The Clerk said it is Ordinance 2020-74.

Mayor Kurtz said so we are reallocating Ordinance 2020-74 to perform the work on the Schaaf road project, is that right?

City Engineer Ramm said correct.

Mayor Kurtz asked could I have a motion to that effect?

Moved by Grendel, seconded by Kapusta, to reallocate the funds in Ordinance 2020-74 to perform the work on the East Schaaf Road project. Council polled: 6 yes/1 no; (Trakas), motion carried.

Mayor Kurtz said and it's adopted. We will get on that.

UPPER BROOKSIDE ROAD BIDS

Mayor Kurtz asked Don do you want to talk about Brookside please?

City Engineer Ramm said yes. So, Upper Brookside, we did have this job bid. The bid came in on Friday, September 11th. We had 12 plan holders, of which 9 submitted bids.

Vice Mayor Grendel said that's a high number.

City Engineer Ramm said we had a significant amount of interest and bidders; and they were all very capable. The estimate was \$1,350,000, and we have the low base bid was \$1,113,000; and it ranged up to the high end of \$1,700,000. So, it was a good range, and there were 4 bids above the estimate, 4 bids below and 1 right on it. So, we felt pretty good with the estimate.

The 2 low bidders that were right there together with each other are guys we are very familiar with and have done good work in the City, Fabrizi and Catts. So, we had a number of alternates with the base bid. If you recall, Alternate A was for the boulevard concept to get that work included in the base. That was Alternate A. Alternate B was some hydrant work. We have a number of hydrants to have relocated, and this was just

to, sometimes we find that they are leaded connections or the hydrants are only 4 inch; so we included an alternate in case those hydrants have to be replaced. Alternate C was a maintenance of traffic issue.

If you recall at the last Streets Committee meeting we talked about this project and the desire to either try to get it all jammed in this season or to spread it out over 2 seasons; and that's what we arrived at that we would try, if it got awarded, that we would do the underground work yet this season and then come back in the spring, have a suspension of the work over the winter and come back in the spring and pave it. That's how the bid was set up.

So, again depending on how we award it depends on who gets it. The highlighted numbers are who would get it. If we just did the base bid, it would be Fabrizi. We do recommend at a minimum Alternate C be added because the job is going to sit over the winter. We intended for the contractor to make the road passable, keep 2 lanes of traffic open throughout the winter; and Alternate C was what got that done for us as opposed to having a lane, barrels set up all winter which would not be anything we would desire. So, we feel at a minimum to award Alternate C with the base bid, and then that's where the asterisks are, it becomes Catts' project to be awarded.

Vice Mayor Grendel asked you recommend Alternate B also Don regarding the hydrants?

City Engineer Ramm said you know B I felt, so how we worked the award of the contract is if an alternate isn't awarded as part of the award; that if and when we need that work item during construction, that we require that the bidder honor his prices. So, in essence, we have got a placeholder bid per hydrant; if during construction, there are only 3 of them. If during construction we find that 1 or 2 or 3 have to be completely replaced, our contractor would honor the price. So, we didn't feel it was necessary up front because we don't know, all the hydrants might be fine. It was really a contingency.

Vice Mayor Grendel said so it comes down to, as far as A would be what Council would feel about that boulevard type entrance to Lake Charles.

City Engineer Ramm said I think the engineer's estimate about \$150,000 to \$175,000. We thought it would cost for this improvement, and it was under that for both bidders. It was \$123,000 for Fabrizi, \$125,000. So, they were very close; these 2 guys were very close on most of the items.

So, that was the conversation. If you recall, the time sensitivity of this one; and the reason it was on the agenda was so that we could, if you recall, there was some water quality structures that take time to get fabricated. At a minimum the thought was to make a motion for the City to purchase these water quality structures so that we could get them into fabrication. This was a quote for those structures, or to just pull the trigger and award

it tonight to one of the contractors so that then we don't have to kind of get in the way of ordering these structures separate. That was going to be the request if there was a desire to move forward with this project.

Councilperson Narduzzi said so Don, the boulevard entrance, I am still confused about that. I mean it's a big ticket item to do. The development is almost built out, so what is the boulevard entrance really accomplishing for the City?

City Engineer Ramm said at the minimum, to kind of make it consistent with some of the other residential subdivisions, similar to Hawthorn Trace, the new road off of Hillside; but more importantly to us because obviously it's been sitting there for 10 or 15 years the way it is. The construction project is really what it affords us for the contractor's ability to maintain traffic and to minimize the impact to the residents up in Lake Charles because the Phase 1 project stopped at the northerly limit of the turn off. So, this pavement all has to get removed and replaced with the Phase 2 work. So, the thought being if this could get built off line while this is open to the traffic for the residents; and then once this pavement gets built then this intersection and this section here could then be closed off and then residents could then use this. So, it really just gives us some latitude and flexibility.

Mayor Kurtz asked what's the cost of that Don, that boulevard?

City Engineer Ramm said for Fabrizi it was \$123,284, and then Catts was just a little bit over that, \$125,000; and the estimate from Bohning was that it could range from \$150,000 to \$175,000. So, we feel again that the pencils were very sharp with these bids.

Mayor Kurtz said so Don, here's what I am hearing just to clarify. No matter what Council does, if they do something tonight, the next Council meeting, if we have to have a Streets Committee meeting; the only thing we do this year would be the underground correct?

City Engineer Ramm said correct. The job was 120 calendar days, and it was put right in the addendum that the first 60 was going to be for underground work, get the storm sewers in, all the structures, get the road patched back up; and then we would suspend the job until the spring. In the spring, the contractor would come back and start tearing out the road, a half at a time, very similar and identical to what we did in Phase 1 with a concrete pavement. It was bid out this time with concrete to be consistent.

Mayor Kurtz said so you just want to discuss it with Council, and we will talk with the Finance Director; and if we want to take some action we could do that at October's meeting. It won't affect the timeline of this project?

City Engineer Ramm said or the thought was to try at a minimum, if we would make a

motion to buy the structures.

Mayor Kurtz said order the structures. Council, from my position I would order the structures, I would authorize the ordering of the structures right now; even if we don't do the project, if you decide not to do it this fall, we are going to do in the spring. We are going to do it sometime, and we will have the structures then. That's not going to change. At least it gives us more flexibility if I understand correctly Don.

City Engineer Ramm said yes it saves us at least 2 weeks, maybe a couple few more because it's going to take; if we wait until October 13th to award the job, and it takes another week or 2 to sign contracts, that's almost a month. The structures had a 3 to 4 week lead time.

Mayor Kurtz said everything has big lead times ladies and gentlemen; but even if we don't award this job this year, at least we will have the structures when we do. I would suggest, if it was me, I would just authorize the \$32,000 for the structures; and then we will talk to the Finance Director. Then if we have to have a Streets Committee meeting, or we have to have a short Caucus before the next meeting to get comfortable, I am okay with that too. We are not asking for approval tonight, we are just giving ourselves some flexibility. We would just authorize the purchase of the structures.

Councilperson Trakas said quick question with respect to these structures. Are either of these related to that A contingency?

City Engineer Ramm said no.

Mayor Kurtz said these would have to be put in no matter what.

City Engineer Ramm said correct.

Councilperson Trakas said okay, thanks.

Councilperson Veverka said considering the base bid, minus the boulevard comes in slightly below a million dollars at a \$1,500,000 estimate; it surely seems to me that moving forward and getting started makes a lot of sense to me.

Councilperson Narduzzi asked Don could we possibly get a cost for a temporary stone road you know instead of that whole boulevard thing and see what the cost of that would be just for traffic maintenance to get people in and out of their development?

City Engineer Ramm said yes. So, the contractor is required to maintain traffic regardless; so even if Alternate A wasn't authorized, he would still have to figure out how to do this in pieces parts to get folks in and out.

Mayor Kurtz said I am assuming there's no right-of-way needed.

City Engineer Ramm said correct. This was already in a block property, a landscape block that is controlled by the HOA, Lake Charles Subdivision. All our work was within property that they control.

Councilperson Narduzzi said my big concern as Council is that if they wanted this boulevard entrance, it should have been done when they put that development in; and now 15 years later the City's going to front the cost to have a boulevard entrance. I know it helps us out in the maintaining of traffic, in all reality, the contractor has to maintain traffic control anyway. I am just looking at it and trying to save us some dollars.

Mayor Kurtz said so by way of history, when they proposed that, it was originally a boulevard as you see it today. There was a resident on Brookside who was absolutely vehemently opposed to it; and the City just authorized the change order you see that we have today.

Councilperson Veverka said I agree with you Tom, I think saving that cost is a great idea.

Councilperson Trakas said I would say that I think that because that's a pretty small area up there, and it's not easy to navigate, I think the boulevard may not be warranted. I understand where we want to put it at one time; it's not something that's off of one of the bigger streets in town. That's a tough curve up there. I am not sure if that would be the best thing for traffic flow. Do you need a motion Mayor to approve the \$32,000?

Mayor Kurtz said all I need is a motion tonight to approve the purchase of the structures not to exceed \$33,000? Is that okay Don?

City Engineer Ramm said that was a specific quote that one of the bidders, I don't know which one it was. I think it may not be the one that we ultimately award, so I might want to maybe move that up.

Mayor Kurtz asked so how much do you want to make it?

City Engineer Ramm said I think \$50,000 ought to cover it.

Mayor Kurtz said not to exceed \$50,000.

City Engineer Ramm said yes.

Moved by Veverka, seconded by Grendel, to allocate \$50,000 for the water quality structures for the Upper Brookside Road project Phase 2. Voice Vote: 7 yes/0 no; motion carried.

Mayor Kurtz said Don you could coordinate that. These are great questions, and this helps us. Two things, we will look at impact of not awarding that alternate or at least deleting that from the contract. We will also look at the impact on the rest of the contract.

We will also talk to the Finance Director to talk about financing this project and the impact on other projects and our overall budget. We will try to either, if we add a few minutes to the next meeting beforehand, or we will try to get a narrative out to Council before the Council meeting.

Vice Mayor Grendel asked do you think we can do this before Planning Commission or do you need the full 2 weeks?

Mayor Kurtz said what we will do is we will talk to the Finance Director, and then we will put a recommendation together. We will have Don do that so that if anybody has any questions, they can call him and talk about it. If there's an abrupt stop for some reason, then we will call, maybe we will do something before the Planning Commission because we can do it Zoom wise if it's going to be a non-starter. I haven't vetted it with the Finance Director yet. Is that okay? Let's do that.

Councilperson Veverka asked Don will this be done as a whole and not be split in half like the other section of Brookside?

City Engineer Ramm asked do you mean like the constructability how it will be?

Councilperson Veverka said the way that it is constructed, I know that when the section, the first Upper Brookside section from Eastview up when it was done in the halves, it made it very difficult. I know that Brettin was done in the whole, and I am hoping that this is done in the whole to make it easier for them to deal with traffic, even though if it's only a short period of time.

City Engineer Ramm said well when the concrete was poured for Brettin, and it's always poured a half at a time to allow the homeowners the use of the other side of the road because it has to cure. Is that what you are asking?

Councilperson Veverka said no, the tear out, the original tear out for Brettin was they basically took out the whole road; and they did the pour. They poured one lane one day, and with the concrete that they used, the type of concrete, they were able to pour the subsequent lane very soon after. When they did Upper Brookside, they worked one lane with the goal being well we are going to keep the traffic going on what's left; and that became very difficult with big drop offs and other problems. So, I guess my question simply is, are they going to basically take the whole road out and then obviously pour by halves; but there's a short period of time between pours where you are going to fall off the edge.

City Engineer Ramm said right. That's kind of a means and methods. I don't know that we were detailed in the bid documents to require a full width tear out versus partial lane tear outs. I am sure some of the dialogue we could certainly entertain with the bidder if

we would like to direct a certain way of constructing it. I am sure they would be amenable to it.

Councilperson Veverka said good because I think that when it was a split doing it by halves, I think it made it more difficult in the conversations I had with the people from Catts. Catts is the one that did that work, and it did make it more difficult.

City Engineer Ramm said and the key thing to remember, so on Brettin it was a full depth asphalt pavement between the concrete curb and gutters. So, when Tri-Mor had a large mill machine in there they kind of ground through the full 7 inches of asphalt and kind of laid it back out on the road and used it then as a gravel road for residents to drive on. Out here, it all depends on how the contractor was going to take that pavement out. I think a talk with the bidder to recommend that.

Mayor Kurtz said we will find out. We can find that out Councilperson Veverka.

Councilperson Veverka said thank you.

Mayor Kurtz asked any other questions? If not, can I have a motion to adjourn into Executive Session?

Councilperson Veverka said I have one quick question Don before we leave because we are talking about road projects. When we left the last Streets & Sidewalks meeting, we were looking at the Meadowbrook paving. What happened related to that?

City Engineer Ramm said I have been unable to dedicate any time to that, and knowing that we felt it was a good candidate for the full depth recycle and speaking with Specialized Construction, the end of the September was kind of like their cut off traditionally of the product's success rate. We were already kind of pushing the limit as it was, and it was just unfortunately the capacity wasn't enough to be able to get that project to a point where we could go to work.

Councilperson Veverka said okay, thank you.

Mayor Kurtz asked any other questions?

EXECUTIVE SESSION TO DISCUSS PERSONNEL

Mayor Kurtz asked can I have a motion to adjourn into Executive Session?

Moved by Grendel, seconded by Kapusta, to adjourn the Special County meeting and go into Executive Session to discuss personnel and legal matters. Voice Vote: 7 yes/0 no; motion carried.

The Executive Session was convened at 7:02 p.m.

Moved by Synek, seconded by Trakas, to adjourn the Executive Session and reconvene the Special Council meeting of September 29, 2020. Voice Vote: 7 yes/0 no; motion carried.

The Special Council meeting was reconvened at 7:55 p.m.

Moved by Synek, seconded by Veverka, to adjourn the Special Council meeting of September 29, 2020. Voice Vote: 7 yes/0 no; motion carried.

There being no further business, the Special Council meeting of September 29, 2020 was adjourned at 7:56 p.m.

Debra J. Beal, Clerk of Council

Minutes Unapproved at Time of Release October 2, 2020