

**UTILITIES COMMITTEE MINUTES
SEPTEMBER 7, 2021**

The Utilities Committee meeting was held on September 7, 2021 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:29 p.m.

PRESENT: Committee Members: Chair Joanne Krejci, Vice Chair Jeremy Dietrich, Mike Wos; **Council:** Paul Marnecheck, Jessica Fenos, Vince Weimer, Linda Barath; **Administration:** Mayor Larry Antoskiewicz, Law Director Thomas Kelly, City Engineer Justin Haselton, Economic Development Director Thomas Jordan, Wastewater Superintendent Mark Smith; **Other:** John Nickell, Dan Tomon.

APPROVAL OF MINUTES

Approval of July 6, 2021 Committee minutes. Moved by Ms. Krejci, seconded by Mr. Dietrich. Vote: Yeas: 3 Nays: 0 **Motion carried.**

UNFINISHED BUSINESS

1. Inflow/Infiltration of Storm Water (I & I)

Mr. Smith reported that the Pinestream Subdivision has been completed. Of 158 homes that were dye tested, there were two failures, which was positive being a fairly new development. One of those was the City's responsibility and would be getting repaired within the next week or so. A letter was sent out to the homeowner that had a failure. There were also three I & I's repaired, 3 cross connections, and they are in the process of repairing two I & I's that should be repaired in the week. Mr. Marnecheck inquired about the total number of repairs, and if they were in Pinestream area. Mr. Smith clarified that there were nine total repairs, and those were in different areas; including Apollo, Saturn, York, Jupiter, and Titan Drive.

Ms. Barath wanted to know if there was a dedicated person to handle disputes, in which a couple of residents had inquired. Mr. Smith explained that the Assistant Superintendent, Scott Shantery, handled disputes for failures in the dye tests. He went on to say that a letter is sent, which is self-explanatory, and if a response is not received, then another letter is sent. The letters detail where they have failed. Ms. Barath had received comments that the letter was not self-explanatory and rather harsh; however, she has not seen the letter. Mr. Smith conveyed that they put a diagram on the letter to show exactly where they failed, and he felt that it was in deed, self-explanatory. Mr. Smith stated that normally a 60-day letter is sent out. If nothing is heard back, a 90-day letter is sent out; going up to 120-day letters. There are people that have not fixed things in years and wonder why there are problems. He continued that when he gets past four or five letters, the letters may be a little more professional. Ms. Barath empathized.

Mr. Smith reported that they are finished with the I & I for the season; it would be too late to start up any place else. They plan to start up again next year. Ms. Krejci noted that she would take this off of the agenda and put it back on near the month of March.

Remove from agenda.

2. Ohio EPA

Mr. Smith explained that he sent everything out with monthly reports for July and August. In those monthly reports, he included the letter that was received from the EPA (Environmental Protection Agency), which he shared the following from the letter: Based on the project and their review of the information provided, they have no objection with the City proceeding with the project. This let us know that it is okay to move forward with the B Plant conversion, which is something that is a "win win" for the City, Mr. Smith stated. Not only will we be able to sewer some homes on Abbey Road, furthermore we will have access to that industrial property, which is more attractive to businesses.

Ms. Krejci was hopeful that we may start having some improvement in storm water issues in the area when the B Plant is pumping. Mr. Smith indicated that the goal was that once that is converted to a pump station, they remove the screw

pumps. Once that is done, the flow will not be hindered getting into that plant. He went on to say that currently with the screw pumps, it could only handle so much and it backs the system up if they unload. With it being removed, the water will definitely come in. The thought process of this should alleviate some of the problem.

Ms. Krejci wanted to confirm what was being voted in tonight in moving on to the next step in this project. Mayor Antoskiewicz confirmed we want to move onto the design aspect only; for voting. Mr. Smith had three firms come in and they were scored, in which Brown and Caldwell scored the highest to do the design. We already had a jump start because we were prompt in applying to the State for some funding through the grant that Governor DeWine was offering for the infrastructure; we were the second city in. The hope is that we should hear back in roughly 2-3 weeks. By us getting in as quick as we did, and showing some things we are going to do, Mr. Smith felt that we would receive something substantial; however, no guarantees when asked. Mayor Antoskiewicz concurred.

Mayor Antoskiewicz touched on the America Recovery Act, whereas the State received a lot of money; they put \$250m toward infrastructure, for these types of projects. We were aggressive and got it in quickly, as well as for the design. He was hopeful that we would be able to receive funds for this project. He concluded that what was being asked tonight would enable him to go out to the design aspect of the project.

3. Street Light on York Road

Mr. Jordan explained that there are street lights that have not been converted throughout the City; roughly 40. He did speak with the representative this evening. We were provided an original count of all of the streetlights in the City, in which we paid for the conversion based on their count. However, they have indicated that there are 15 more lights than originally counted and they are requesting a change order for that amount. We are just reviewing with them what those 15 lights are, and making certain that we are not double paying. They should be able to finish the remaining 30 lights or so. They had communicated to Mr. Jordan that they would do it as promptly as possible and resolve these 15 more tomorrow. Mr. Jordan indicated that they have been contracted to do the rest of the lights for nearly two years.

It has been a little long for the Illuminating Company on the LED Light conversion, so much that they have agreed to back credit some months to the City; as if the LED lights had been there initially. Mr. Dietrich questioned the financial aspect of this because of the savings. He expressed that we paid for those lights. He understood that they help in other areas, however, this has been going on for a long time and needs addressed quickly. Mr. Dietrich brought up the idea to perhaps get the Law Department involved; he felt this was a serious enough issue, whereas now they want to do a change order.

Mr. Jordan recapped that they discovered in their audit process, 15 more lights that were not included in the original count. He clarified that they want us to pay for 15 more lights. The Illuminating Company communicated that to us; we paid them. They say these 15 lights were not in the original count. Mr. Jordan understood this is taking too long; we will see what we can agree to. Mr. Jordan was pleased that so many people do like the LED lights and want the conversion. He commented how cooperative the company has been on other projects. The amount on the conversion, he believed was roughly \$200 per light; it is more about completing the job at this point. Mr. Dietrich felt it was also about the lighting, and not just about the savings. Mr. Jordan had been concerned that residents may think the lights are too bright after the conversion, therefore, he was glad they seem to like them. He felt that it has been an improvement for most residents. Mr. Dietrich inquired whether it would be reasonable that we ask to have a solution perhaps by the next Utilities Committee meeting. Mr. Jordan felt that was a reasonable request. Ms. Krejci noted that she would leave this on the agenda and follow up at the next meeting.

Resident Dan Tomon is present tonight, of 9821 Sunrise Boulevard, to speak on this subject. This has been a hot issue for him for a few years on the streetlights, in which he had spoken to Mr. Jordan. He had asked if the lights on Wallings Road would be changed, whereas there are lights that are completely out. He believed it had been almost three years that these were paid for. He wanted to know why it was done so sporadically and inconsistent; it is not complete. He expressed his frustration, especially with the money in savings. He felt that it was a great program, which we are still waiting for. Mr. Jordan wanted to convey that the Illuminating Company has had a lot of other things going on,

including a bankruptcy. However, he offered to talk to them and may include the Law Department if necessary. It is about them doing the task. The resident hoped to see it complete by the end of the year.

Mr. Weimer agreed and did not want to burn any bridges with the Illuminating Company. They have been very responsive on other things. However, his only concern was the extra 15 lights change order. He felt that perhaps there would be a need to have something in the change order that protects the City; could state 'this is the final change order'. They have told us what it is to replace all of the lights in North Royalton and we are expecting those lights to be completed. Mr. Jordan pointed out that the State sets the rate, which they charge us on a per month basis for the streetlights, and the State sets the rate for what the LED light conversion was. They were trying to get cities to do these light conversions, for the rate tariff was being lowered in our favor. When we placed the original order, the Illuminating Company believed a rate reduction was coming. Therefore, they held on to our order for nearly a year while the legislature lowered that rate tariff. That was the first cause of the delay in installing them. He continued that they eventually lowered the tariff, we then formalized the agreement, and we paid the lower amount. The order is over a year and a half old. We will get this resolved soon. Mr. Jordan communicated with the company that it was not finished and a list was made for them; with some assistance from the Police Department.

Mr. Dietrich asked Mr. Jordan the name of his contact, in which Mr. Jordan clarified that it was Dave Comon. Ms. Krejci had spoken with the gentleman today as well. She will leave this on the agenda and revisit this next month.

NEW BUSINESS

Mayor Antoskiewicz discussed the Splash Zone. Basically, what he is looking for is for Council to give an idea of their desire for spending; for when he goes out to design. His goal is to get this up by next summer. He sent three price points of splash pads, which basically shows what you can get for the price. He is looking to find out what Council would be comfortable with in spending. Once he has the number, he can then go and have the designer design the splash pad. He pointed out the information of what you get for each price; including a lower price, a mid-price, and highest price. As he indicated in his e-mail, Mayor Antoskiewicz felt that the middle of the road would work very well at the \$500,000-550,000 mark. The upper price of \$750,000 would not be a good fit for what we need, and the \$350,000 option did not seem worth it for what is done. He was comfortable with the mid mark. He is looking for input from Council as to what number everyone is comfortable with.

Ms. Krejci asked for a reminder of where this would be placed in Memorial Park. Mayor Antoskiewicz explained that it would be in the open areas by the playground, between the playground and the restrooms, where he is looking to design it. Along there, he also hoped to have a structure so that parents can sit and observe their children in the shade.

Mr. Marnecheck asked where the Mayor thought the funds would be coming from. Mayor Antoskiewicz indicated that he has spoken with Mr. Dean, in which they believe that with the America Recovery Act, based on the perimeters, we can pay for it out of those funds; he would get clarification. He would have that answer prior to Council approving the design and the cost. He explained that if not, there was also capital improvement money, in which we added to last year when we received Covid funds. Mr. Marnecheck questioned if he was looking to bond this out. Mayor Antoskiewicz clarified that he was not. Mr. Marnecheck agreed that the middle one likely fits the space that we have.

Mr. Weimer was in general agreement with the middle road as well. However, we have quite a few other projects to do in Memorial Park. His concern was that if we spend \$550,000 in this area, would we get to a point where perhaps, when on one of the last projects, risk having enough money. He explained that it was difficult for him to look at this and piece it out, because there were some really important pieces that are coming in the future. He wanted to make certain that the money is there for those projects down the road. Mayor Antoskiewicz explained that if you go back and look when we went through the Master Plan, that estimate was anywhere between \$4m - \$5 ½m, and with estimated costs of projects. He felt this one fits into the estimates that were discussed, just as all of the other ones would as well. Down the road, pertaining to the bigger projects, such as the skate park and indoor pavilion, those would probably be bonded out, because of the costs and interest rates, stated Mayor Antoskiewicz. He felt that this fit right into the estimates that was given to everyone before we knew.

Mr. Jordan commented as to the sequence, the intention was not to shut down the whole park and do it all at once. We have to do it in phases. Mr. Weimer spoke about ranges, where we are with all of them, and his thought process about making sure everything expected will be covered as we spend. He expressed his concern about not having a high amount of money for a bigger project later. He agreed that we do not want to demolish Memorial Park, but perhaps in going forward, he would love to look at all of the projects and say, these are where we are comfortable on all of these different ones, based on the sliding scale. That way you have a direction going forward that this is where we are expecting to go; as to each project. Mayor Antoskiewicz understands this point; however, these are all moving targets. For example, the price that he can get us for a project like a skate park today, when not being able to be done for over a year, may not be the same price.

Mr. Dietrich asked about the America Recovery Act money, if we were looking to use that for some of those other projects that were mentioned. Mayor Antoskiewicz was uncertain, but explained that we receive half of it now and half of it next year; totaling roughly \$3.1m or 3.2m. Mr. Dietrich inquired if that amount had been higher. The Mayor clarified that yes, it was previously almost 6m, and it went down to 3.1m. Therefore, we have some other projects we are looking at and he felt this was a good way to pay for it; this was a good one-time project. Mr. Dietrich inquired if we received half this year, in which Mayor Antoskiewicz indicated that we did. Mr. Dietrich asked if the number is not guaranteed, and we were to spend up to \$550,000 for the splash pad, whether the Mayor already has the other amounts. Mayor Antoskiewicz indicated that he is still discussing some of the other uses for it and possibilities. He continued that we did this in the ranges, however, he understood Mr. Weimer's comments about pricing.

Mr. Weimer did understand that pricing could change, but we could talk later and adjust that; to give a ballpark. Mayor Antoskiewicz pointed out that sometimes when you throw out the expectation, and at some point, something happens to meet the expectation, that it is not always looked on as favorably. It differs from this money we are receiving from the America Recovery Act. He tried to explain that originally, they talked about 6m dollars. Every city went through this and got cut in half. Everyone knew the initial number was 6m dollars, in which he thought we would be getting that. When Mayor Antoskiewicz received \$3m, that was cut by half. Technically we did not get cut, because we still received 3m dollars that we never had; but that is the way that people look at things. He was trying to say that sometimes when you draw that expectation, you have to be careful, however, he could try and look at that a little bit more and see if we can narrow it down a little bit better in going forward. Mr. Weimer wanted to make sure we are fiscally doing the right thing for the City. The Mayor agreed that is his same goal.

Mr. Dietrich shared that he was comfortable with the choice of \$550,000 for a splash pad, possibly even bumping it up if it were possible. He inquired about when we would know whether those funds discussed could be used for the project. Mayor Antoskiewicz indicated that he would double check, and he felt pretty certain that we would be able to use those funds.

As discussion ensued, Mr. Jordan talked about the steps, which included the design, authorization to bid, and where they give an engineer's estimate. At that point, the City has to know where the funds are coming from and we would inform Council what the source of funds would be. Mr. Jordan estimated that they will know more in about one month. He mentioned that the Mayor is asking that we get the park done by July 4th of the upcoming year. Mr. Jordan went on to say that with supply chain issues, we are trying to get it built in the early part of next year. Mr. Dietrich asked if they are trying to have it solidified with the contractor by a certain time. Mr. Jordan clarified that they have to design it, then send it out to bid, however, it will get awarded during the winter months for spring construction.

Ms. Krejci wanted clarification that nothing was being voted on tonight. Mayor Antoskiewicz confirmed that was correct; only an idea of price points to look at for the design of the Splash Pad. Ms. Krejci did understand Mr. Weimer's thinking process about trying to get a bigger view on everything, so we know what the whole expenditure looks like. She was not sure if that was possible with it being done in phases; and as we have money to do things. Mayor Antoskiewicz stated that he can try. He did not want to delay the Splash Pad and was looking to start it and get it rolling.

Mr. Weimer felt comfortable with the range of \$550,000 as well, and still felt that in going forward, there may be a better way to approach things and explore that. Mr. Dietrich concurred.

Ms. Fenos supported the range of \$550,000, especially since the more expensive one does not seem to fit our needs. She also understood Mr. Weimer's point that he made. She did not want the Mayor to delay this either and felt that a lot of people, especially with children, would be very happy to have this in the City. She supported the middle of the road as well on this for pricing. Mr. Dietrich agreed. Ms. Krejci asked if there would be an update at a later time for Council to vote on this. Mayor Antoskiewicz concluded that there would be.

ADJOURNMENT

Moved by Ms. Krejci seconded by Mr. Dietrich **to adjourn the September 7, 2021, meeting.** Yeas: 3. Nays: 0.
Motion carried. Meeting adjourned at 7:06 p.m.