

**STORM WATER COMMITTEE MINUTES
NOVEMBER 8, 2023**

The Storm Water Committee meeting was held on November 8, 2023 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:01 p.m.

PRESENT: **Committee Members:** Chair Linda Barath, Vice Chair John Nickell, Mike Vos; **Council:** Paul Marnecheck, Joanne Krejci, Jeremy Dietrich, Heidi Webber; **Administration:** Mayor Larry Antoskiewicz, City Engineer Justin Haselton, Law Director Tom Kelly, Finance Director Jenny Esarey, Service Director Nick Cinquepalmi, Wastewater Superintendent Mark Smith; **Other:** Joel Spatz, John Noel, Dave Seligman, Jerry Donahue, Ragda Harb, Terri Kolomijez, Jim Kulikowski, Joe Maruk, Tony Garesi, Jeanette Sweetnich, Brenda Helsel, Mary Gorjanc, A. Davis, Karen Fiegelist, Vedrana Bozic.

APPROVAL OF MINUTES

Approval of October 3, 2023 Storm Water Committee minutes. Moved by Ms. Barath, seconded by Mr. Nickell. Vote: Yeas: 3 Nays: 0. **Motion carried.**

UNFINISHED BUSINESS

1. Storm Water/Infrastructure Maintenance Monthly Report

See report.

2. Maintenance Projects

No update.

3. Turnpike Mitigation

No update.

4. Cleaning the Mains

Mr. Smith advised that we are doing a lot of catch basin repairs at this time and we will continue with the mains as needed.

5. NEORSD projects update

Mr. Haselton reported that the Sewer District completed the tree planting for the Sprague Road / Thornhurst Drive project. Work has started on the project between Broadview Heights and North Royalton. The contractor has been working more in Broadview Heights; they have not worked in North Royalton yet. We do not have an exact date when that will occur, however it sounds like it may come later in the project. We will have more information as they get closer. Ms. Barath inquired if they are digging a basin in that area, as it appeared to her. Mr. Haselton did not believe so. Mayor Antoskiewicz agreed.

Ms. Krejci asked for a recap on Ordinance 23-129, involving an agreement with the Northeast Ohio Regional Sewer District for the Royalton Road Erosion Project. She wanted to know if this has ever been discussed in the Storm Water Committee. Mr. Haselton agreed that it has, stating it is the project we received funding for.

6. 14523 Cross Creek Lane Retention Basin

Mayor Antoskiewicz explained that we are asking for approval to file the pre-application for the Hazard Mitigation for that project, which is due on November 20th. He went on to say that Mr. Haselton has begun

working on that. Through the process, we filed the initial questionnaire, which we will fill out. The next part would be a little more extensive. Mr. Haselton noted the full application would be in January; if we hear back positively on the pre-application. The Mayor summarized that we file it, they review it, and then they let us know whether it is a project that they feel we can move forward with.

Ms. Barath wanted to know if they inform us of what they would cover, or if it is already set. Mr. Haselton clarified that we give them the estimated budget. Mr. Marnecheck asked if there was a local match requirement. Mr. Haselton agreed; 25%. Mr. Marnecheck inquired if we can use other grants to fulfill that, or NOPEC dollars. Mayor Antoskiewicz indicated no, we cannot. At this point, if we proceed, it will not be a City match. This would be a match that would come from the HOA. This is a project that is on private property. He felt that if it is a 75% / 25%, the 25% is a lot less on them than funding the entire project. We would be filing this for them as a City, however they would be required to make the 25%, or whatever the match is. Regarding the last project when we were in a 75% and 25% scenario, FEMA looked at it and moved us out; we went to a 90/10. They found a better program for us on the last one. That is where we would start out, however it would be the HOA's responsibility to do the match.

Mr. Dietrich raised question about the pre-application, whether we had to give a dollar amount and if so, what the estimate was. Mr. Haselton indicated that we have \$450,000 as the estimated budget. In working with the contractors and engineers that we already started working with, they already have a decent project design. Based on their retaining wall design, that is what we used to obtain the estimate. Ms. Webber questioned what we would be looking at time wise, if beginning in January; if we get the pre-application. Mr. Haselton clarified, roughly at the end of next year.

Resident Ms. Bozic, 14516 Crosscreek Lane, wanted to make everyone aware that this is not only their responsibility; it does not only belong to their HOA. There is another private property off of Bennett Road. She shared that it was communicated to her at one of the meetings that they plan to build a 140 linear feet retention wall, and it would only solve the problem for two homes. She stated that the rest of the development, including all the other houses up the hill, will be left unattended. She is concerned whether their properties will have any value in the future. She felt that being left with a partial solution to the problem was not fair.

Mayor Antoskiewicz pointed out that he has attended some of the Crosscreek HOA meetings and this is all new information to him. There was never a house on Bennett Road mentioned in this discussion at any time, nor was it mentioned at the committee meeting last month when residents spoke. As we have approached it with the HOA, they have never made reference to the house on Bennett. He has heard nothing about the Bennett Road property participating in anything that the HOA was planning. He felt that Ms. Bozic was expanding this project tremendously, and it is something that we knew nothing about. The Mayor reiterated that this has never been brought up at an HOA meeting. We have until the 20th of November to file this application. He is looking to file it the way he believed it was presented.

Ms. Bozic shared that she is a realtor. She went into the Cuyahoga County Fiscal Office and checked the property lines. She was surprised to see that their management company or board members have never mentioned this before. She pointed out that anyone can go to the Cuyahoga County website and search the property lines. She indicated that their management company did not know. She felt that checking the facts first is really important before taking on such a large project. She stated there has to be a way to resolve this issue, not only for the two homes that are on the front line, but also the rest of the houses. Mr. Marnecheck pulled up the website and asked Ms. Bozic about the property she was referring to. She showed him the property that is owned on Bennett Road, which is 14327. Ms. Bozic wanted to make sure everyone had all of the information at hand.

Mayor Antoskiewicz reiterated that all past discussions have been primarily about the two houses; consistently. He realized Ms. Bozic was presenting there are more houses within the frame work of Crosscreek that need additional work. Ms. Bozic stated she is not familiar with the engineer's report. Mayor Antoskiewicz recapped that Ms. Bozic communicated there are multiple houses, besides those two, that are in danger. Ms. Bozic

expressed that she was questioning whether they 'are' going to be in danger. As discussion ensued, Ms. Bozic apologized if she was making the situation more difficult, however she was presenting the facts after she discovered where the property line is.

Mr. Dietrich noted that he has walked the entire property. Mayor Antoskiewicz agreed he has also; all the way to Bennett Road Hill. Mr. Dietrich explained that he noticed other homes eroding pretty bad there. However, nothing as urgent as the two homes. You could see underneath the other houses; the same type of occurrence is happening. He wondered where all of the water was flowing from. He felt that a lot of it comes from the schools across the street, as well as a business next to them off of Ridge Road. That business has a retention basin that looks as though it needs dug out. To him, it seemed like the sediment has over taken it, perhaps because there is a direct pipe from that retention basin that goes right into that same runoff that they are having issues with. That is another source of water flowing into there. If we were to look at the retention basin and go to that business, it is right around the corner from where those bad houses are located. Perhaps we can slow down the flow of water. Mayor Antoskiewicz stated again, you are assuming that the creek is the problem. Mr. Dietrich commented that he is not an expert, however that is erosion; it is water. Mr. Dietrich realized the house was built on dump soil, which is not helping anything. Mayor Antoskiewicz reiterated the way the process works. He stated if we get through the pre-application process and there is more extensive work that would need to be done for the application, then you have to have more engineering, more details, etc. Currently, the pre-application is what we want to file, which we have until the 20th of November to see if it is a project that they will look at and entertain. Mr. Dietrich expressed that he understood.

Ms. Bozic conveyed she has received word from people that other homes are in danger as well. She wanted to express today the uncertainty of what will happen with the rest of the homes if the source of the problem is not taken care of. She wanted to know who would be in charge of it. Mr. Smith stated the issue is that we are dealing with private property. He realized the one house was built on bad soil. However, he felt that the HOA should have gone to the Army Corps of Engineers and had them look at it. Allow them to give some suggestions of how to go about it, because they are going to be the ones that are able to give them what it really needs to be done. That is what the Army Corps of Engineers do. Mayor Antoskiewicz believed that they usually deal with the creeks.

Resident Mr. Seligman, 14525 Crosscreek Lane, mentioned that since the last Storm Water meeting, he was elected the new Board President. He spoke to Ms. Bozic's concern on the other homes, stating that he sent an e-mail to all of Council and the Mayor on October 23rd, which expressed concerns about the other properties; other than the two that were in question. He included a Google earth map picture of where the overgrown catch basin is located; where the storm water sewer pipes pour into the ravine. He mentioned that it is not a creek as referenced by Council. The only water that flows through there comes from two separate storm water drains that pour in there. He shared his frustration that everyone continues to say it is private property. He strongly expressed that their issue is caused by City storm water runoff. He brought up Mr. Dietrich coming out to walk the area, as well Ms. Webber, which he greatly appreciated. He hoped there would be a way for Mr. Haselton to come out and look, to assure them that those other properties are not in danger. He was extremely thankful that the City is applying for this grant. He reiterated his frustration that the issue is caused from City storm water runoff. Ms. Barath responded that we are going to move this forward and see what happens. Mayor Antoskiewicz interjected that he was uncertain whether Crosscreek wants us to; they keep adding to the mix.

Resident Mr. Tony Florence, 12523 Crosscreek Lane, came with one purpose in mind, which was to apologize for his behavior at the last meeting. He had come in with high emotions and he apologetically stated that he failed. He continued that it was a poor representation of the person that he is. He stated that he would demonstrate better in going forward. He recapped that with respect to the neighbors across Bennett Road, they have a signed waiver that allowed access to their property; we used that to move the creek. They are experiencing erosion as well. They are aware of it and of the property lines. When the Army Corps approved their permit to move the creek back in 2017, they did so with their consent. The people across the way are aware and concerned. He pointed out the "creek" is a storm sewer; an open catch basin for storm drainage. He felt none of the other houses in question are in imminent danger at this point. He was not certain if it is totally storm drainage or if it

is a combination of storm drainage and soil composition. The Army Corps is aware of both and perhaps should be consulted again for future reference. He wanted to make clear that they do want to proceed, in response to the Mayor's question. Ms. Barath agreed, stating that we will bring this back at the next meeting in January. Mr. Nickell pointed out that he was not offended by Mr. Florence or anyone. He did not feel that it was offensive at all. Mr. Florence stated that he created an air of contention instead of constructive conversation, and that never benefits anyone. Mr. Nickell was appreciative of Mr. Florence coming forward.

Ms. Webber raised question to Mr. Haselton if the initial application were to get approved, what the rest of the process entails. Mr. Haselton clarified that after we submit this pre-application, they could come out and look at the project and determine whether it needs expanded further. This pre-application does not tie us to any specific location at this point; however, to get the ball rolling and look at the project. Ms. Webber commented positively; therefore, it may address some other concerns.

Mayor Antoskiewicz brought up his understanding of the past HOA's. The one prior to the current board, he felt there were plans to do some engineering and geo work etc., however they decided not to do it. He believed this would have helped along the way, to determine some of the causes of what may be going on there. He had heard that past HOA's decided not to spend the money on those types of studies. The Mayor went on to say that we have to get this application filed by November 20, 2023, or we have no chance. We need to get that part of it done and move forward with what else needs to get accomplished; which some may be in need of the cooperation of the HOA. He expressed that he appreciates everyone coming here to speak. He expressed that he also did not take anything offensively. He realized the one resident was being very emotional and he understood the reason. He appreciated him coming up and discussing it. He conveyed that we are here to help. It was the Mayor's hope that we can make it work. We will try to figure out what avenues we can take in order to help. Ms. Barath agreed, stating we are here to help.

NEW BUSINESS

There was none.

ADJOURNMENT

Moved by Ms. Barath, seconded by Mr. Nickell **to adjourn the November 8, 2023 meeting.** Yeas: 3; Nays: 0.
Motion carried. Meeting adjourned at 6:36 p.m.