

**City of Broadview Heights
Work Session Meeting Minutes
August 20, 2018**

Mr. Boldt called the **WORK SESSION** to order at 7:32 p.m.

ROLL CALL

MEMBERS PRESENT: Mr. Robert A. Boldt (Ward 4 Councilor, President)
Mr. Thomas Pavlica (Ward 1 Councilor)
Mr. Brian Wolf (Ward 2 Councilor)
Mr. George Stelmaschuk (Ward 3 Councilor, President Pro-Tem)
Ms. Jennifer A. Mahnic (Councilor At-Large)
Mr. Glenn R. Goodwin (Councilor At-Large)
Mr. Joe Price (Councilor At-Large)

OFFICER(S) PRESENT: Mr. Samuel J. Alai (Mayor)
Mr. Vince Ruffa (Law Director)
Mr. Gary Yelenosky (City Engineer)
Mr. David Schroedel (Service Director)
Chief Jeffrey Hajek (Fire Chief)
Mrs. Amy Jo Washabaugh (Human Service Director)
Ms. Kristina Sorensen (Economic Development Director)
Mrs. Helen Dunlap (Clerk of Council)

OFFICER(S) ABSENT: Chief Vizer (Police Chief)
Mr. Michael Skvasik (Building Commissioner)
Mr. Dave Pfaff (Finance Director)
Mrs. Paula Horner (Parks & Recreation Director)

1. Discussion from the Finance Department. Mr. Pfaff

a. 2018 Delinquent Sewer and Grass Cutting bills to the County

Mayor Alai stated that this is done every year for those that did not pay their sewer and grass cutting bills where we go in and mow their lawns and now this will be put on their property tax bills. This does get reimbursed to the city.

b. Copiers

Mayor Alai stated that council adopted the resolution for copiers from Konica Minolta even though Mr. Pfaff stressed to make sure that the various department got what they wanted and a couple departments weren't happy with the copiers that they received and so we are asking to upgrade the machines to the ones that we really need and that is another \$1,470. He can't talk for the Clerk of Council but she can tell

you why she was unhappy with hers but the Building Department received a slower machine then they had before and they crank out a lot so we didn't want to go backwards in the Building Department and Mrs. Dunlap probably had the same exact problem with hers he could imagine.

Mr. Yelenosky stated that the Engineering Department has actually seen diminished quality with the new printer and at this point he would be honest with council, he would rather have the old printer back and save the city money as opposed to going with this new one. A lot of the information that they rely on are very data intensive images and a lot of that is actually getting lost when they try to make copies. Like he said, he would be fine going backwards and not even asking for an upgrade and he knows that these copiers were a significant cost so it sounds like they weren't sold what we were being told.

Mayor Alai stated that he was going to make mention that Mr. Yelenosky wasn't happy. What he would ask right now is let them look at what we can do for that department as well and see where we will go from here but at a minimum he thinks that we need to upgrade the Building and Clerk of Council and then see what we can do to make that department happy too but we will do it once so he will come back so if we can put this on if there is no change for next week.

2. Discussion from the Fire Department. Chief Hajek

a. **Resolution of Appreciation to Richard Neiden.**

Chief Hajek stated that this is a resolution of appreciation to Lt. Rick Neiden for serving the fire department for 40 years.

3. Discussion from the Engineering Department. Mr. Yelenosky

a. **Resurfacing of Sprague Road**

Mr. Yelenosky stated that he would like council approval to enter into an agreement with the Cuyahoga County for the resurfacing of Sprague Road. The city will be on the hook for 10% of the construction cost and 20% of the design cost. We will be sharing the remainder with the County as well as Seven Hills.

Mr. Wolf asked when we expect to start that project.

Mr. Yelenosky stated that they are anticipating bidding the project in 2020 so sometime in 2020.

b. **Wetland Mitigation Purchase Agreement**

Mr. Yelenosky stated that council should have already received a copy of this agreement through Dropbox. This is for the Rt. 82 wetland mitigation. We have some wetland impacts that are mainly on the northwest corner of Avery and Rt. 82. We will be impacting wetlands in that area and we will be on the hook for \$30,000 of mitigation that we have to purchase about .75 acres of wetlands. This will be purchased in the Trumbull County area.

Mr. Stelmaschuk stated that he understands what Mr. Yelenosky is saying but when he brought it up in the Dropbox it says Trumbull Creek Wetlands.

Mr. Yelenosky stated that they have a mitigation bank where they have basically an area identified within that where people can purchase wetlands that has been approved by the US EPA, the Ohio EPA and the Army Corp. So we are going to be impacting wetlands when we widen Rt. 82 so we have to essentially, there are a number of options, mitigation is by far the cheapest.

c. LPA Agreement for CUY-Broadview Heights TLCI (PID 106826)

Mr. Yelenosky stated that this is just an LPA agreement with the State of Ohio for the intersection of Oakes and Broadview so that we can receive Federal funds. If council recalls, we received TLCI Implementation grant. ODOT is the administrator of those Federal funds. This is just an agreement with them to make sure that we follow everything in accordance with their requirements.

d. Purchase of Real Property for the Rt. 82 Widening Project

Mr. Yelenosky stated that these are some purchasing of property for the Rt. 82 widening. There are a decent amount of parcels and he can go through each one or if council has any specific questions, if they had the opportunity to look. There are 2, parcel 069 and 052 where they are only temporary easements during construction. He will update council on where they stand with the updated spreadsheet as to the ROW acquisition. Right now we are pretty much on track. They have negotiated successfully on a lot of parcels.

Mr. Pavlica asked if he knows how many we have left.

Mr. Yelenosky stated that he believes that the total, the value of what we have appraised and the property that we have acquired based on the appraisals, the property was valued at \$305,000 and we have spent \$314,000 so we are about ½ way there in terms of the actually the number of parcels. Some have gone to appropriations and that process is underway but for the majority of them we are right on track so to answer the question, we are about ½ ways through the acquisition process if not a little bit more with the approval of these ones that are here in front of us tonight.

Mr. Boldt asked if there are any that they are stuck on.

Mr. Yelenosky stated that he thinks that there are 3-4 at this point where we have filled appropriations and there are a handful that will be coming but they have been working with Mr. Ruffa on those.

Mr. Ruffa stated that one is actually been filed in probate court and 3 or 4 more are going to be within the next couple months.

Mr. Boldt asked if Mr. Yelenosky thinks that we are going to have problems or hold up the project due to this.

Mr. Yelenosky stated that he does not think so; we have given ourselves a strict deadline so we have allowed Mr. Ruffa to file those with enough time for action so he does not see it being any sort of problem.

Mr. Ruffa stated that since it is a road project all we have to do is file and we can start the work. It is not going to hold us up. We do not have to resolve the case; the case will probably be resolved well after the project starts. This is one of those few eminent domain items that we can actually start the work because it is a road project before the cases are resolved so it will not be a problem.

Mr. Price asked Mr. Yelenosky to explain a little bit on Parcel 008 and 058 as to the cost or give them a breakdown as to why one is \$13,937 and the other one is \$42,753.98.

Mr. Yelenosky stated Parcel 008, the Pavluk, State Farm.

Mr. Price stated when he brings it up it tells him that we are conveying everything but it doesn't tell us what we are conveying specifically that elevates it to \$42,753.98.

Mr. Yelenosky stated Parcel 008 is the Pavluk that is the State Farm on Rt. 82. He knows that is a big ROW take for us there.

Mr. Price stated that most of them are \$3,200.

Mr. Yelenosky stated that there is a lot of ROW that we are taking; he can specifically look at that one and get back to him.

Mayor Alai added that he thinks that some of these you have to buy the signs so the proper frontage of a residential would be a lot less. He would assume that that is part of the reason.

Mr. Yelenosky stated that it could factor into this one specifically. He will follow up with him on why this one is a little bit more. You can tell that we are \$7,000 above the fair market value and there might have been some negotiation or some further justification that they provided.

- i. Parcel 043**
- ii. Parcel 045**
- iii. Parcel 046**
- iv. Parcel 047**
- v. Parcel 055**
- vi. Parcel 069 Temporary Easement**
- vii. Parcel 052 Temporary Easement**
- viii. Parcel 008**
- ix. Parcel 058**

e. Road Program Contract

Mr. Yelenosky stated that he would like council approval to increase the road program contract by \$325,000 for the campus improvements here. We anticipate doing the campus loop road. If council recalls we received some money for the EOC and we are just looking to repave the loop road around the campus here and do the parking lots.

Mr. Stelmaschuk asked if that includes the new parking lot.

Mayor Alai replied yes.

Mr. Stelmaschuk stated that he has had residents complain to him about the roads here so he is glad that we are getting them done. We need to get them done. He thinks that we have maintained them well but you have to redo them every once in a while so it will go good with the new center.

Mr. Yelenosky stated yes, ideally that is the timing that we would like to get it done before the rec center and that is why they tried to prioritize it this year. That is the reason for the change.

Ms. Mahnic stated that this is an additional \$325,000 from the already approved budget.

Mr. Yelenosky stated that this would be a modification to our contract and it would be an increase of \$325,000 but this money is coming from the EOC and he thinks that it is called the campus improvement fund where we have some money set aside. He just needs to amend that contract to include that.

Mr. Boldt asked if any of this is coming out of the recreation levy.

Mayor Alai stated yes.

f. Change Order for Wright and Overlook

Mr. Yelenosky stated that this is a change order for Wright and Overlook. He is asking for council approval to increase that \$42,781.65. The contractor hit some rock on Wright Road and some unmarked utilities. He coordinated with Cleveland Water and they have agreed that this amount is justifiable and we will be looking for reimbursement at the end of the project from Cleveland Water.

Mr. Pavlica asked if the additional amount \$115,000 or is it \$1.560 million.

Mr. Yelenosky stated that the total amount is the \$1.622 on that change order. What you don't see is that this \$42,781.65 is kind of imbedded in that. So that \$115,000 was the amount that it cost us for the concrete pavement on Wright Road.

g. Avery Road Street Striping Removal and Avery Road Widening for Bike Lane

Mr. Yelenosky stated that council should have received the cost for doing that 170' strip just north of the Avery Rd. bridge by the pump station to increase that a total of 2' and to redo the striping. In total it would cost us \$23,800 to do that area so he is looking for council's approval or discussion from council to move forward.

Mr. Pavlica stated that this will add the bike lane as originally proposed, right?

Mr. Yelenosky stated that it will add the 2' to the existing pavement. We did widen it through that section but it is going to include an additional 2' as well as take care of the area that the county did not widen.

Mr. Pavlica asked which side of the street this will be on.

Mr. Yelenosky stated that this will be on the west side. So if council approves, we will need to increase our contract by \$23,800.

Mr. Price asked if it will be designated and marked as a bicycle lane.

Mr. Yelenosky stated it will not. That is a tough area for pedestrian activity given the speeds and the degree of the slope of the road, sight distance, but it will at least allow pedestrians to be off the roadway or outside of the striped area.

Mr. Price asked if he is going to stripe the berm though and give them that room.

Mr. Yelenosky stated that the berm will not be striped, there will be an edge line, but it will give them a berm to walk, a paved berm.

Mr. Boldt stated so it will be like Broadview, you will have the white line and then 2' to the outside.

Mr. Yelenosky stated the Broadview is a little wider but theoretically that is the same thing. There won't be any hand striping of a bike symbol or anything but it will allow a pedestrian to walk off of the road.

Mr. Price asked if the standard has changed for a bike lane. Is it supposed to be like 6' now or something like that?

Mr. Yelenosky stated bike lane he believes that it is supposed to be 5'. But again, we wouldn't stripe it. It wouldn't be advertised as a bike lane so like any other pedestrian walking on a roadway; it would be at their own risk.

Mr. Price stated that when Broadview Road was done he does not think that it was 5' then.

Mr. Yelenosky stated that he thinks that there might be a difference when you talk about curbing as opposed to non-curbed with a bike lane.

Ms. Mahnic asked that the total feet on the area where the pedestrians could travel is how much? We are adding 2'? How much is there now?

Mr. Yelenosky stated that in total it would probably taper from 4' at the widest and varies all the way down to maybe 2 3/4' because you are going along the curve of the road.

Mr. Price stated that it feels as though we are swapping out, or we are trying to put this in to try and comply with the ordinance but we are not complying with the ordinance.

Mr. Yelenosky stated that we did widen the road by 2-3' already and there is an area there that needs to be widened because the county didn't do that as part of their operations but we would be going and extending that even further.

Ms. Mahnic stated that it is an efficient, economical compromise.

Mr. Boldt stated that it is a step. He is not happy with it at all but guess what, it is a step closer.

Mr. Yelenosky stated that his department has received some positive criticism about the paving of Avery Road and he has seen an increase in pedestrian activity.

h. Avery Road Widening for Bike Lane

This was discussed above.

i. OPWC Award for Broadview Road Water Main Break

Mr. Yelenosky stated that this is the OPWC emergency application for the Broadview Road water line repair. We were able to receive some funds for that emergency repair. He believes the amount was for just over \$61,000. He is just asking council approval to accept those funds so we will ultimately be on the hook for just over \$6,000.

4. Discussion from Council.

- a. Civil Service 2016 update. Mr. Pavlica (Remove per Chief Vizer)

5. Discussion from the Human Services Department. Mrs. Washabaugh

- a. **Accepting Donations**

Mrs. Washabaugh stated that she is looking for a resolution to accept the donations received from January through June 30th.

6. Discussion from the Service Department. Mr. Schroedel

- a. **Approval of Mason Mechanical quote for Historical Society HVAC system and repealing Resolution 2018-60**

Mr. Schroedel stated that council previously approved a vendor to install the HVAC at the Historical Society building. That vendor is unable to perform the work so he would like to rescind that and go with the second bidder which was Mason Mechanical and they are able to perform the work in a timely fashion and it will be paid for by the \$150,000 grant secured by Ms. Sorenson.

7. Discussion from the Economic Development Department. Ms. Sorensen

- a. **Giant Eagle Vaccination Program**

Ms. Sorensen stated that she is asking to execute the agreement with Giant Eagle who would like to come in and do the flu shot immunization for all of the city employees and they have offered us to option to do that on Wednesday, September 19th.

COUNCIL OPEN TO THE RESIDENTS

None this evening.

COUNCIL DISCUSSION

Ms. Mahnic stated that the Service/Safety met today and they discussed the Drug Mart project and everything looked good with the calculations for water retention, fire and safety can get around, they had some questions about the landscaping for the residents, the residents as far as we know didn't have any complaints with the way that it was presented so they moved it on to the Planning Commission with their blessing. They did talk about the fencing issue that was brought up at the last Service/Safety meeting. Now the Service/Safety meeting before break discussed the new townhomes that are being built in that area, but residents came and spoke about a different property and on this different property there was some history about a fence. Over break they forwarded that information to Mr. Ruffa. At today's meeting they officially made a motion to carry that to Work Session because they think that it needs to be something that they are discussing and handle. Mrs. Dunlap said that she gave additional information to Mr. Ruffa today.

Mr. Ruffa stated that back in 2004, this is the Pin Oaks Condominiums, one of the stipulations for the approval of the project was that there was supposed to be a solid 6' white vinyl fence so that is in the minutes and then there is an agreement between Tollis Construction and a couple of the residents that there would be a fence that went up as well. Ultimately in his opinion, if they are going to be coming forward for approval on anything else he thinks that they absolutely have to resolve the issue.

Ms. Mahnic stated that this is a different property.

Mr. Ruffa stated what does she mean a different property. He thought that this was the next phase.

Ms. Mahnic stated that it is a different property.

Mr. Goodwin stated that the property has been turned over. It is a new possession.

Mr. Price stated he thinks that it was a continuation.

Mr. Ruffa stated the same people who own it now.

Ms. Mahnic stated that it is 2 separate properties.

Mr. Ruffa stated that he understands, but is it, that was phase one and this is phase 2.

Mrs. Dunlap stated that yes, but according to the motion it says for the entire Pin Oaks, both 1 and 2.

Ms. Mahnic stated that this is phase 2. It is a different parcel but it is phase 2.

Mrs. Dunlap stated Pin Oaks and Pin Oaks 2.

Ms. Mahnic asked where we go from here.

Mr. Ruffa stated he does not know why it was never enforced. He is going to have a conversation with Mr. Skvasik in the Building Department and proceed from there because this should have been installed back in 2004.

Mr. Boldt stated that it was never built. That is why they never built the fence, they never went forward with the project but to Mr. Ruffa's point, he thinks that Mr. Skvasik should bring in a large map with the designation and they can talk about it at the next Work Session so that everybody is on page of what this entails.

Mr. Price stated that at one point Mr. Salupo did say that he would install that fence the whole length of course along both phase 1 and 2. He does recall him saying that.

Mr. Boldt stated that he did say that and he also heard them argue that they do not own the property so there are a bunch of different conversations going on. He just wants to make sure that this council is united with the administration about what needs to be done as we go forward.

Mr. Ruffa stated for what it is worth, he believe the individual that claims didn't own the property back then signed the agreement back then that it would happen. He is just saying.

Mayor Alai stated that he agrees with Mr. Boldt. We can't right the wrongs of 10, 12, 14 years ago, we can only deal with what is in front of us now and he does believe that they all need to be on the same page with what they ask the developers to do.

Ms. Mahnic stated that lastly the storm sewer projects that the administration has been working hard on, they are going to have their discussion about that on September 4th. It would be great if everyone could come.

Mr. Pavlica stated that he received an email today from a resident about the traffic light at Rt. 82 and Avery and with Harris Road bridge being closed at this time and now with school starting up again it seems that there is more traffic on Avery than ever before and he was wondering if the city could possibly re-evaluate having the lights timing changed.

Mr. Schroedel stated that they received that email too. They pretty much agree with the resident that it seems like common sense thing, the police wanted to evaluate it before we change the signal timing and they are in the process of doing that right now. As soon as they hear back from the police department they will make those changes.

Mr. Goodwin asked if they could also look at Taylor Drive and the other CAT drive, those 2 lights there seem to be extended periods of time, maybe more than they need to relieve the traffic coming out of those businesses in the evening which hold Rt. 82 up. He has heard from other residents that Rt. 82 should flow a little more freely but those lights last so long relieving those 2 little stubs for the business basically.

Mr. Schroedel stated that he can request that the police department take a look at those. He does hear from people on Taylor and Kenmare that the lights aren't long enough but he will talk to the Chief.

ADJOURN

Mr. Boldt stated that with no further business to come before council, this meeting is adjourned.

The time was 8:01 p.m.



HELEN DUNLAP, CLERK OF COUNCIL



ROBERT BOLDT, PRESIDENT OF COUNCIL