

Finance Committee
Monday, March 9, 2020
6:00 p.m., Multi-Purpose Room

In attendance: J. Coyne - Chairman, E. Heffinger, P. Rose, and J. Shields. B. Lamb, D. Simpson and J. Hazeltine were absent

Also present: Mayor Hanwell, Greg Huber, Keith Dirham, Patrick Patton, Nino Piccoli, Jonathan Mendel, Jansen Wehrley, Mike Wright, Teresa Knox, Dan Gladish (6:38p), Sandy Tomazic, Clint & Sandy Delafield, Gerspacher, Agnes & Terry Keenan, and Bob Finnan.

1. Assignment of Requests for Council Action

2. 20-047-3/9 – Budget Amendments

#2020-003 – Donation Medina Rotary

Mr. Dirham stated this is a pass through from a donation and appropriating the money to spend it. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

#2020-004 – Donation /Fencing Repairs Regan Field #6

Mr. Wehrley stated Board of Control approved this. It will assist in half the cost of repairs. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

#2020-005 – Donation Miracle League – Sam Masi Park

Mr. Wehrley stated this donation is to cover the cost of a small rider sign. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

3. 20-048-3/9 – Accept Donation Evening Rotary Club for 9-11 Monument

Jansen stated this is to set up a specific account so they know when they are spending the money and what purchases are for. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

4. 20-049-3/9 – Water connection – 5528 Lafayette Rd.

Mr. Piccoli stated the two parcels are on Lafayette that want water city taps and owner is outside of city limits and is aware of the cost. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

5. 20-050-3/9 – Increase Expenditure – Signal Service Co. – Street Dept.

Mr. Piccoli stated the city has had two poles struck with significant damage. One was by a semi-tractor trailer at the corner of Lafayette and S. Court Street with no witnesses. They have talked about putting a camera down there because it seems to happen more often. The second pole hit was at East Friendship and North Court and they run about \$12,000.00 if not more to replace. This is why the increase is being requested.

Mr. Rose asked about the cost of cameras and Nino stated that it could cost hundreds of thousands of dollars for a whole network system.

Mr. Coyne suggested putting in concrete barriers in particular spots where this is an issue. They serve their purpose as to stop a truck. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

6. 20-051-3/9 – Letter of Arrangement – 2019 Financial Audit

Mr. Dirham stated the state auditors chose to do the audit themselves and we don't have a lot of choices. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

7. 20-052-3/9 – Purchase Game of Time Fitness Equipment – Ray Mellert Park

Mr. Wehrley stated this is to purchase and install fitness equipment at Ray Mellert Park under the 2019 Community Development Program Project Category 1. The grant was awarded last year for us to complete the fitness loop. Fitness stations will be directly off of the path for the amount of \$32,500.00 through AMNIA Partners. GameTime Equipment has a five year contract. Second phase will be the asphalt work. Functional equipment, handicapped accessible and more geared for use by seniors especially since senior housing is just adjacent to the park. Cameras are in use and equipment will be located in the viewing range. Mr. Rose questioned liability and Mr. Huber stated we have sovereign immunity and defenses in terms of liability with use of something like this. Jansen stated they went with poured in place rubberized surface underneath it for fall protection. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

8. 20-053-3/9 – Amend S&B, Various Sections – Tree Care Technician

Purpose of this is to change the Salary and Benefits code 31.05 Parks and Recreation Department assignments to add a full-time Tree Care Technician and eliminate the part-time Tree Care Technician from 31.02 and 31.05. Section 31.04 has a special regulation concerning the part-time Tree Care Tech, this needs to be eliminated. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

9. 20-054-3/9 – Resolution – Property owners to complete Lindenwood Lake Dam Improvements

Mr. Patton stated this has been talked about in finance before, it goes back over two years since we started this process. Lindenwood Lake is a lake in Forest Meadows and has an earthen dam with an outlet structure and is privately owned and there is an association involved. The outlet structure is in need of repairs because it is close to 50 years old and is severely corroded. The association has asked the city for help. The city agreed to go ahead and prepare the plans and get them approved and come back to council with the idea that we would ultimately assess the costs of those repairs to the property owners and that is where we are today.

The dam is under the jurisdiction of the Ohio Department of Natural Resources which means they had to get the plans approved by them and it was a lot of hurdles to jump over. They did approve it on December 26, 2019 and now it needs council's approval to move forward, as opposed to a typical project where we just ask for bids this one does include that element of assessment which we are not that familiar with this is a new process for us. The city did engage a consultant because we've never done a dam project before we paid a little over \$9,000.00 to advise and guide us through the ODNR process, also spent almost \$2,500.00 on surveying to Cunningham & Associates. The City Engineer office has put together plans and drafting and that

sort of thing. Mr. Patton stated he doesn't have a cost figured for all that but it is approximately 120 hours. There would have to be repairs to the park driveway also due to that being the only access to the dam. Damage would be created from all the trucks of stones and concrete. Mr. Huber pointed out that that item is not eligible to be cost recovered and repairs will be up to the city for any of those repairs. \$15,000.00 is Patrick's estimate.

Mr. Coyne asked for an estimated guess on the time the City Engineer Dept. has spent on this project so far. Mr. Patton guessed about 100 to 120 hours so far.

Patrick stated the city in the past would essentially finance the project, in other words we would put up the funds and go through an assessment process over a period of years to be repaid. Mr. Coyne suggested the cost to the city could be about \$60,000.00 and Patrick stated that was fair.

Mr. Patton stated just to make it clear to the rest of committee members that we have another dam – very similar project on the FOHA dam and that will follow this very quickly too. So we are kind of setting the stage here for the next one. Pat stated the design came from the Engineering budget, the general fund, and the road repair he has not really thought about yet he is not sure where that will come from, maybe the 108 Fund.

Mr. Huber stated the state law allows the engineer to look at a lake like this to determine it needs to be cleaned out to remove obstructions and hazards and in this case the overflow and some of that structure is getting to the point of potentially becoming hazardous. Council has to pass a resolution and the resolution is then sent to property owners and if you are a person who owns more than one partial on that lake, then you get this twice because you are an owner and that's defined the terms of owner. You would send the owner notice of the resolution, the city has to define a time within which the work has to be performed and if the work is not performed then the city can and is permitted to come onto the private land and do the work.

Mr. Coyne asked if council can make a determination of how long to assess it, but the recommendation would probably be to assess it a little longer as allowed by the law. Patrick stated you can't have an assessment period longer than the expected life of the structure. John suggested 20 years.

Mr. Clint Delafield spoke on behalf of the lake residents stating the dam was reclassified in 1999 from a Class 3 dam to a Class 2 dam and that is because of the sanitary sewer line that runs through the dam. Clint stated they serve two public goods, one is they protect that sanitary sewer line and provide that service and the line is managed by the county but owned by the city and in addition we have three inlets into the lake where we take runoff from about 50 homes in the Forest Meadow subdivision as well as considerable runoff which has dramatically increased since the deforestation took place and the expansion of the High School and parking lot put in. Clint feels there is a lot of additional cost being put on the home owners although they are very grateful for the services and assistance that they have received from the city, but they obviously would like more in terms of the price tag going from \$120,000.00 ballooning up to \$250,000.00. This is due to the classification of a class 2 dam because of the sanitation sewer line running through there.

Mr. Gerspacher spoke of the other source of funds is from what the city used to have as late as 2003 and that was the storm water management utility where funds were collected for storm

water management. Mr. Gerspacher wants to revisit that ordinance and spread cost not just onto private owners.

Mr. Rose stated he was on the committee and it was given up because of income tax increase. Mr. Coyne stated the city's involvement as far as funding any kind of fix or dredging or improvement would incur additional liability on the city because of our involvement in the use of spending of public funds related to that involvement. The city's involvement whether it be funding it or actually fixing it, would open us up to additional possibility of liability of being our ownership of it or viewed ownership of those lakes.

Clint spoke of some of the repairs over the years and how ODNR has been inspecting this dam as part of their Dam Safety Program. Who do we ask Keith, and how do you determine the length of time of the improvement and how do we pick a year. Keith stated he will talk to Greg and look into it.

Mr. Huber stated we would need an agreement with all property owners.

Mr. Gerspacher stated since they do have a lake association that is signed and recorded on everyone's property, could you deal with just them instead of 14 property owners.

Mr. Huber stated the only entity that he is directed to deal with is the owners and that is right in the statute.

Going to assess owner and not by parcel.

*On Hold

10. 20-055-3/9 – Bids, Job #1018 Lindenwood Lake Dam Improvements

Mr. Shields moved to make a motion to put the Lindenwood Lake Dam improvement out to bids, seconded by Mr. Rose. Motion passed 4-0.

11. 20-056-3/9 - MOU w/Medina County Soil & Water Conservation District

Mr. Patton stated this has to do with our EPA storm water permit that we are required to have. The 5 year term expired. Mr. Shields moved to approve, seconded by Mr. Rose. Motion passed 4-0.

There being no further business before the Finance Committee, meeting adjourned at 7:23 p.m.

John M. Coyne, Chairman