

STORMWATER COMMITTEE MEETING MINUTES

Monday, November 20, 2017

Present: Members: Matt Hasel, Chairman; R.J. Hickey, Vice Chair; Sally Roth; Frank Horvath; Ken Hummel; Steve Herron (Council Representative). Attending: Lynn Miggins, City Engineer; Mayor Eileen Bulan; Tony Valerius, Service Director.

CALL TO ORDER:

Chairman Matt Hasel called the Monday, November 20, 2017 Stormwater Advisory Committee to order at 6:00 p.m.

APPROVAL OF MINUTES:

S. Roth MOVED; R.J. Hickey seconded to approve the minutes of August 7, 2017. Vote 5 YEAS.
MOTION CARRIED.

OLD BUSINESS:

Liberty Avenue Stormwater – M. Hasel said as a committee they had asked for some ballpark numbers on an estimated cost with regards to this project. L. Miggins distributed a sketch to the members showing the drainage area that was included in the Elberta Trunk Sewer project that was designed in 2013 and was taken out to bid in early 2014. South of Liberty Avenue covers the property between Liberty Ford (west) all the way to the Liberty Car Wash property on the east. To the north it covers the entire Elberta Road and from there to the east is roughly where the Elberta outfall is. The bid for this project was roughly \$950,000. It tied into all the property along the way with individual laterals and individual inlets to capture the stormwater. However, council at the time determined that funds were not available to do this project. The \$950,000 accounted for the construction costs alone and there would have been additional costs for construction, inspection, and administrative services, which is around 10% of the project. So, this was well over a \$1 million project. At that time, council chose to do a drainage project along Elberta Road that opened up all the ditches and put in new drive pipes and it allowed for the eventuality of the drive pipes being enclosed by individual property owners. Ditches that are open ditches can carry more water than piped in ditches, so the pipe size along Elberta got to be pretty large at the north end of the road. There were a number of unhappy residents because of this. If they could have assured the ditches would have remained opened, they could have gone with smaller pipes, but the city ordinances do permit property owners to enclose their own ditches, so they had to go with larger sizes. She said if they were to build something like this today, they would take the trunk sewer up Niagara rather than Elberta. Also, Morton Road would be another option. The west side of Elberta Beach that abuts up to the Crystal Cove Condominiums is the end of the drainage area. Properties to the west drain to another outlet; they don't come to the Elberta outfall. The city does have a 20' strip of property along Niagara Road and is where the properties on the east side abut up to Edison Village and to Kingston. Even if they were willing to build the trunk sewer in that 20' strip of land and not tie into all the individual properties; just make it a trunk sewer basically to service the properties on the south side of Liberty; once adding up the costs of all the main lines on Liberty and the north/south run, it was still about \$600,000. Especially, on the north/south run; pipes are like 48" or 54" in diameter. Even if they chose to not run it down a street and not to have all the costs of time in the individual property owners, you'll still have a sizeable project on your hands. You would have to add 10% to the \$600,000 for engineering inspection services.

M. Hasel asked if there are people who are not aware of the 20' strip of land that have built structures, and would that be any kind of issue if this was the path chosen. L. Miggins said it is being used to the fullest

extent as someone's rear yard. She said it's a huge price to drain this triangular area south of Liberty Avenue. Liberty Ford does have a detention pond of its own and she hasn't looked in detail at all of these properties and what stormwater management facilities they have on them.

M. Hasel asked if the old Erie Appliance business is encompassed in this and L. Miggins stated yes. M. Hasel asked if there is any other business that has expressed concerns with stormwater issues in this area, or is it really just the Erie Appliance property. L. Miggins wasn't aware of any others; the Dewey Furniture area has always been an issue, but its west of here and Dewey Furniture drains into a different outfall. M. Hasel asked if there was any way to expand the triangular area, or do the grades just not work. L. Miggins said the drainage area breaks and goes in the opposite direction. R.J. Hickey asked if this is on the edge of his property or is it on the Giant Eagle property. L. Miggins said it is the Giant Eagle Shopping Center and then Dewey is to the west of that. The last lot is the Liberty Used Car Lot and Collision Center.

R.J. Hickey said relative to the ditch that runs down the Norfolk & Southern line is there any way to pursue conversation with the railroad as far as tying into that. L. Miggins said it's always something the city could pursue but frankly she doesn't think it has much chance of success because the grade of the land is flowing away from the railroad. Even if they could get sewers to run south; actually in the Woodlands area just east of where they are talking, the railroad is making a fuss now about the fact that this subdivision drains into their property. Of course, it's been doing that for 25 to 30 years, but the railroad has sent the city letters and they are not happy about the city draining into their ditch. Even though on that side, it is the natural flow from south to north and it happens to ultimately go to their railroad ditch. K. Hummel asked if the railroad ditch flows into the river. L. Miggins said they all end up in the river or lake.

M. Hasel said as they continue to assess the different projects in the problem areas of the city, this will definitely stay on their list.

Riverside Drive Drainage – M. Hasel said he visited Councilman Loucka a couple weeks back after the stormwater committee was in receipt of a letter and pictures from him. Therefore, M. Hasel said he went to the area and took some pictures and measured that the problem area is 80' from a catch basin. He said they had asked if there were any type of budgetary numbers or estimates on this. L. Miggins said he and T. Valerius have visited the site several times. She believes it's more of a paving project than anything else. The road is kind of caved in, so for lack of a good base, the road has been beaten down by traffic, so those areas are now holding water. The right way to fix this is to do a deeper excavation and remove the pavement, and put a good base in and put a nice new asphalt surface on it. There might be another catch basin called for. The one thing they noticed earlier in the year when the river was quite high is that there was water in the catch basin and it could only take on so much water if they can't push it out into the river. Everyone would rather have water off on the sides of the road than on the traveling surface. It seems like something they could do a good job with is a full depth pavement replacement, but they probably have to spend in the neighborhood of \$15,000 to \$20,000 to do it right. If they just overlay the area, they will have the same sinking happen again after a few years. R. J. Hickey said there isn't much left now and he thought he was driving through a gravel portion.

M. Hasel said he agrees with the assessment on the pavement, but he kind of questioned if they were relying on street funds to address the street. Therefore, would it hurt for the stormwater committee to look at putting a catch basin in now and prolong the pavement life, and then the whole road could possibly be resurfaced and addressed as one. He asked the engineer if she thought if a catch basin or maybe a swale was dug out that it would be wasted time if the street was repaired in the future. L. Miggins said they would have to see how they can get the water off the road. M. Hasel thought if they created a little swale to get to this basin, or they put a catch basin that is level with the pavement and have 80' of pipe tie into that; it doesn't seem to be a major expense to put this in and it could easily solve the problem right now; especially

if it would help when the roadway were to be fixed. L. Miggins asked if he was talking about trimming the berm and M. Hasel said yes or putting the catch basin in and 80' of conduit to tie into that as an option. If it helps the roadway drain after the roadway was fixed, then he thought it would serve two purposes.

R.J. Hickey believed there are some porches and fences in the right of way and the city has just put up with it. F. Loucka said on the east side there is nothing there and that is where the water would drain. The berm is much higher than the pavement. M. Hasel said he would think that the existing catch basin would have been put in the right of way and they could use that as a reference, and he thinks there would be plenty of room if the stormwater committee would want to make this recommendation to help solve this problem without necessarily relying on the streets. R.J. Hickey said to do it right it should be tied to a streets project and it all should be done at the same time, so they don't have to modify it later to accommodate whatever changes you make in the street. It should be a combined project. T. Valerius said it could be done right now, but the only issue would be the height of the catch basin. You want to make sure the height is at the same level of the street. However, a catch basin could be put in right now. R.J. Hickey presumed with the street work they would raise the grade to at least the level of the water they are looking at. M. Hasel asked if putting a catch basin in with 80' conduit is something the city could do or is this something that has to go out to bid. L. Miggins said they would have to look at the elevations. R.J. Hickey asked if the city has the manpower to do this. T. Valerius said this is a project they would sub out. F. Loucka said if the pavement has to be raised couldn't it be part of the stormwater funds since it's a stormwater issue. T. Valerius said it could be but they would have to discuss it with the finance director to see if the costs would be a shared between the streets and stormwater funds. R.J. Hickey said he would hate to see stormwater money stretched, and would rather see it used strictly for stormwater. S. Herron agreed that stormwater funds should go to alleviate the drainage, but it's up to the finance director of how he thinks the project should be allocated.

R.J. Hickey MOVED; S. Roth seconded to recommend to the administration to put in a 2' x 2' precast concrete catch basin and to match the outlet size. Vote 5 YEAS. **MOTION CARRIED**.

NEW BUSINESS:

Stormwater Budget Summary – M. Hasel said currently with the 2018 projections, the commercial fees are capped at \$30.00 per month, which will increase to \$60.00 in 2018. He asked what the funds are today and what they will go up to once the cap increases to \$60.00 per month. T. Valerius said he received some figures from the finance director and it stands at \$88,040. For 2018, it is expected to be around \$400,000. M. Hasel asked if this number includes the debt taken out. R.J. Hickey believed the first \$3.00 of the \$5.50 stormwater fee is pretty well committed to principal and interest retirement. So, he asked if the \$2.50 difference is generating the \$400,000. M. Hasel believed it was before anything was taken out because they were at \$190,000 before the increase. R.J. Hickey said then slightly over half of this amount won't be available, so they are getting down closer to \$180,000. M. Hasel said it looks like they have around \$200,000 per year they are able to spend on stormwater projects.

Chapter 1080.08 (Deposit and Proceeds of Collections) – M. Hasel said when they were looking at the rates previously, the committee had recommended to council to increase the maximum of the first \$100,000 to \$200,000 that is collected each year and that is directed to debt reduction for capital projects for stormwater drainage improvements. This will include renovation and installation of stormwater sewer systems. He said this would help tackle some of the larger stormwater issues in the city and he thinks during council discussions on the rates this recommendation was lost in the mix and it wasn't really addressed. Therefore, as a committee they need to discuss whether they want to re-recommend the \$200,000 to council for the capital projects. Currently, they would only be able to spend \$100,000 of the \$200,000 collected year each on any major projects. M. Hasel said given any year if they spend or borrow

out of the fund, you're only allowed to spend \$100,000 on a major project. Originally, as a committee they had made the recommendation to increase this to \$200,000 and it was never acted on, so he asked the committee if they wanted to reintroduce this to council. L. Miggins believed this section says they can't incur debt that would make the city's debt service more than \$100,000. She said the debt is pretty much already committed to the \$100,000, so if they want to do larger projects and borrow then the \$100,000 limit needs to increase.

R.J. Hickey MOVED; K. Hummel seconded to re-recommend to city council to amend Chapter 1080.08 entitled "Deposit and Proceeds of Collections" to increase the annual \$100,000 to \$200,000 for payment of debt. Discussion: S. Herron said the clerk can put this recommendation on the next Finance agenda in December. Vote 5 YEAS. **MOTION CARRIED.**

Stormwater Problems by Ward – M. Hasel said the committee was given a list of \$5 million worth of projects back in 2015, and they have had other items introduced that have likely been added to this list. Now that the stormwater fee has increased and they are making the recommendation to increase the \$100,000 to \$200,000 for payment of debt, then they would like some help in prioritizing the stormwater projects by ward. The list of 31 items given to the board provides addresses, but maybe if the list can be updated to include wards and then have each council member give one or two of their priorities, then it would help them out as a committee as they are looking to prioritize the projects. He asked council to provide their priorities to the clerk by email prior to the next stormwater meeting.

F. Ostrander said at South Shore Court the water is from areas other than South Shore. As a group, they need to look at the rules on the books in addition to addressing the issues per ward. They need to look at stormwater problems that are caused by other areas, such as adjacent properties because those property owners should be forced to deal with their issues before the city pays to accommodate them. M. Hasel asked Fred if they should be reviewing the ordinance as far as maintaining the existing systems. R.J. Hickey agreed that some of these stormwater problems are coming from adjacent properties. He asked if a property owner is allowed to raise their grade. L. Miggins said any property owner can apply for a grading permit. She noted that when Keith Sexton submitted plans to the Planning Commission he was raising the grade of the building, but he was also putting in a stormwater management basin because he has to follow the current rules. R.J. Hickey said maybe they should look into having council change the commercial formula. L. Miggins noted it is in the formula where commercial properties can get a 50% reduction.

B. Brady said in Vermilion on the Lake they had their sanitary lines rehabilitated about 10 years ago, but every time they get a heavy rain they get sanitary backup. It's getting to the point where people can't flush their toilets, use their sinks, or run their dishwashers or washing machines. It's getting criminal! She said two weeks ago they had a lot of rain and people are getting flooded in their house with sanitary water. The city at this point doesn't seem to have a solution, so she asked the board to spend some money for a study to find out how this water is getting in. Back in 2007, Underground Utilities submitted a proposal for \$24,000 to look into where the water was coming from, whether it's through laterals or downspouts. She said Aldrich and Woodridge are at the high end, but nothing between Woodridge and Lansing was charging. M. Hasel agreed this is a frustrating problem but questioned how the ordinance is written from a city level, but with it being a sanitary he understands that it is stormwater that's infiltrating the sanitary lines. R.J. Hickey said most of those lines are clay tile and they are deeper than the storm system and most of the older homes are tied into it because they are based on gravity fall, so their footer tiles are running into it. However, when the water table comes up above the level of the sanitary system you're going to get water because the system is immediately inundated with water. Unless they go to a PVC water tight system; unlike the clay tile that is currently in use, you're never going to be able to keep the stormwater out of there when the water table comes up above it. He said until they get money to replace the sanitary system it is what it is.

Homer Taft of 3972 Edgewater said he is one of the victims of what Councilwoman Brady just mentioned. With respect to the last comment he would disagree as it's a matter of enforcement from what he can see. He doesn't think its ground water coming in laterals; when there is more than an inch of water those sanitary sewers overflow and flow into the stormwater drains, and eventually empty to the lake. He assured council that when this happens for a few hours, the city is not in compliance with federal and state law. Something needs to be done about this. If they go up and down the streets he is sure they can find and make reference to the fact that many of the houses tie into their drains underground. If you see a drain going from a roof to a gutter to the underground, then you know it's not going to a storm sewer. R.J. Hickey said it could be depending on the availability of a storm sewer. H. Taft said if there is a storm sewer, but mostly in the Vermilion on the Lake area there is not. Quite obviously, when you get an inch of rain and instantly everybody cannot flush their toilets, cannot use any water in their house and literally some of them have sewage coming up into their homes every time this happens. Also, you have sewage flowing into your stormwater ditches which is what they have in this area. It's because people's roof drains and gutters are tied into that system illegally. It doesn't take money; it takes enforcement! He is hoping between the administration, the council, and the stormwater committee they can get some enforcement of requiring people not to dump. He has heard allegations that maybe some large facilities dump in the area and cause the problems, but he doesn't know. He does know that it isn't a couple hours later when the groundwater goes into clay tile; it's instant! This means it's coming from roof water by and large.

L. Miggins agreed it is terrible that they have these events in VOL. They have suffered them over the years and this isn't something new. There was a plan back before Mayor Bulan took office to put in some storm sewers in VOL. Putting in storm sewers will help collect and capture the stormwater before it can fill up the sanitary sewers and take the clean water out to the lake. However, the council at the time chose not to go forward with the first phase of that project. Obviously, these are expensive projects. She can resurrect the plans that were prepared at that time as they were bid ready. The financing was the issue, so the project was never built. One way they can help this area is to put in a real storm sewer system. To a lesser extent, but also would be an improvement, is just to walk down the streets and open up the ditches and replace any blocked drive pipes to get the ditches moving. You'll capture the surface water and take it out to the lake; rather than sending it into the sanitary. The other thing, in the Elberta Beach area the sanitary pump station that serves that area has a large equalization basin. It has a huge underground concrete tank that will capture the wet weather flows; the mixed sewage flows and storm flows preventing it from backing up into homes. The VOL pump station does not have an equalization basin, so the city could construct any equalization basin but it's a \$1 million project. It would capture that first wet weather flow rather than surcharging the sewers and sending it into the basements. The other thing is that you can't set aside the existence of leaky laterals as there certainly are some. They can be relined or replaced but the way the city has always approached laterals is that they are the responsibility of the property owner. In the early years, when Mayor Bulan was in office, there was a lot of work on the Underground Utilities report in tracking down sump pumps that were tied into sanitary sewers, and when they did smoke testing, the city went around making sure they were disconnected. They can have roof drains running into the sanitary sewers. M. Hasel said it sounds as though earlier investigation has occurred.

R.J. Hickey said he isn't a big fan of relining and by the time you dig it up and repair it, it would be better to do a full replacement. As far as the integrity of the system, there is no comparison between a lined system and a new system. In addition, he believes a lot of the original sanitary work and storm work was never sized to accommodate the number of homes that are on it today. L. Miggins said all of the sewers in VOL were lined and all of the manholes were repaired to make them water tight. But it was done many years ago. B. Brady said the people that have lived in VOL forever and their streets have not changed, but they say for the past 15 years they all of a sudden are getting sanitary backup, so something changed. The water is backing up into the streets way before it even gets to the detention basin in Showse Park.

M. Hasel again asked council to provide their highest priority problems so they can start focusing on them.

Homer Taft asked if it was legal in Vermilion to empty their stormwater into the sanitary system. M. Hasel said it's not legal. H. Taft asked why the city isn't stopping it. S. Herron said this is an issue for the administration to enforce it.

Adjournment:

S. Roth MOVED; F. Horvath seconded to adjourn the meeting after no further discussion came before the committee. Vote 5 YEAS. **MOTION CARRIED.**

Announcement of Meeting Date:

The next meeting has been scheduled for February 5, 2017 at 6:00 PM.

Gwen Fisher, CMC, Certified Municipal Clerk