

The Utilities, Safety & Environment Committee

held a meeting on

Wednesday, March 9th, 2022 beginning at 6:00 P.M.

PRESENT: Committee Chair Mitchell, Members; Davis, Oswald, Simmons, Corbin

OTHERS PRESENT: Law Director Breunig, Engineer McKillips, Parks Dir Reardon

1. Approval of the February 9th, 2022 Utilities Committee Meeting Minutes.

Mr. Oswald moved and Second by Mrs. Simmons to approved the above mentioned Committee Meeting Minutes.

2. The matter of an ODOT Grant Application for the ‘Safe Routes to School Program’.

Referred By: Engineer McKillips

[This is a continuation of the discussion on this matter from the February 9th meeting]

Engineer McKillips said this was passed at the previous meeting and it was pulled because they had discussions with Law Dir Deery and Councilperson Lipian. Engineer McKillips and Sarah Tilly of the Lorain County Health District had been working with ODOT and the scope of this grant and based on comments from ODOT they decided at the last minute to change the scope and the locations of the work that’s going to be done if we received grant funds. In order to make the grant more competitive they scratched what was planned and started over.

Engineer McKillips read what was actually submitted. The proposed project includes replacing sidewalks that are past their useful life, installing new sidewalks where none exist, removing trees and stumps that are inhibiting sidewalks and safe walking, upgrading sidewalks to be ADA compliant around 3 new schools; Hamilton Elementary, Eastern Heights Middle and Northwood Campus. This project includes many small neighborhood streets surrounding each school. The main roads include Middle Ave., West Ave., Garford Ave., Prospect St. and Hilliard Rd. We ended up removing Middle Ave. and Wood St. area near Colonial Oaks Mobile Home Park because they didn’t qualify for funding because that area is in the Midview School District. They are going with a repair / replacement approach for sidewalks. These neighborhoods already have sidewalks, so they will do replacements and repairs. They will be using Ohio Public Works Funds to improve the intersection at Hilliard and Rosealee. They will install a rectangular rapid flashing beacon to improve pedestrian safety in that area, so that other funding source will give us more points towards the competitiveness for this grant funding. The budget for this is for \$100,000 and if we receive the grant funds, it would be in 2024.

Chair Mitchell said the committee has already approved this, and she asked Law Dir Breunig if it’s back for a vote because the scope of work changed?

Dir Breunig said, yes that is the reason it’s back at committee. The fundamental component in determining if the City was going to authorize this grant application and acceptance. The Law office recommends that if the terms and whatever the program is has changed and they think Council should know about those changes.

Mr. Oswald said that the residents on Rosealee don’t want sidewalks and asked where the sidewalks will actually be?

Engineer McKillips said they looked at the sidewalk on the east side of Rosealee and there are about 4 or 5 spots that need to be repaired.

Mrs. Simmons asked what portion of Middle Ave and is it just where the school is?

Engineer McKillips said it’s Middle Ave between 7th Street and 17th Street on the West side of Middle Ave. (The school side).

Chair Mitchell said since the Penfield/Oakwood area no longer has a school, that area can't be included.

Mrs. Davis said that the City partner's with Horizon Day Care and they're complaining about the sidewalks on Hayes where kids walk there for the after-school program at the old Cascade School on Bond St.

Engineer McKillips said she's not sure if the program includes day care and after school programs.

Mr. Oswald moved and Mrs. Simmons seconded to authorize an ordinance ratifying the Mayor's submission of an application and authorizing the acceptance of funds for the 'said' program.

MOTION MADE

COMMITTEE REPORT WRITTEN

3. The matter of applying for The 'Healthy Places Grant' through Lorain County Health District for security gates at City swimming pools.

Referred By: Parks Director Reardon

[This matter will also go to Finance Committee on 3/14/22]

Parks Dir Reardon said this is a grant that they've already applied for, which was already due. It's not a matching grant, there are no funds needed. It's for 2 self locking gates, one at each City Swimming Pool.

This was something that was recommended by the Lorain County Health District to have these installed. Dir Reardon said these should be able to be installed before the pools open this spring.

Mr. Oswald asked how much is the costs for these gates?

Dir Reardon said the cost is \$4,420 for both pool and it includes the equipment and the install and signage and posters to explain what the for. It will also include maintenance cost for one year because those locks break constantly.

Mr. Oswald moved and Mrs. Simmons seconded to authorize an ordinance authorizing the Mayor to submit an application and accept funds for 'said' grant, emergency clause.

MOTION MADE

COMMITTEE REPORT WRITTEN

***4. The matter of a 'Modification to the Facility Planning Area' ~ N. Durkee Rd.**

Referred By: Engineer McKillips

[This matter is being brought back after being Tabled at the October 27th, 2021 Meeting]

Engineer McKillips said this was discussed in October 2021 and it was tabled at that time. They separated the two packages and they are bringing part of this package to the committee this evening. This is the Pinebrook Golf Course, FPA Modification. It's approximately 2 acres and it's a request from LORCO to take these 2 acres of Elyria FPA and move it from the City's potential sewer area into LORCO's sewer area. It will be a temporary basis because the Pinebrook golf course has been given fines and orders from Ohio EPA to get their club house and facilities sewerer because their current septic sewer on-site wastewater system is not in compliance. This has been pending for a while and it's taken this long with NOACA and LORCO issues.

Chair Mitchell asked if this was tabled because there were so many questions that needed to be answered.

Law Dir Breunig said there were a number of questions which stem from the dual nature of the request at the time. This is one prong of a two-prong request; this request made by LORCO and the one in the area of LaGrange Road and Butternut Ridge Rd. The one that is being discussed this evening is just for the 2 acres of the North Durkee Road property. This is less than the full parcel of that property which comprise that golf course which is one of the conditions that were clarified.

There were a number of issues that he wanted to make sure were hammered out which have been discussed already with Engineer McKillips. The county had wanted to insert itself as more of a manager of these sewers and per NOACA regulations these are in Elyria's Facility Planning Area. So even if we don't provide sanitary sewer service, we're still what's called 'The Designated Management Authority'. He wants to make sure that right is preserved in this agreement, he believes we're at the point where that's the case. He also wanted to ensure that there is an agreement among all the political subdivisions here, that this is a temporary agreement, in that it would revert back to the City's Facility Planning Area [FPA] in the event we ever extend the sanitary sewer service to this area. He put out a caveat, we cannot guarantee that. We can make this agreement, all the political subdivisions can say we'll join in a request for an amendment later, not a guarantee that NOACA would grant that request, but it's the best thing we can get. It's an agreement to agree in the future and Dir Breunig is comfortable with that and moving forward on just this limited issue, the two acre transfer on the condition that we sign an agreement that is accepted by both Engineer McKillips and the Law Office and assuming there are no major changes from any of the other parties.

Chair Mitchell asked for clarification; Pinebrook Golf Course is not in compliance?

Dir Breunig said from his knowledge, they have a package sewer plant and that package plant is failing, as they tend to do over time. They can either repurpose the entire plant but EPA is not fond of those and there's a lot of red tape to get thru to do that or they can connect to an existing sanitary sewer. They can connect to Elyria's Facility Planning Area, but we're further away or they can connect to LORCO, they're not in their FPA, but they're located physically closer.

Chair Mitchell said that we're giving permission for LARCO to connect them into their sewer system, even though they're in our Facility Planning Area. This doesn't cost city anything except potential service to an area that we're not currently servicing.

Dir Breunig said that he would not approve this unless there is an agreement that says that they will agree to that future transfer. NOACA and Ohio EPA govern those Facility Planning Areas. The way the lines and boundaries are currently drawn, the Pinebrook Golf Course is in Elyria's FPA, we have an unlimited right to sewer the area within our FPA. Pinebrook is physically located closer to where LORCO has pipes in the ground. In the event that we provide gravity sewer or some kind of interceptor in that area, this agreement would state that all parties would sign off on a re-submission, an application to transfer it back to Elyria. We don't want to give it up for the long term, just until such time as we have a better ability to sewer and everyone would sign off on the application to NOACE and transfer it back.

Mr. Oswald asked who pays and handles the maintenance and repair on that facility?

Dir Breunig said all we're concerned with is the transfer of the Facility Planning Area for a temporary basis. We will not own or operate the actual sewer facility, that will be owned and operated by the property owner. The sewer pipe basically goes through the golf course and through property that's owned by the parent company of the golf course. It will not be a public sewer, it won't be publicly owned or operated either by us or by LORCO.

Mr. Oswald moved and Mrs. Davis seconded to authorize an ordinance authorizing the approval of a modification to the City's Wastewater Facility Planning Area which establishes boundaries for wastewater service and subject to an agreement for the reversion of said property. [Emergency Clause].

MOTION MADE

COMMITTEE REPORT WRITTEN

5. The matter of a new agreement with N. Ridgeville for the purchase of Drinking Water.
Referred By: Water Team Leader Sam F. Jacob *[This matter will also go to the Finance Committee]*
This matter was placed on hold per Water Team Leader Jacob.

Chair Mitchell asked for a motion to adjourn.

Mrs. Davis moved, seconded by Mr. Oswald to Adjourn the Meeting at 7:20 P.M.
MOTION CARRIED

Respectfully Submitted by,

Colleen Rosado, Secretary
/CMR