

**MINUTES**  
**City of Geneva**  
Council Meeting  
September 27, 2010  
7:06 p.m.

Roll Call – Bill Buskirk, Tim Miller, Jeff Piotrowski, Philip Cordova, Crystal Latimer and Bruce Beckwith

Absent: Rodger Fuller

Pledge of Allegiance to the Flag was said and prayer was offered by Rev. Jonathan Schroeder, St. Johns.

Motion was made by Tim Miller, seconded by Jeff Piotrowski to accept the minutes of the September 13, 2010 Council Meeting. Roll call, 4 yeas.

**Citizens** – Citizens were present along with a representative from the Gazette.

**Department Presentation – Wastewater Department – Gary Hydinger presenting.**

In the last six months the Wastewater Department has overseen one and a quarter million dollars (\$1,250,000) in expenditures in wastewater projects or portions of projects that were wastewater related. The Elm Street project is completed. There is a minor punch list but pretty much everyone is done. The City exceeded the four hundred and forty-one thousand (\$441,000) by seven thousand dollars (\$7,000). There was twenty-eight thousand dollars (\$28,000) in contingencies. There were a number of extra things that could not be anticipated which caused the costs to go over; an additional manhole basin had to be removed, the City found a couple of houses on one street where the sewer laterals ran across and in front of another house that was next to the main. The City cut those out and put them where they were supposed to go. Some trees had to be removed; the City didn't know the sewer lines ran under them. The camera was brought up and traced the lines. There were a few things like that. The project took longer than it should have to complete but everyone is back to green lawns now and there is only minor work to do.

The lab project is coming along. We did not meet the August 31<sup>st</sup> completion date. We are not going to meet the September 30<sup>th</sup> completion date and we are hoping for some answers from the contractor soon. Part of it has been delays waiting for equipment and there have been a few changes that have had to be made as we ran into various things both underground and above. There are thousands and thousands of decisions that have to be made. Tile in the room was supposed to be four inch by four inch and they were supposed to be stacked one above the other. The bottom tiles are four inch but the next tiles are twelve inch. So do you put the tile lined up straight up and down or do you stagger them three inches or do you stagger them eight inches?

We have spent over four hundred man hours, closer to five hundred, this summer acting as inspectors on the jobs. We get reimbursed for that in the contracts. But it is a lot of time that is spent away from other stuff. There are a lot of decisions that have to be made.

One major project was the West Liberty sanitary sewer. We came upon two storm lines that we did not know about. One line was very deep and had to be routed around a manhole. The other line was in the middle of the road. It is still not known where it goes but you still have to hook it back up because it may be working for something.

Many hours were spent out on the Ansel job trying to get the best possible information to the engineers to avoid as many changes as possible. Two houses were found to be connected on the same lateral and we will separate them or at least provide for the separation of those flows as part of the Ansel project.

We just recently found two issues on North Broadway. Somebody had had a sewer problem. We put the camera down the main and found that the wye fitting on the main is broken, that makes it our problem. We also found that two houses are on the same lateral. One of them is on North Ave. and one of them is on North Broadway. We are going to work to get those lines separated. It is always a challenge when you are working underground. It has been a good year for finding some of those problems.

We are hoping for a somewhat quieter fall. There is not a lot of promise for that to happen. We haven't gone out with the camera truck as much as we would like primarily because the department has been so busy with the inspections, but several times especially with the break on North Broadway and some other situations it has come in handy. The pictures are much better than the pictures that we have received from commercial companies who are in the business of doing it. It has been a good purchase and it has saved a lot of work and it has pinpointed problems because you are able to put a trace on the camera.

We will be going out on Sherman Street between Walnut and the new middle school and televising that line. The wye records on that section are sadly lacking. It is very difficult to go out and mark lines. Now we will have a record of exactly where things are.

Four years in a row our summer flows have been below a million gallons. This month we are averaging about 560,000 gallons a day. This means that when we go to renew our permit we pay for a flow of between a half a million and less than a million gallons. We pay twenty-six hundred dollars (\$2,600.00) instead of a million plus at fifty-two hundred dollars (\$5,200.00). I would like to say that it is all a credit to the vigorous efforts at reducing I & I but it has been a pretty good dry summer and that hasn't hurt us.

The rainfall totals are not down that much. If you look at last year, they have come differently. There have been a few heavy rains. When they have come they have been just right and soaked into the ground rather than having the ground saturated and coming right into the line.

Mr. Buskirk asked about inflow and infiltration. Mr. Hydingler stated that if it is not torrential downpours that really reduces the infiltration. Inflows come mostly from people's roofs into

their gutters; also footer drains and sump pumps. If they go into our line we get pretty much all of it.

Mr. Buskirk asked how it looked over on Elm Street when Wastewater was digging as that is a problem area for that situation. Gary Hydinger stated that he will not fully know. One of the things the City bid sixty-five hundred dollars (\$6,500.00) extra for were joints that were bad even in plastic pipe. Some of those had some pretty good streams of water coming in them and we got those sealed up. We found on North Ave., especially, a lot of lines where they had connected when they redid it in 1995, a number of problems, some huge gaps in lines. We found a lot of really interesting stuff between holes in lines, gaps in lines, pipes changing sizes from four inch to six inch or four inch to five inch to six inch.

We will know better at the end of the winter season. When we can see how many hours we have been running on the pumps. Whether we made a significant difference yet, we have not had rains of a dangerous nature for I & I to know fully yet.

Mr. Beckwith asked if on the Ansel project we ended up with new pipe or relining. Gary Hydinger stated that we are lining the main, we are extending the main with new pipe forty (40) feet, we are going to dig and replace plate laterals on the west side of Ansel. On the east side with one exception, they are new homes within the last eight years or so which have plastic pipe so they will not be done but the main line will be relined. We will however replace the manholes on the street and make new connections to those and then they will line through. We are doing some laterals.

Every house on the west side of Ansel will have a new lateral from the main to the edge of the driveway and we will be installing test tees. Unlike the Elm Street project, we will not be assuming ownership of those laterals. The reason we are putting in test tees is that at some point Council may want to consider a way of upgrading and maintaining laterals by doing a point of sale inspection on sanitary sewers. So that when a house is sold you would go into this test tee and plug it off and then do a pressure test on the line and make sure that the lateral from the house all the way out is watertight. In the absence of those tees we don't really have any way to do that. This has already proved helpful in three situations on Elm Street. People had backups and the City was able to determine immediately whether the problem was in the right of way or back at the house.

**Citizens** – Proclamation – Ashtabula County District Library. Bill Buskirk read the City of Geneva Proclamation in support of the Ashtabula County District Library Levy.

### **Items for Consideration of Council**

**Resolution 3141** A resolution authorizing the City Manager to enter into an agreement with GT Environmental, Inc. for the implementation of a USEPA Hazardous Substance Brownfield Assessment Grant, and declaring an emergency. Second reading.

Jennifer Brown explained that this contract relates to the Brownfield Grant. This was originally contracted to RMT. Due to the individuals that were on the project team leaving, RMT could no

longer follow through with the obligations of the grant. The City had to go back out for Request for Qualifications. The only qualifications received were from GT. The individuals that left RMT went to GT. The City essentially will have the same team. The City has indicated that the City has two business owners that are anticipating utilizing those funds which is the reason for the urgency in moving forward.

Motion by Jeff Piotrowski, seconded by Tim Miller to declare Resolution 3141 an emergency measure. Roll call, 6 yeas. Motion by Jeff Piotrowski, seconded by Bruce Beckwith that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3141 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution 3141 duly passed.

**Resolution 3142** A resolution accepting the amount and rate as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, an declaring an emergency.

This is our annual tax process. No questions were asked.

Motion by Tim Miller, seconded by Bruce Beckwith to declare Resolution 3142 an emergency measure. Roll call, 6 yeas. Motion by Bruce Beckwith, seconded by Philip Cordova that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3142 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution 3142 duly passed.

**Resolution 3143** A Resolution authorizing the acceptance of the bid of C.I.R. Inc. for the Ansel Road Improvements and Eastwood Street Pavement, and declaring an emergency.

Mr. Pearson stated that because it is so late in the year, when the engineering was complete and we were ready to go to bid, it was determined to bid two contracts to see where our best prices would come in. Contract A was a November 30<sup>th</sup> date for completion this year and Contract B was a June 2011 completion. The bids were opened last week. It appears through our consultant that Contract B with C.I.R. is actually the low bid by about eleven thousand dollars (\$11,000.00). It is our recommendation that because it is so late in the year that it would be a tough push to get that whole job complete by November; we may run into bad weather. There is the potential of not getting it paved. Our recommendation would be to go with the C.I.R. bid, Contract B, with both the alternates for paving of the Eastwood Street and the Ansel Road section not included in the base bid.

With the exception of the small portion that was paved two years ago, everything from Route 20 to the North Nearing intersection will be included. Mr. Beckwith asked Mr. Pearson to confirm that we can only fund the original portion with the Issue II. Mr. Pearson stated that the City is going to try to get the alternate to Ansel Road included. The City does not believe that Eastwood can be included. Mr. Pearson stated that the hope is that when the City finalizes the projects that they have been doing throughout the year, there will be enough money left in the bond fund that Council approved last year to fund Eastwood.

Mr. Pearson commended Juanita Stuetzer and her staff in tracking the projects. This is the most projects we have ever done in any one year. It has been very difficult for all of the staff, inspectors, department heads, finance, etc. It has been a challenge and they have done a great job.

Motion by Jeff Piotrowski, seconded by Philip Cordova to declare Resolution 3143 an emergency measure. Roll call, 6 yeas. Motion by Bruce Beckwith, seconded by Philip Cordova that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3143 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution 3143 duly passed.

**Resolution 3144** A Resolution authorizing the City Manager to enter into an agreement with Kent State University Foundation for the administration of payments and the performance of duties under the Efficient GovNow Program, and declaring an emergency.

This is an effort to partner with several small communities and the RCAP organization. The City was awarded the grant through the Efficient GovNow. Kent State has been selected to administer that program which will help us with GPS mapping. Almost the entire grant will be handled by either RCAP or Kent State. The City will be assisting them with the actual measurements. Mr. Beckwith asked if there will be any overlap with other mapping going on. Mr. Pearson stated the City will be looking at some of the other mapping that is going on. The County is doing their mapping now.

Motion by Bruce Beckwith, seconded by Tim Miller to declare Resolution 3144 an emergency measure. Roll call, 6 yeas. Motion by Jeff Piotrowski, seconded by Tim Miller that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3144 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution 3144 duly passed.

**Resolution 3145** A Resolution authorizing the City Manager to renew the agreement between the City of Geneva and Aqua Ohio, Inc. for operation, maintenance and monitoring of water transmission, and declaring an emergency.

Mr. Pearson stated that this is the final year. We were able to negotiate with the County some efficiencies and reductions in our planned maintenance. As discussed before, leading up to this next contract it is important that we are going to meet monthly with the County to understand how they are proceeding. I would suggest that probably within two months we schedule a utility meeting to further discuss how these monthly talks are going.

Motion by Tim Miller, seconded by Bruce Beckwith to declare Resolution 3145 an emergency measure. Roll call, 6 yeas. Motion by Bruce Beckwith, seconded by Tim Miller that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Resolution 3145 be placed on the final roll for passage. Roll call, 6 yeas. Roll call on passage, 6 yeas. Resolution 3145 duly passed.

**Ordinance 3038** An Ordinance establishing Chapter 885, Bed Tax. First Reading.

Mr. Pearson stated that were a couple of questions at last council meeting. What was the maximum percentage, how many rooms, where the money would go to? Three percent (3%) is the maximum. When looking at all of the existing bed taxes throughout Cuyahoga County area, Mentor's is probably the model that we followed the closest. They use their money and dedicated towards recreation. We, and it can be changed, thought it would be well served in a community development fund where you can reinvest in the community.

Mr. Miller asked if the money had to go to one fund or could it be divided. Mr. Pearson stated that it is across the board. If it is silent it would go into the general fund. Some communities spell out where they want the money to be directed. Mr. Miller asked if you could designate one percent (1%) to one fund and the rest to another. Mr. Buskirk stated that Geneva-on-the-Lake's bed tax gets split. Ashtabula County has a five percent (5%) bed tax which is split. Any bed tax passed would remain local.

Currently, we have no businesses that would be affected by this Ordinance. With the increase in our County of traveling tourists, it makes sense to look at it. This would be stand alone from the JEDD. This Ordinance would apply within the City.

Mr. Pearson stated that when both of the JEDDs were negotiated, we did negotiate a share of the bed tax for a finite period of time. Mr. Pearson can get that information for Council.

**Ordinance 3039** An Ordinance authorizing the City to purchase property adjacent to and in furtherance of the nation's shortest covered bridge project, and declaring an emergency.

The only change from the executive session is that in discussing this with Juanita Stuetzer, just from a time perspective, with the amount of money being spent, it would make more sense to just take care of it right away. There is a lot of activity and the City believes they are going to need that public parking. When the project began, there wasn't any thought that we would get this much activity. Mr. Pearson had the Plain Dealer call him today. They are going to be a doing an article on the bridge. Mr. Pearson believes we are going to see a lot of traffic. It is going to be great for the community.

We are about two weeks out from seeing the framing going up. The contractor that did the bridge abutments completed all their work that they can. They will have to come back when the bridge is actually set and put in the approaches.

Motion by Jeff Piotrowski, seconded by Philip Cordova to declare Ordinance 3039 an emergency measure. Roll call, 5 yeas, 1 nay. Motion by Bruce Beckwith, seconded by Philip Cordova that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Ordinance 3039 be placed on the final roll for passage. Roll call, 5 yeas, 1 nay. Roll call on passage, 5 yeas. 1 nay. Ordinance 3039 duly passed.

**Ordinance 3040** An Ordinance to amend the 2010 Budget through appropriations and fund transfers, attached hereto and marked exhibit "A" and declaring an emergency.

No Questions.

Motion by Bruce Beckwith, seconded by Tim Miller to declare Ordinance 3040 an emergency measure. Roll call, 5 yeas, 1 nay. Motion by Philip Cordova, seconded by Jeff Piotrowski that the rule of law requiring certain Resolutions be read at three separate meetings be waived and suspended and Ordinance 3040 be placed on the final roll for passage. Roll call, 5 yeas, 1 nay. Roll call on passage, 5 yeas, 1 nay. Ordinance 3040 duly passed.

### **City Manager's Report – City Manager, James Pearson**

Mr. Pearson stated that he would like to thank all of the staff for all of their hard work over the weekend. Police activity was normal. The jail was full but that is not unusual. Fire inspections, Fire Department goes out and does a good job. This year they have worked with the Building Department to get some of the electrical inspections done. No real serious injuries. The City will be meeting with the Jamboree Committee to recap this year's event. The City typically meets with them before, with staff, and then after to see if there is any suggestions that we might be able to make to them to include in next year's Jamboree.

The Plain Dealer will be doing an article on the bridge. We look forward to next week actually starting to see the timber go up.

Lauren has a draft of a white paper on the Western County Court. Council should be able to meet with them at the next meeting.

Triple A awards. Again this year our Police Department will be recognized in Independence Ohio for their efforts in pedestrian safety.

The City has been working pretty hard to get a cell phone policy put together. It has been difficult; there are a lot of challenges, tax implications and personal use policy for instance.

Carbon Vision. I know that Council has looked at that solar project on our roof. We have transferred it down to the Wastewater. They have been out and they have some designs for us.

In the meantime, there was some interest by Council in Conneaut's wind generation. We did make contact with that company, a different company from Carbon Vision. Mr. Pearson talked with them. They pretty much have ruled out any wind generation just because of our location. If we were on the lake it would make more sense or some other area. They look at how many miles per hour are sustained over a period of time and we just don't meet that criterion. They were interested in maybe looking into a solar project similar to Carbon Vision.

They have two different approaches. Carbon Vision allows you to purchase energy from them at a certain kilowatt per hour and after five years you end up buying that system and then it is yours for the balance of its lifetime. Whereas, the other company look at it more as a cost control and you never own it. There is a ten year window where you would renegotiate what the kilowatt cost would be.

Carbon Vision could be ready to go shortly. The City would like to do a little more evaluation of the second company before making a recommendation. The City is not yet under contract with Carbon Vision; however, we are very close which is why we have been able to do the roof top units. It has taken them quite a bit of time to put together a proposal. Mr. Pearson just heard from them today. They are pretty much ready to propose something. It is a 63 kilowatt field. Whereas I believe the other company said they were looking closer to a 100 kilowatt. We need a little more time to investigate which company would suit the City best.

Mr. Cordova stated it was suggested to him that there needs some dedicated areas during Grape Jamboree where you can sit down and eat the food you purchase. People are sitting in the stoops in the storefronts because there is nowhere to sit. Mr. Pearson stated that was a great idea. Bill Buskirk stated that temporary benches were brought over by the rides. Initially there weren't any. Mr. Beckwith stated one option would be on Route 20 where it is closed down. Mr. Pearson stated that the only problem would be for emergency services. You need to be able to get a fire truck through. It might be possible to put seating along the edges. It is something the City could look at.

Ms. Latimer stated they she did not receive her packet until 5:30 p.m. this afternoon.

**Unfinished Business** – None

**New Business** – Bill Buskirk asked for a Motion to remove the Interim Status for the Clerk of Council position and go ahead and appoint Phyllis Dunlap as the Clerk of Council. Motion by Bruce Beckwith, seconded by Tim Miller to appoint Phyllis Dunlap as Clerk of Council. Roll call on the passage. 6 yeas.

**Payment of Bills** – No questions

**Committee Reports**

Tim Miller reported that the Architectural Review Board did meet again last week. The Eagles Club is extending the outdoor roof over the entire length of the building. The outdoor roof currently goes along half of the building; they will be extending it to go the full length of the building.

**Citizens** - None

Council meeting adjourned at 7:53 p.m.

Recorded by: Phyllis Dunlap  
Clerk of Council

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President of Council

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Clerk of Council