

SERVICE/UTILITIES COMMITTEE MINUTES
AUGUST 17, 2010

Committee Chair Ms. DePledge opened the Service/Utilities Committee meeting at 6:30 p.m. Members of the Committee in attendance were Ms. DePledge, Mr. Hoefle and Mr. Lajeunesse. Also attending from Council were Ms. Vaughn, Mr. Knuchel, Mr. D'Ambrosio and Council President Mr. Morley.

Present from the Administration were Mayor Andrzejewski, Finance Director Mr. Slocum, City Engineer Mr. Gwydir, Service Director Mr. Semik, Fire Chief Whittington and Lt. Gutowski.

Also in attendance was Mr. Brzozowiec, Project Mgr. for U.S. Army Corps of Engineering, Mr. Seitz regarding soil and water conservation.

CHAGRIN RIVER FEASIBILITY STUDY: DISCUSSION

Ms. DePledge: Mr. Brzozowiec, Project Mgr. for U.S. Army Corps of Engineering has been asked to speak about the Chagrin River Feasibility Study. This study is anticipated to cost approximately \$650,000. The Administration and Finance Director have reviewed the study and at this particular point we are not in the position to fund this study, however, we asked Mr. Brzozowiec to come here today to hear what he has to say about the study- so we could make any long term financial planning arrangements that we would need to make - so that perhaps in the future we could do this to minimize flooding in the Chagrin River area.

Mayor Andrzejewski: We have been working on this and when I say we I mean the Port Authority, myself, some members of Council and our engineers – this is probably our third or fourth year working on this. This is designed to find a permanent solution to the flooding on the Chagrin River and also the need for dredging. This has been something that has been worked on for several years. It has progressed along to where it's at to the point now where a feasibility study is the next step. After the feasibility study they would like to come up with some recommendations to find a permanent solution to the Chagrin River flooding and dredging. This is not something new. This is something that we have been working on for the last 3 to 4 years. Mr. Brzozowiec will fill you in on the need for this and why we think it's important.

Mr. Brzozowiec: The program that authorizes me to be here, today, is called the Continuing Authorities Program. Generally, very large projects that the Army Corp of Engineers works on require specific authorization from Congress. We have an authority that is called a Continuing Authorities Program where we can, under the supervision internally of the Army Corp and the reviews and standards that we have, work on what we call "small projects." That, specifically, is the Section 205 of the CAP authority for flood damage reduction and flooding control. Dredging, specifically, is not addressed by this – this is strictly to keep the flooding and flood damage reduction study itself. The federal limit for Section 205 CAP Study is seven million dollars and that's for the total feasibility stage and construction phase

per project. The feasibility study phase, itself, is initially kicked off with \$100,000 federal dollars. That's 100% federally funded and that's what brings me here, today. That's to get us to the point to determine whether or not we think there is a federal interest and continuing the study here. We have done a preliminary determination of federal interest and we do think there is a valid project here to look at and we did present that presentation. The next step is to collectively as a group and a team member partnered with you and us is to determine whether or not we want to continue with the study. The initial request that came to the Army Corp was back in 2006 in response to some flooding that happened here in the summer time. Its a few years later but we are here now. I printed up a list of talking points that I'll cover. I do have some cost estimates that I can explain to what the work entails.

Mayor Andrzejewski: I would like to introduce Mr. Gwydir who is our City Engineer.

Mr. Brozowiec: Schedule wise this is about a 3-year process. The first two years is all the technical work with the hydraulics. Hydraulics engineers come in and they do extensive modeling of the river. On the first page of the talking points you can see the outlines of the study limits that they think would be involved for this area and it is highlighted on that map. The third year is a very rigorous review process and that process itself is evolving as we speak. There are much greater detail reviews that are being mandated from these types of projects. A lot of it is being born from lessons learned from Katrina and other major projects that a lot of people have heard of. This project will qualify for what needs to be done - what they call an "External Peer Review." We have to send this to the experts in this industry of flood management and flood control, totally external to the Army Corp. With this report that we present they will review it from their perspective. That in itself is a very costly part of the process. That in itself is 100% funded federally, also. Estimated costs for this Section 205 CAP Study that we are working on and the total study cost is about \$900,000. The first \$100,000 is what brings us here today. You are bringing me here today to do the initial determination of federal interest and, hopefully, get us to the point where we can sign the Feasibility Cost Sharing Agreement for the remainder of the study. Using these estimated numbers that would mean that about \$800,000 would be cost shared. The cost share at feasibility is 50% – 50%. The local contribution to that study does not have to be all cash. As an example I brought a couple of samples here that I'll leave with you. This is an example of the work break down structure where we've identified and broke down specific tasks in the study in the local community on the local project. They are going to help our engineers with getting you data; they are going to help our engineers get boring samples from bridges that have been built around here. You probably already have records that can help our studies in those ways. It will be a cost savings for you in the long run because you would charge your labor as you would yourself – your weighted labor – towards the cost of the study and it's important to the studies.

Mr. Knuchel: Is that what is referred to in the contract as in-kind?

Mr. Brzozowiec: Yes. That is the in-kind.

Mr. Brzozowiec: Environmental does a lot of work. We have to do a Cultural Resources Study for the area to see if there are any potential Indian burial grounds for any potential construction sites. If there is any historic properties that may need to be mitigated in some way in any type of structures that might be built. Something like that we could just give you a scope of work and you could go on contract with the local university and get that done and save money in the long run and count that as in-kind services. So for this example and that scope of work that actually came out to about \$150,000 of in-kind services towards the study. So for the cost share of the active phase of the feasibility study of the shared \$800,000 half of that is what the community has to pay. So they were paying \$150,000 worth of in-kind services towards the study and in cash they were only providing \$250,000. They, too, were concerned about their ability to pay for this study and one thing that we can do is you can fund us fiscally – say \$100,000 the first year, \$100,000 the next year and then \$50,000 the following year. It is very important that you communicate to us if you are making arrangements to have that funding available because we then in turn will tell our higher-ups they have the money and we're going to lose this study and they are going to lose their money if we don't get on board so that we can help secure our funding. All of these projects get prioritized and there a lot of these projects out there. There is a limited pool of money so the better that we can show that you're prepared to get involved in this project then we would tell them that information and, hopefully, get in the right priority to get our funding.

Mayor Andrzejewski: Mr. Brzozowiec didn't we sit down a year or so ago with Mr. Seitz and the Port Authority and we identified a lot of the work that we could do in-house?

Mr. Brzozowiec: We need to do that with detail though this time around. After you make the decision to go forward with this we will come up with a detailed list of activities and then we'll come back and have to roll up our sleeves type meeting and put that together if we go forward with this. There are risks with the project funding – we all have our risks. That 3-year schedule assumes uninterrupted funding. The benefit to cost ratio – projects within the guidance with the Continuing Authorities Program - we have to show at the very least a benefit to cost ratio of one. For every dollar that we spend we need to be able to show that there is one dollar of mitigate to flood damage or savings against flood damages. In the initial determination in the federal interest we did look at the numbers of dollar losses and we said that there appears to be an interest here. If a lot of these dollars were because of yachts and boats, or whatever, or a summer freak rainfall where this really is not representative of regular damages here then there may be a risk that you do go through a Feasibility Study and not get a project. There are other types of projects and other things that we can do and I already talked with Ms. Ortiz about them this afternoon. A good candidate for the type of work under these authorities is to recommend that a flood warning system perhaps be provided. It's not going to mitigate flooding damages if you don't have the frequency of flooding and the damages here. Perhaps a flood warning system would be beneficial to this community. One thing I learned from talking to Ms. Ortiz today is that we could not even go and continue this route with the CAP Section 205 – we could work with you to see if there is some sort of mitigation grant funding that we could help you identify and you could get a flood warning system instead. That would be out of the CAP Section 205 and you would have to look at that separately.

Part of the engineer processing is to do a plan formulation. You will hear that a lot through the life of the project and what that means is we have to document the existing conditions and we have to document what we think it would cost if flood walls, barriers, whatever down the river are necessary. The cost estimates would be provided for that but we would also look at alternatives for what they call “non-structural solutions.” They are still structural in concept but they wouldn’t be your standard levy, wall barrier or whatever. This is raising houses in target areas so that the houses can accommodate water flow and not damage the homes. You can build ring levies around City Hall. Maybe this basement gets flooded if you had a basement. One solution would be to just build a ring levy around this complex or something like that. Those types of things would be looked at under the planning formulation process; again, that is part of the Feasibility Study. That’s it in a nutshell.

Mayor Andrzejewski: Did you work with the Port Authority on the category damages?

Mr. Brzozowiec: No. Part of the study we have an economical analyst that will be working with you doing surveys of both residential and commercial damage properties. He will go through - and that’s a big thing that’s being done as a work in- kind with other projects that we are working on.

Mayor Andrzejewski: Where did you get these numbers from?

Mr. Brzozowiec: That was done in the initial benefit determination of federal interest.

Mayor Andrzejewski: Didn’t you work with the Port Authority to get those figures?

Mr. Brzozowiec: I’m sure we got those from them but I didn’t do that document but I’m sure it probably came from them.

Mayor Andrzejewski: I just wanted to specify to Council that these were not numbers that were just made up.

Mr. Brzozowiec: No. This was valid data. We determine our federal interest determined on this data. And we did recommend the project - federal interest does exist for continuing the project here.

Mr. Slocum: This was off of the summer flood that we had and not the winter regarding the ice.

Mr. Brzozowiec: That might be so but I do know that we did get the letter for request for assistance for the CAP 205 Study back in September of 2006. So that did follow that summer flood.

Mayor Andrzejewski: I’ve been in the meetings from day one of these and it wasn’t concerning the flood of 2006. The initial meetings we had with the Army Corps of Engineers

were to minimize the flooding in the spring when we go through that thaw – is it going to flood – is it not going to flood – is it going to overflow?

Mr. Brzozowiec: That was one bullet I added to my talking points and that is that we are aware that likely the possibility that might be your worst problem might be your ice jams. There are other solutions for that. Until we study it we really won't know from the science prospective but there are solutions to that. We can make ice jam breaking structures because we've done that in a community in the Buffalo area where it actually would go to one tactical location and you put huge posts in there and it blocks all the ice from flowing down the creek. This now creates maintenance issues because you have tree branches, logs and a lot of other things so you have to keep that clean and clear. That is one way to help prevent continued severe flooding from ice jams.

Mayor Andrzejewski: What I wanted to emphasize that that this was started before the 2006 flood. We had talked about a finding a permanent solution to the yearly flood watches that we go through.

Mr. Brzozowiec: Last winter you got flooded, too. I called you and you said that I should have been there yesterday because you got flooded.

Mr. Knuchel: I think that Mr. Slocum's question was where were these numbers derived from? Were they derived from the summer flood or were they derived from

Mr. Brzozowiec: Where exactly I couldn't say. I don't know.

Mr. Slocum: I think these are from that summer flood vs. the winter. I think – I don't know.

Mr. Knuchel: Nor do I.

Mr. Brzozowiec: As part of the study we will be coming back and saying what we need to have. You have to have all of the data you have and a lot of that is going to be run against the digital hydrology models that they develop. A portion of that gets passed on to the economic analyst - for varying levels of rain fall – the economic analyst then can calculate what damages in the local area can be based on the different levels of waterfall. It is a pretty interesting process.

Ms. Vaughn: There was a study about 25 years ago and we were going to straighten the river. We had the funds in place and the project was ready to go and then they did an environmental study and they found a fish that lived there and it was called the pug nose minnow and we weren't allowed to do anything with that river because that fish lived there. Do you know anything about that situation? Are we going to run into similar situations again if we go forward?

Mr. Brzozowiec: I can't say I have even heard of that.

Ms. Vaughn: It is not a fable.

Mr. Brzozowiec: Yes, the environmental analyst portion of this study is very extensive. We will be bringing in the United States Wildlife Service. That is one cost that we actually transfer the funding to that federal agency and they come in and help out. You probably have the Indiana (*was not audible*) that will get documented. Regarding the pug nose minnows – that's a new one on me.

Ms. Vaughn: That's a real minnow.

Mr. Brozowicz: There are other parts of the study - hazard toxic radiological waste. We've had projects go to construction and in the initial clearing steps we've seen toxic deposits be uncovered and that's decimated property and it delayed them for years. So anything can happen. That's what the initial cost study estimate is just to do this study. I'm guessing it would be probably interested in doing a lot of work in-kind to help facilitate this study. You probably have a lot of data here that we could use and that's cost share 50 -50. Construction, itself is to the maximum federal limit of seven million dollars which includes the feasibility study. Construction is cost shared 65%/35%. The federal government pays for 65%. You are looking at a ten million dollar project.

Mayor Andrzejewski: Ten million dollars for this or up to ten million dollars?

Mr. Brozowicz: Up to ten million dollars.

Mayor Andrzejewski: I don't want anybody thinking that this may cost ten million dollars.

Mr. Brozowicz: No, you pay 35% of that.

Mayor Andrzejewski: If the project cost three million dollars we would pay 35% of three million and the federal government would pay 65%.

Mr. Brozowicz: Correct. There's one requirement with the constructions costs that 5% of that must be in cash. If you have to do easements, rights-of-way, and demolitions to support the project – you get full credit for all that after the project is all done. That will be calculated as you are working on the project.

Ms. DePledge: Are there any comments or questions?

Mr. Lajeunesse: Just an observation this is interesting to just sit and listen to all of this because I feel like it is a sales pitch more than trying to help the situation. I know that it is not the case but that just what it seems like. It seems to us that it was kind of interesting that it could really cost that much money to try to solve problems that is really not ours. We just happen to be living in this community and these people live here and we have this river and we are trying to make it work and we are stuck with this problem and that becomes our expense.

Mr. Brzozowiec: Maybe you would want to pursue doing a flood warning instead. That might be something that you could decide on and we could help you try to identify mitigation grants. Ms. Laura Ortiz could not make the meeting tonight but she is our lead and flood plain manager over there and if there is anyone that can identify other avenues she would be the one to talk to regarding that.

Mr. Knuchel: Just looking at the study limits I see that this extends to Willoughby past Daniels Park. With that scope being that large would it be conceivable that Willoughby would want to be in on this project with us? Mr. Gwydir would have the most direct contact with their engineer.

Mr. Gwydir: Willoughby gets flooding from the river from time to time. It's limited as far as its residential scope. Clearly it's a question that I would be inclined to ask but I don't know that they would necessarily go it alone considering the project limits.

Mr. Slocum: Here we are showing that we are including Willoughby and Eastlake in the study. Could we have it that the study only covers Eastlake vs. covering the Willoughby section, too? What would that do to the cost?

Mayor Andrzejewski: Mr. Lajeunesse, I am going to have to disagree with you a little bit here. This is not a sales pitch. I asked Mr. Brzozowiec to come here and talk about the Feasibility Study. This could have happened three months ago. It could of happened three years ago when we had a surplus but it just happens to be the timing now when this all comes to fruition. Again, I want to go back and emphasis that we started this thing on the notion that we wanted once and for all to find a permanent solution to the flood warnings, the flood watches, the worries that come every spring when the river freezes and thaws and we get the ice flows and get the jams and we are all there wondering if it is going to flood or not. So we have been working with them to come up with a permanent solution. The next step in this project is the cost sharing feasibility study. So that's why I asked Mr. Brozowiec to be here. Everybody says you should plan, you should do this, you should do that and that's what we are doing here – we are trying to find a long term solution rather than every year having to deal with the same thing. I think what you have to consider is if and when we do find the solution and it is implemented by the Army Corp of Engineers you've got something that's going to help the City in this area for years and year and years to come. I know it doesn't include dredging, but when we talked with the Port Authority part of the reason that silt gets in there is because of the ice jams and the water not flowing and then silt just sits there and they have to dredge it. So we would not have the need to dredge anymore if that water was flowing continuously all year long. This is something that we could do to benefit the City and the residents not only two years from now but it will have benefits twenty years from now. It just happens to be the timing is now.

Mr. Knuchel: My Ward encompasses the river areas. I am very well aware of the things that go on around there. We have taken steps by instituting the 911 for floods and that's helped immensely. I agree with the Mayor in the fact that we do have to start taking some steps to move forward on certain things that would lessen the blow to the people and businesses in

that area. What concerns me though is that we can have planning on this side of the fence but we also have to have planning on the financial side of the fence. How we are going to pay for this study and what our priorities are for the next five years? I would ask a question to Mr. Slocum but I don't want him to answer it right now because I have a few more comments that I would like to make. Mr. Slocum, long range – how would we pay for this study? I think we need to sit down and one thing that I did talk to you about earlier in the year was the need to do a 5-year plan that would encompass our capital improvements, our capital equipment requests, our road requests to see where we are really at. Budgeting without those things in line when we come up with a big project like this scares me. It is required by our City Ordinances that 5-year document be presented to Council at the time of the budget. This time we had some mitigating circumstances with Mr. Condrion leaving and Mr. Slocum coming along and that's what brought up my conversation about the need to do this. I think before I would feel very comfortable with saying "yes" to any spending of this magnitude I would like to have that 5-year plan looked at so that we can figure out where we are going from here and place some priorities. Again, I didn't directly talk to Ms. DePledge or our Council Clerk about the need to have this man come and speak to us tonight so we can look and set goals but we need to do that. We need to do our part so that we can see what our long range goals are and where the money is going to come from to pay these expenses off.

Mr. Morley: In the beginning we talked about not even having this meeting because we knew we didn't have the money. So we are aware of some of the issues, obviously the flooding down at Admiral Drive in Mr. Knuchel's Ward - all the things by the Chagrin Yacht Club. So we did agree to have this meeting. But, like Mr. Knuchel and Ms. DePledge said - at least let us hear this. You know all the things that are going on with us not having any money. I agree we need to set a goal and the Administration needs to give us numbers to show that we are going to have this money in the future to pay for this. Right now obviously we don't have the money to pay for this. I think that's way we should have the Department Heads for the next meeting because we're hearing newspaper articles saying that we have some issues so we have to tackle those issues first.

Mayor Andrzejewski: What was in the newspaper article today?

Mr. Morley: You talked about 2 and 2 and eliminating jobs?

Mayor Andrzejewski: They quoted me wrong. It should have been 2 or, or ... Do they ever misquote you Mr. Morley?

Mr. Morley: I don't know I never read the newspaper.

Ms. Vaughn: They don't talk to Council.

Mayor Andrzejewski: They should have figured it out that it was 2 or, or ...

Mayor Andrzejewski: Mr. Brzozowicz, what was the cost breakdown, again, was it over three years?

Mr. Brzozowiec: Yes. It is three years.

Mayor Andrzejewski: I just want to have good numbers for these guys to consider this project. So if we do in-kind work – let's just say we do \$100,000 that would bring our cost down to \$300,000 and that's being conservative. That's over the next three years. So it's not \$300,000 all at once. It would be \$100,000 a \$100,000 and \$100,000.

Ms. DePledge: Mr. Brzozowiec, I'm just curious have you ever done studies like this before? I'm sure you have on areas of flood zones, houses. You talked about the things that you could do but where have you done improvements and where there have been improvements that have made a difference in communities. Where has that happened?

Mr. Brzozowiec: There was an ice jam at Finger Piers, in the Cazenovia Creek in West Seneca, New York. The biggest projects that we have been most recently involved with was Findley and Ottawa, Ohio. Those were started as CAP Section 205 as projects but we have just begun the process to transmission them to general investigation - which means specific authorization to continue the study then we will need to go to Congress to continue to build on them because we have gone as far as we can to determine the rough order and magnitude costs on those projects and they are far beyond the capability of the typical CAP Project.

Mayor Andrzejewski: Findley and Ottawa have had a lot of flooding in the last few years, correct?

Mr. Brzozowiec: Extreme and increased frequency of the top 10 floods in the last few years. Within our district I know we did the Cazenovia Creek in West Seneca, there was a very large flood control project in Amherst of Williamsville, New York. I don't know how old that was is. We bring people up there to view it as a model because that one was done with a lot of park areas, nice scenery and in a very affluent neighborhood with very beautiful park areas. I don't know how long that one was done. Elsewhere in the country it would probably be out of our district and I would be glad to send you some information so you could look them up.

Ms. DePledge: I would love to see it especially before and after and to see the numbers on what it costs and what the savings were. If you have that information we would like to see it. Just to clear things up and for the public record when you said you talked to Laura, today, that was not me. That was Laura that works with you.

Mr. Brozozowiec: That was Ms. Laura Ortiz of the Army Corps of Engineers.

Mr. Lajeunesse: Just for clarification when they ask for information can you send a copy of each one of those studies to us so we can see what has gone on and the changes that have been made and what it cost and the contacts?

Mr. Morley: Would you please send the material to Council Office, attention Council Clerk?

Mr. Brozowicz: If you give me a couple of e-mails I can send them that way.

Ms. DePledge: They are on the list you passed out.

Mr. Lajeunesse: The other part that bothers me is the in-kind work. That sometimes can get as skewed so in my estimation I would like it right down as to how much that is going to cost. Whether that comes from the Administration or whether that comes from you – but, the in-kind coming hours - what exactly is that going to cost to do that?

Mr. Brozowicz: We would come up with our own break down structure what we think would be to do the work itself. Then we will bring that in front of you and then that would be the start of negotiations with you. You will go through that listing of tasks and say we can do this, this and this. We would transfer our cost estimate to your side and call that in-kind.

Mayor Andrzejewski: Again, when I asked you earlier Mr. Brozowicz this is something that we had preliminarily done and identified. Mr. Lajeunesse, it is not necessarily work done by the Service Department. It would be using past studies, using data that we already have. They would be bringing in the Port Authority and saying what kind of data do you have that they could use in this study so that it doesn't have to be repeated. I think you are thinking of in-kind work as work the Service Department would do and it's not that kind of work.

Mr. Lajeunesse: I just want to be specific. Thank you.

Mr. Brozowicz: One key to success it to establish contacts between ourselves and you and to develop a study coordination team. As we would go forward we would need two or three contacts that you would designate and me and Ms. Ortiz, the planner and then we would send the recommendations through that team to your Council and the Mayor's office.

Ms. Vaughn: I'm just used to the City setting the cost for in-kind support not the funding source; usually the City establishes an hourly rate or a cost for engineering.

Mayor Andrzejewski: So if we did a study and we have the data available and their estimate was \$10,000 to do the study that would be pulled off of the cost study.

Ms. Vaughn: If we felt the study cost \$15,000 then we would negotiate with them saying the study is worth \$15,000 because normally we would set the cost. This is reversed because in other grants the City used in-kind support and we set the hourly rate for legal advice.

Ms. DePledge: I don't think anybody here at the table thinks this is a bad idea and I am getting the impression that if we had the funds available we would want to do it right away because it is a tremendous benefit to our community and to developing the river and the lake front area however it pans out and helps the residents. The issue Mr. Brozowicz is funding and money and the more concrete we can be about that the better everybody at the table is going to feel. We have had a lot of experience with large projects that haven't been funded

as promised I think that would be the best way to say that and we certainly don't want to make that same mistake again ever. The closer the numbers are the better. If we could get this down to more of a solid range the more comfortable we are going to be and the more supportive we are going can be from a financial end to actually go ahead and do something like this. So when we ask you for numbers you may think that we are being really retentive but we are going to be really, really careful before we go and spend \$300,000, \$600,000 or \$1,000,000 of our taxpayers' money. So that's why we are going to be really careful with that.

Are there any further comments or questions?

Ms. DePledge: Mr. Ambrosio do you have any comments or questions?

Mr. D'Ambrosio: No. I'm good.

Mayor Andrzejewski: Just so Mr. Brzozowiec doesn't go in all different directions, what I heard at the table was you would like to see some projects that were completed that resulted in flood mitigation success?

Ms. DePledge: We would like to see some successes and I think what we all would like to see...

Mayor Andrzejewski: You don't need to see the ...

Ms. DePledge: For me I would like to see the before and after pictures and I would like to see the costs. Literally, pictures will speak volumes...

Mayor Andrzejewski: So don't send the big feasibility study book.

Ms. DePledge: No, because we are not going to want to read that.

Ms. Vaughn: Every year the City spends a considerable amount of money from dredging the river to reduce the flooding. We have been doing this for years. Is that going to be allowed as in-kind? We always give at least \$10,000.00 and the Port Authority pays and individual people pay so we want to know if that is considered in-kind? You might not know off the top of your head but you may be able to find out for us.

Mr. Brzozowiec: I'm guessing it is not but I do have a note to go back and tell them that you are really interested in talking to us more about dredging. I'm guessing that those are totally different authorities.

Ms. DePledge: We are really interested in protecting the community down there and making the most of that asset for our City. Our big concern is the financial burden that it may place on people. So we have to come up with a balance that is going to work for everybody and not be overly financially burdensome.

Mr. Slocum: Could you send us a study that dealt with the winter type flooding issue as opposed to flooding during the summer? Our river problem is the winter type of ice buildup.

Mayor Andrzejewski: Mr. Brozowiec, the best example is going to be Cazenovia Creek because I know we've talked about that before and it is a similar situation where the ice jammed and caused flooding. That's where you put the poles or pillars in to prevent the flooding and that seems to have solved the problem there.

Mr. Brozowiec: I know there is a real big ice thaw flooding project in North Dakota or South Dakota but that was probably a general investigation type – you're looking for something that is comparable to the size of your community.

Mayor Andrzejewski: Or something that addressed ice jamming, ice thawing - winter type flooding as opposed to summertime time heavy rains that cause flooding of the river.

Chief Whittington: Is there anything that altered any other communities that were upstream because I'm thinking about the fact that Willoughby does not have a lot of residential area in their jurisdiction but Willoughby Hills does. Willoughby Hills has a bend down by the Trailer/Myland area and it could have an effect on Eastlake. That's another thing that we can think about that the studies that have been done with these issues going on too. It affects those people too.

Mayor Andrzejewski: Would that help them?

Chief Whittington: I don't know that's what I'm asking?

Mayor Andrzejewski: If the ice didn't jam and the water kept flowing....

Ms. DePledge: That's what the study would show.

Chief Whittington: I have hundred years in data on that river. Once that dam broke in Willoughby all that data is gone – that's done. We can't use it anymore.

Mr. Slocum: They might find that useful.

Chief Whittington: We would know to the minute when things were going to be happening in Eastlake because of all that data we had based on the dam being in Willoughby. There were a lot of things that were happening which created a domino effect. That's one of those things that when we changed the layout of topography and the next thing you know you have flooding on Erie Road because they built up everything on one side of the street.

There were no further comments or questions.

MISCELLANEOUS

There was none.

RECOGNITION OF THE PUBLIC

Bob Zeitz – Eastlake Resident

Mr. Zeitz: I just want to introduce the proposal that I talked to several people about regarding a piece of land on Brook Drive and Reeves Road which has been available for sale for many years that I looked at buying the Eastlake property in the Ward Creek acquisition in '02 and '03. Unfortunately, since I talked to the Mayor and Ms. Vaughn that the property had sold in January of '09. There was a new owner and there was a new real estate agent put on that and I talked with them and there is a new sale involved and that has not been recorded right now. The sale that was done in January of '09 was for \$10,000 which was a surprise.

Mayor Andrzejewski: For how many acres?

Mr. Zeitz: For 2 acres.

Mayor Andrzejewski: We didn't even know that was for sale.

Mr. Zeitz: We knew it was for sale and I talked to the owner Mr. Houston. He passed away in April and that's why I got back into considering buying this property. He would not go lower than \$65,000 for the property. Since he had died several of his properties have sold and I got wind of some of that and that is why I got active on it again. I was surprised what had happened here. I'm not sure where it's at now but I'm going to stay on it and I can report back. Ms. Vaughn and the Mayor had offered that the City get involved in this and buy it at a reasonable price. It's a good piece of land for conservation because Ward Creed passes through it. It is on both sides of the creek and it qualifies for Coastal Grant Resources and the State Federal money and it could be reimbursed. The neighbor had expressed an interest in the frontage to increase the size of their lot which would be out of the conservation issue and there is potential for that and maybe that would lower the cost. I talked to the Chagrin River Watershed Partners about it. The grant opportunities are good depending on the price and where the City is. I understand that there is some money that is allowed for this kind of a purchase and that's where I'm at. The late news is not good. If anybody has any questions I have a sketch here of the plot and the name of the owner up until the new sale and some other data on it. There is a tax bill and a parcel number, the current realtor and things like that. Again, I got a little excited but this week just swept away. If the interest is there I'll keep working on it.

Ms. DePledge: Thank you very much Mr. Zeitz.

Mayor Andrzejewski: The fund Mr. Zeitz keeps referring to is the Land Acquisition Fund and the money is there and we do have it.

Ms. Vaughn: That's why I was interested in it because that would be the proper use and he indicated that we wouldn't have to write up they grant - that they would do it for us.

Mayor Andzejewski: If the land became available we could buy it with the Land Acquisition Money.

Ms. Vaughn: Yes. That's all we can use that money for.

There were no further questions or comments.

There was no one else who wished to speak.

The meeting was adjourned at approximately 7:19 p.m.

cr

Approved Date _____