

STREETS & SIDEWALKS COMMITTEE MEETING MINUTES
December 16, 2019

The December 16, 2019 meeting of the Ravenna City Streets & Sidewalks Committee was called to order at 5:56 P.M. by Chairman, Matt Harper. Present were: Paul Moskun, Rob Kairis, Andrew Kluge, Bruce Ribelin, and Joe Bica. Also attending the meeting were Mayor Frank Seman; Finance Director, Kimble Cecora; Service Director, Kay Dubinsky; Police Chief, Jeff Wallis; Fire Chief, Geoffrey Cleveland; Council members-elect, Tim Calfee and Christina West; Finance Director-elect, Brian Huff; Larry Silenius of 123 North Walnut Street, Ravenna, Ohio; Deena Tannert of 784 East Main Street, Ravenna, Ohio and Clifford Soudil of 464 Woodlawn Avenue, Ravenna, Ohio.

Mr. Harper said the first item on the agenda is the salt shed land purchase.

Mr. Harper noted the State has accepted the bid of \$150,000.00. That would be \$100,000.00 out of the Capital Improvement Fund and \$50,000.00 out of the Street budget. That would include the shed, the salt and the land. This has been discussed previously. Because ODOT needs the contract ASAP, this is scheduled for a Special meeting on December 23.

Mr. Kairis said he read the contract and had some questions. Why do we not have the mineral rights to the property; is that a common practice for the State once they sell you the property, they retain the mineral rights?

Mr. Finney said he did not see that version of the contract. There is no well on that land.

Mr. Moskun asked if that small parcel is used for a well path.

Mr. Finney said that it wasn't in the contract he read. There are multiple reasons why they would put that in there. The rights may have been sold already and it was just too much of a hassle to relinquish those rights. He doesn't really know.

Mr. Kairis said the other thing in the contract is that it states it can only be used for public use.

Mr. Finney said that because it's public land; the way it was explained to him is that if the City were to sell it to a for profit company, then ODOT wants paid back the fair market value. If it's currently public land, they want it to stay public land. They can utilize it in a non-profit, such as a school could utilize it.

Mr. Bica said that is fairly standard and they've seen it in other agreements.

Mr. Kairis said that his biggest concern is that in Section 6, it states they are buying the land "as is".

Mr. Finney said there was a "no further action" by the EPA. The City was supposed to receive an environmental covenant not to sue and named on that also. They received the no further action but they wanted documentation that was in place. That means the land has been looked at and there is no need for any further action or remediation.

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Mayor Seman noted there were some other concerns but those were addressed by the law director. They have to keep in mind they are getting a salt shed and salt for that money. They couldn't build a salt shed for anywhere near that. They are actually giving them the land, but not giving it to them. You can use it to do public things on it. It has been through a level 2 EPA check and was approved. They've heard all kinds of stories about that property but there have been people out there using it for a number of years now and nothing has come up.

Mr. Finney said that if they wanted to use it for commercial or revenue purposes, the City would then owe ODOT the fair market value of the property.

After some question, it was decided Mr. Kairis touch base with the law director to get answers for his concerns. In the meantime, the legislation would be prepared for the Special Council meeting on December 23.

Mr. Harper said the next item on the agenda is to discuss a moral claim.

Ms. Dubinsky said a moral claim was received, which was under a little bit different circumstances than the others they've received. She and Mayor Seman decided that it would be best to present it to Council for their thoughts. On November 27th, which was the Wednesday before Thanksgiving, when there was a big, heavy, bad windstorm. The Street Department had put out their road closed signs on the sidewalks for the parade on Friday evening. This incident happened at the corner of Sycamore and Main Street. The road closed sign, that was placed on the sidewalk and while the person was driving east on Main Street, that sign blew off the sidewalk and hit her car. The woman is asking for \$1,555.00 to be reimbursed. The quote came from her insurance company, All State. She has damage to the headlight and scratches on the hood of the car. Council knows where she stands on the issue of moral claims. They pay \$1,000.00. But with this being City property she just wanted their thoughts. This was a road closed sign that was placed on the sidewalk near the bus stop.

Mr. Moskun asked if the insurance company asked why the sign was put there in the first place.

Ms. Dubinsky responded in the negative.

Mr. Harper asked if the driver was stopped or was she driving.

Ms. Dubinsky responded that she was driving. While she was driving, the sign actually blew out and hit the car.

Mr. Moskun said those winds were quite high.

Mr. Kairis asked if Ms. Dubinsky offered the lady the \$1,000.00.

Ms. Dubinsky responded in the affirmative stating she asked how she is supposed to pay for the rest of it, which is \$555.00.

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Mr. Kairis asked if that means it were to be approved, that it would require council action.

Ms. Dubinsky responded in the affirmative. She did stress to her that at least they are going to pay the \$1,000.00. Many communities don't even do moral claims.

Mr. Kairis said anything could have blown off, a sign or something. He doesn't know. If the wind causes a tree to fall on your neighbors' property, it's not your fault unless there is something really wrong with the tree.

Ms. Dubinsky said the Street Department, of course, didn't work on Thursday or Friday due to the Thanksgiving holiday so they had to put the signs up on Wednesday. No one knew there was going to be a wind storm.

Mr. Kairis said if they were to approve this, it would not be until January.

Ms. Dubinsky said she doesn't think that's an issue. The woman just wants reimbursed. She didn't know that it was coming before Council.

Mr. Kairis said he doesn't have a problem bringing it forward but he doesn't know about everybody else.

Mr. Kluge asked if there have been any other circumstances where they would pay out over \$1,000.00.

Ms. Dubinsky said since she's had this job, she has stuck with the \$1,000.00 per ordinance but there have been some previously. She discussed this incident with Mayor Seman and decided to bring it to Council since it involved City equipment.

Mayor Seman said they have paid more but it was on very few occasions.

Mr. Bica said it really has to be a negligence issue to pay more. They've stuck pretty firm over the last six to eight years.

Mr. Kluge said he would be interested to hear what the law director says about it.

It was decided by those present the issue would be moved forward for further discussion at the Committee of the Whole meeting on December 23.

There being no further business before the Committee, the meeting adjourned at 6:11 P.M.

ATTEST:

Clerk of Council

Matt Harper, Chairman
Streets & Sidewalks Committee