

**THE CITY OF KENT, OHIO  
STREETS, SIDEWALKS, & UTILITIES COMMITTEE  
WED., MAY 7, 2008**

This meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council was called to order at 9:05 p.m. on Wed., May 7, 2008 by Mike DeLeone, Chair.

**PRESENT:** MR. AMRHEIN, MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUCHAR, MS. SHAFFER, MR. TURNER, MS. WALLACH, MR. WILSON

**ALSO PRESENT:** J. FENDER, MAYOR; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; J. BOWLING, CITY ENGINEER, AND S. CHESTNUTWOOD, ACTING CLERK OF COUNCIL

**ABSENT:** L. COPLEY, CLERK OF COUNCIL

**Dave Ruller, City Manager**, explained they have spent time previously discussing the Fairchild Avenue Bridge. He said the more he has talked to **Jim Bowling, City Engineer**, the more he understands the bridge is a significant transportation project and a huge addition to that part of town. He said it is an anchor to the West River Neighborhood, and the downtown. He said they have some renderings that they plan to put in the Tree City Bulletin so the residents can see what is at the end of the road. He noted it will be a long road with many disruptions.

Mr. Bowling said a lot of work has occurred in the last six months. He said after talking to the Citizens Committee and Mr. Hawksley, he felt it was a good time to update Council on what was going on, with more financial numbers. He said he wanted to highlight some of the good things that are happening.

Mr. Bowling said the last time the citizen's committee interacted with staff was in August 2006. He said they met on January 31 for an update, and again on Feb. 5 for some more specific issues, such as traffic signals and lighting. He said they agree that continued notification is necessary for this project, and they have to find a way to get to the public before they come, frustrated, to the City. He said if they understand, it will be helpful.

Mr. Bowling said they have discussed three changeable message boards to be located on Fairchild Ave., SR 43, and SR 59. He said there should be an article in the next Tree City Bulletin, with frequent updates in the Record Courier and on the City's website. Mr. Bowling said they also will put updates on the City's radio station.

Mr. Bowling said the designs are 80% complete. He said they need to quantify what we are building. He said they design was reviewed by ODOT, and the City's comments need to be returned by the end of the week to ODOT.

Mr. Bowling said key aspects to this project include a new bridge, added turning lanes, traffic calming, the connection to the Hike/Bike trail, pedestrian facilities and the stormwater treatment. Mr. Bowling said the traffic calming items are calmer. He said there will be another bridge crossing for the Hike and Bike Trail.

Mr. Bowling said they have received more concessions than he has seen from ODOT for the pedestrian facilities. He said a majority of the sidewalks are eight feet wide, with a ten-foot sidewalk over the bridge and a barrier between the street and the walkers. He said ODOT never questioned the participation.

Mr. Bowling said they moved the sidewalk away from the road as much as possible. He said this is a unique project for stormwater treatment, as it goes above and beyond the federal requirements. He said the project ties into the Whitewater Park.

Mr. Bowling displayed renderings at this time, including a view from Lake Street, looking south to Water Street.

He said the Crain Avenue area will have a neighborhood monument, signage, medians and brick pavers, as the residents wanted a "neighborhood feel." He said there will be two types of pavers, with one identifying the crosswalk and the other identifying the street. He said this will also be done on Fairchild Ave.

Mr. Bowling displayed the storm water management facility which is a man-made wetland that the water will flush through.

Mr. Hawksley noted there were no crosswalk signals shown on the drawing, and assumed they would be installed. Mr. Bowling said that was correct.

Mr. Kuhar said the intersection at Crain looked small, and Mr. Bowling said there will be two lanes only. Mr. Kuhar noted there was a split.

Mr. Bowling displayed a rendering of the existing Crain Ave. looking northwest to SR 43. He noted some of the trees were removed, as they could not see the road from the amount of the proposed trees. Ms. Wallach noted that part of the sidewalk will be about fifty feet away from SR 43. He said during the project, they have heard talk about difficulties walking up and down SR 43. He said they took advantage of that extra space. Ms. Wallach asked how far it would go before it is close to the road, and suggested it was about twenty yards. Mr. Bowling said it would three to four hundred feet, tying back in at Cuyahoga Street.

Mr. Kuhar asked if they are taking out all of the buildings, and Mr. Bowling said it would be all of the buildings south of Riverside Wines. Mr. Bowling displayed a view that is on the west side of the river, south of Fairchild Avenue. He showed the location of the Hike and Bike trail, and the location of SR 43. He showed the tunnel for the Hike and Bike trail that would go under the road, and the stormwater treatment area. He said there would be a set of stairs to the trail, and on the other side of the road, there would be ADA access. He said the elevations vary from twelve to twenty feet. Ms. Wallach asked about enclosures for the Hike and Bike trail, and Mr. Bowling said they will have railing when it is too close to the river or the slope leading to the treatment area. He said they notched out an area for seating. Ms. Wallach noted the handrails would be intermittent, and Mr. Bowling said that was correct.

Mr. Bowling said the retaining wall will use some of the remnants of the old bridge. He said the County agreed to let them keep some of the sandstones, which they will sandblast and clean.

Mr. Bowling further explained the rendering at this time. He said the path would tie into Brady's Leap. Mr. Kuhar asked if the view they are seeing would be a way they are utilizing the federal grant money for the river access approach, and Mr. Bowling said if this was not done, access would have to be built from the street. Mr. Kuhar asked if this is part of the grant money for the whitewater grant access, and Mr. Bowling said it was not part of that money.

Mr. Bowling said they are working with the right-of-way acquisitions. Mr. Bowling said that title searches are done on the land to be sure there are no liens. He said the process includes hiring another consultant to review appraisals to be sure they do not abuse people or federal money. He said they include the buildings and relocations. He said the next process deals with negotiations with the owners. He said they have 40/50% of the owners who have signed. He said they recently concluded negotiations with two of the relocated parcels.

Ms. Shaffer asked if they could see a map of the properties that are being negotiated, adding she is not clear about them. Mr. Bowling asked if she wanted to see who has signed or who they have to take, and Ms. Shaffer said she would like those properties they have to take. Mr. Bowling said he could do that. Ms. Wallach asked they include those that are signed.

Mr. Kuhar said that someone saw a title transfer for a property on Fairchild Avenue, and asked if the City took the property behind Crock's. Mr. Bowling said there are no complete properties being taken on Fairchild Avenue. Mr. Kuhar said this was a transfer on Fairchild Avenue to the City of Kent, and Mr. Bowling said he did not know, as there are no total takes on Fairchild Avenue.

Mr. Bowling said that one thing they are experiencing currently is that a lot of properties are in foreclosures, and have liens. He said when this occurs, the lien must be paid first, not the property owner. He said it is an extra step, but has affected about six properties that had this issue so far. Ms. Wallach asked if that is an additional cost, and Mr. Bowling said it is not, adding they pay the lien first, and give the balance to the property owner.

Mr. Bowling said they are still "playing nice" with the railroad with respect to the agreements. He said he is meeting with the president of the railroad, and hopes to have resolution by the end of the month. He said the estimated cost of the right-of-way is \$2.7 million, with all appraisals. He said the budgetary figure was originally \$3.4 million, so it is \$700,000 less.

Mr. Bowling said the current project cost is \$20.2 million. He said they had an update in late 2006 or early 2007, and the cost at that time was \$17.1 million. He said construction costs are estimated at \$15 million, having risen from \$11.5 million. He said the predominate reasons are inflation and the railroad. He said when the estimate was originally put together, they assumed inflation to be 4% to 5%, but construction costs are increasing 15% to 20% annually. He said the one year delay while they negotiated with the railroad has contributed to the cost.

Mr. Bowling said with the cost increases, they began looking for more money. He said they are receiving federal money from numerous sources. He said the County Engineer has \$5 million, with \$4.4 from AMATS. Mr. Bowling said they have \$2.25 million from the Highway Safety program. He said AMATS may approve an additional \$1.1 million. He said they talked to US Representative Ryan's office, and have applied for an additional \$2.5 million. He said he is not helpful.

Mr. Bowling said their current share as they move forward is \$3.6 million, adding they have approximately \$4.8 million, but noted they need a 10% contingency, and this amount is less. He said they are hopeful this will be built within the budgetary number. Mr. Bowling said additional monies from Congressman Ryan's office would pay toward the City's share. Mr. Bowling said a good portion of the City's share is in the 2008 budget. He said when the project begins, the city must write a check to ODOT. He said that will not happen in 2008. He said they anticipate that will occur in mid-January 2009.

Mr. Bowling said by December 2008, they hope to have the plans completed, right-of-way acquired, and railroad agreements signed. He said if this is not done by mid-January, they will lose the monies from the local agencies. Mr. Bowling said the project will be bid, and he expects construction to start in March or April 2009. He said it would be a three-year construction process, with it being completed in 2011.

Mr. Ferrara asked how the whitewater project will coincide with the bridge, adding he cannot imagine too many people whitewater rafting while the bridge is built. Mr. Bowling said it depends on when they get the grant. He said when this project is built, there will be a temporary causeway across the river. He said they want the whitewater park to have that access as well.

Mr. Wilson asked the bottom line figure, from start to finish, and Mr. Bowling said it is \$3.6 remaining. He said the total, including what was spent previously was \$5.1 million. Mr. Wilson said they should have about \$1.1 million left over, as their budgets have been showing \$6.6 million. Mr. Bowling said it is their contingency funds. He said if all goes well, without escalation of prices, the \$1.1 million will be available when the job is done.

Ms. Wallach asked if the Crain Avenue bridge will be maintained until the new bridge is built, and Mr. Bowling said it would be maintained by the County. Ms. Wallach asked what happens if they do not make the deadline, and Mr. Bowling said they lose the money. Ms. Wallach asked what then happens, and Mr. Bowling said it is the State's problem. Mr. Bowling said that missing the deadline is not acceptable.

Ms. Shaffer asked if Mr. Bowling thought they would need to use eminent domain, and Mr. Bowling said he did.

Mr. Kuhar asked the time frame on pursuing eminent domain, and Mr. Silver said when used for roadway

purposes, it is immediate. He said once the money is deposited with the Court, the City gains the parcel.

Chair DeLeone called for audience comment at this time.

**Jim Geisey:** Mr. Geisey asked why they are keeping the body shop on SR 43, and Mr. Bowling said the federal government would not allow them to take a parcel that is not needed for roadway construction.

**MOTION TO RECESS INTO EXECUTIVE SESSION FOR LAND ACQUISITION.**

Motion made by Mr. Wilson, seconded by Mr. Hawksley.

Roll call was taken at this time. Voting aye: Mr. Turner, Mr. Hawksley, Mr. DeLeone, Ms. Wallach, Ms. Shaffer, Mr. Kuhar, Mr. Wilson, Mr. Amrhein, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

Chair DeLeone recessed this meeting at 9:36 p.m. Following Executive Session, Chair DeLeone reconvened this meeting at 10:04 p.m.

**MOTION TO EXTEND THIS MEETING PAST 10:00 P.M.**

Motion made by Mr. Wilson, seconded by Mr. Hawksley, and carried by a voice vote of 8-0-1, with Mr. DeLeone abstaining.

**MOTION TO EXERCISE THE OPTION TO PURCHASE THE THREE RICCIARDI PROPERTIES.**

Motion made by Mr. Hawksley, seconded by Mr. Ferrara.

Mr. Hawksley said this was a good idea, and they should keep the momentum moving. Mr. Ferrara agreed, adding it showed good effort on the part of the City. Mr. Amrhein said he hears comments from citizens wanting to know what they are doing.

Mr. Kuhar said he could not support the motion, adding he wanted to wait and negotiate the price down.

Mr. Turner said he agreed with Mr. Ferrara and Mr. Hawksley. Ms. Shaffer agreed, adding she wanted to proceed as it shows they are serious. Mr. Wilson said he supports the purchase.

The motion carried by a voice vote of 7-1-1, with Mr. Kuhar dissenting and Mr. DeLeone abstaining.

Hearing no further business before this Committee, Chair DeLeone adjourned this meeting at 10:07 p.m.

**ACTION RECOMMENDED:**

- 1) **UPDATE RECEIVED ON FAIRCHILD/CRAIN AVE BRIDGE PROJECT; NO ACTION NEEDED.**
- 2) **TO AUTHORIZE THE OPTION TO PURCHASE THE THREE RICCIARDI PROPERTIES.**

Transcribed on the 10<sup>th</sup> day of May, 2008, by Linda M. Copley, Clerk of Council.