

Village of Geneva on the Lake
Public Meeting - Erosion
Minutes of Meeting 2/17/2020

Mayor Bennett called the meeting to order at 6:02 PM.

Attendees: Councilors- Jennifer Allison, Matt Caudill, Cindy Herda, Gary Himes, P.J. Macchia and Don Woodward. Also present were Mayor Dwayne Bennett, Village Administrator Jeremy Shaffer and Fiscal Officer Kim McKinley. A sign-in sheet was distributed.

Mayor Bennett opened the meeting by thanking those in attendance including State Representative Patterson, State Senator Sean O'Brien, Judge Schroeder, David Thomas, Jim Hockaday and the township park board.

Village Administrator Jeremy Shaffer explained that this meeting stems from a phone call he received a few weeks ago about the land at Geneva Township Park falling in the lake. The erosion that affected a couple feet has accelerated to over forty-five since. The issue is a result of high water levels and lack of ice on Lake Erie. Pictures on the wall in council chambers document the erosion. The concern to the village is the area located at Old Lake and Park Drive involving the roadway and critical infrastructure involve including sewer, water and gas lines. The police department, fire department and Gas Company performed an assessment of the area. Shutting off utilities is not necessary at this time; Dominion will monitor the situation.

Administrator Shaffer met and reviewed the area with Representative Patterson, ODNR, township trustees, engineers and Emergency Management. The preliminary estimate to address the accelerated erosion from Park Drive to the pavilion is 1.2 million. The village portion is estimated \$266,000. Permits and fees estimated at \$80,000. The estimate to reclaim the beach is 1.3 million. The number one concern is safety; Mayor Bennett declared an emergency. Depending on what happens at a higher level, the emergency declaration may allow the village to receive emergency dollars at the state or federal level. This may also help at a private level. Mayor Bennett and Administrator Shaffer have had several meetings with Representative Patterson, discussions with the office of U.S. Representative Dave Joyce and a phone conference with the office of Ohio Governor DeWine. This Village has created a list of property owners experiencing the effects of the accelerated erosion. Property owners should continue sending information documenting erosion issues to Village Administrator Shaffer.

Mayor Bennett opened the floor for questions. The 1.2 million dollars would include a permanent fix to Old Lake Road and a temporary fix to the township park. Armor stone would be placed along the bank. The Geneva Township Park is their own entity separate from the village. The estimate to reclaim beach a few years ago was 1.3 million; this may not happen for another couple years. The Village has contacted various levels of government including the statehouse. Representative Patterson has been spearheading efforts at the state level on the community's behalf. Mr. Capitena installed armor stone a couple years ago and he is not experiencing any issues. The Village has been in contact with at least four Old Lake Road property owners. Private landowners may need to give up beach rights before village could secure any grant funds for erosion control. As stated earlier Geneva Township Park in their own entity and the village is only trying to facilitate a solution. Tony Long, Township Park Fiscal Officer, informed those in attendance that a park levy is on the ballot in March; the park has not received any grants for the erosion. Councilman Don Woodward reiterated that the township park is its own entity. In addition, private landowners are experiencing severe erosion too due to the high water levels. The structures put in place on his property in 1986 are now submerged. Historically, there has never been any federal or state monies available to the private landowner. Without naming any specifics, Lake County is getting creative on how they plan to deal with the erosion issue. Councilman Don Woodward indicated the only solution might be for private landowners to sign over their beach rights to a public entity such as the village or a port authority. However, that solution would be well down the road. The Geneva Township Park will place a levy before the voters from Geneva on the Lake, Geneva Township and Geneva City. The 1.2 million is only a temporary fix. Mayor Bennett added that it took Euclid ten years to facilitate the whole project with their shoreline.

Administrator Shaffer elaborated on the potential disruption of gas service. The bank at Old Lake/Park has slid and covered an outfall pipe. The gas company met with him today and the discussion was that the gas would remain on. The company needed to be aware of the erosion issue because the gas line is about 3' from guardrail. The land movement has been slow in this area of concern; we should be able to give the property owners advance notice of any shutoff. If you look at the pictures on the wall, you will be able to see a distinct difference on what is happening at the

park compared to area to the west. There still plenty of distance between the bank and road. The village is just being cautious from a safety standpoint.

A resident pointed out a pipe that has been discharging water for several weeks. Adm believes the pipe belongs to an old storm drain. Village personnel will be attaching corrugated pipe to run the discharge as close to the lake as possible.

Mayor Bennett said the 1.2 million would cover 600' of lakefront starting from the west end to the stairs. There is existing armor stone protecting the west end. Someone inquired about driving steel piles. Mayor Bennett reported that the township parks wants to develop a beach. The armor stone would be temporary and later moved to accommodate the beach project. Councilman Don Woodward commented that unlike the ocean, Lake Erie has very little sand. Presque State Park in Erie ships sand over from Canada. A steel wall has been a great method used along Lake Erie; piles must be driven down to the shale. Someone asked if a steel wall is a permanent fix without losing any real estate. Don Woodward added that steel walls are not permanent; his family installed 600' of steel wall in 1986 and it is starting to move.

Another idea discussed was a loan to a private property owner paid back through assessment. SB 51 addresses the issue; however, there still is no funding in place. Representative Patterson has been working to address the situation since 2019 when the City of Conneaut had an issue with high water from Lake Erie beginning to take over the water treatment plant. Jim Hockaday stated that this was a critical infrastructure project but there were no emergency funds available for a drinking water facility. The city spent \$300,000 to address the dire situation. Mr. Hockaday believes an assessment program would be beneficial to the private homeowner. The assessment would stay with the property as ownership changes. The state needs to understand the impact erosion has on critical infrastructure, not just public property or parks but also private property. Program may be managed through the county or port authority. After being contacted by Conneaut last summer, Representative Patterson began to gather information all along the lake to see whom may be in a similar situation. Conneaut water intake needed to be shored up before sliding into the lake. Others have outfall pipes that are now below the water, taking more pressure to pump the water out and causing more stress on the lines. This is a growing concern with other waterfront communities. Representative Patterson along with Representative Manning from Avon Lake introduced HB343, which would replenish 10M in the emergency infrastructure fund managed by OPWC; the original allocation was used within the first days of the biannual budget. The funding comes from the transportation budget. The Army Corps of Engineers project water levels to increase 2"-11" from last year. The upper great lakes are also experiencing high water records; 92% of these waters flow down to Lake Erie. Ohio State Climatologist predict torrential rains over the next few years. Representative Patterson has been in contact with Scudder Mackey of Ohio Coastal Manager; a representative was out last week. In addition, Representative Patterson, along with Senator O'Brien and (Ohio Senate) President Obhof have met with the governor's office. The township park applied for money in the capital budget. The state needs to immediately address the issue with infrastructure and protect vital interest. SB 51 would allow groups to form along the lake to do as suggested (property assessment). Representative Patterson and Senator O'Brien, at the state level, will continue the quest on the community's behalf. State Senator Sean O'Brien did have a long conversation with President Obhof and he is working with him on the 10M dollar request but it may have to be placed in a different vehicle in order to speed up the process. In addition, Senator O'Brien has met with ODNR and he has a meeting with the governor's office to relay the sentiments discussed this evening. Mayor Bennett has conveyed that the village is trying to be proactive and to make sure the solution works for everyone not just one individual. A member of the audience recommended contacting Ohio Water Development Authority regarding the Soil Erosion Loan Fund; the county would manage the fund. Senator O'Brien added that SB 51 has support with caucus that represent lake communities. This bill allows homeowners to come together, share the cost and have the cost assessed to the property taxes.

Amanda Briggs, Geneva Township Board Member, reported the mobilization of the project could start once the levy passed. The park would need to secure permits from ODNR and the Army Corps of Engineers and this process could take 45 days. The park spent \$45k to address the issue last year. Private property owners conveyed the frustration of not having any financial assistance for their issues while being asked to support a levy to pay for the repairs at the park. Mr. Cevera commented on the amount of materials in the lake that could be moved with the right equipment. Mayor Bennett said that while there may be several ideas and solutions money is required to address the situation. The park has been trying to address the situation for over three years by applying for grants. Grants generally require matching funds.

Councilman Woodward said the hurdle with SB51 is that it does not provide a funding mechanism. A group of property owners on the west end of the Township Park are willing to work together, have the cost assessed to their taxes, however, the problem is securing the money. The county and state need to address the issue. The port authority has maybe a million dollars that may fund three projects. It would then take 25 years for the port authority to recoup the money.

Terry Wolk recommended a storm water management plan and the issuance of bonds; bonds would be paid back through property assessment. Legal fees would be expensive and the process would be long.

One property owner suggested working with the contractor hired to perform the work at Township Park. Mayor Bennett said that could be a solution for a group of property owners to work with the contractor. Residents would need to have plan in order before construction on the park begins.

Administrator Shaffer requested that all property owners continue to send him a brief description of erosion issues and pictures. If the State of Federal Government would declare an emergency, the village would have the documentation. He would like to see a public/private partnership with the contractor on the township park project and the residents west of park. He will do anything to help facilitate.

Duane Feher thanked those in attendance. He has echoed the same concerns with SB51 – no funding mechanism. Another problem is that one erosion solution will accelerate erosion somewhere else. His recommendation is creating an advocacy group with the lakefront communities in Ashtabula County from Jim Hockaday in Conneaut to Jeremy Shaffer. The group should compile a list of all property owners interested in securing funding for erosion repairs. Eventually, the group should reach out to all of the other lakefront communities in Ohio and ask the state to include information in the Coastal Zone Management Plan in which they request public comment. Why would anyone pay for engineering or legal underwriting without having any funding in place? The state needs to standardize the system so every community can avoid having to pay for the same engineering and bond council all along the shoreline. Mr. Feher recommended contacting Dave Joyce and Sherrod Brown. If the federal government can provide flood insurance in Florida, they should be able to offer property owners along the lake something. There is also the Lake Erie Commission and the Great Lakes Commission. SBA has loan funds available. FEMA could provide loans upon a federal emergency declaration. The county auditor can only do so much, the state needs to address this with an approach similar to the CAUV program, which took ten years to resolve. Mr. Feher said he understands the village has a meeting with the City of Euclid schedule in the future. It took Euclid nine years for the city to develop a program so maybe with everyone working together here that time can be reduce to two or three years.

Auditor David Thomas explained that his office conducts a countywide reappraisal every six years. The process has begun for 2020. The county will be looking at the lakefront in April or May. Please notify the auditor of any changing property conditions. Auditor Thomas is happy to work with the homeowner. The State of Ohio must approve the reevaluation. Updates should be available this summer. Residents will have thirty days to comment.

Mayor Bennett adjourned the meeting at 6:48 P.M.

Recorded by: Kimberly A. McKinley, Fiscal Officer