

Memorandum

To: *Jon A. Bisher - City Manager*
From: *Adam C. Hoff, P.E. - City Engineer* *ACH*
cc: *Brent Damman, Rex Moll*
Date: *June 29, 1998*
Subject: *Paul Westhoven Property on East
Riverview*

Attached is a letter received from Paul Westhoven regarding property he is purchasing on East Riverview Avenue, just west of Tullock's Marine and east of Hanna's Paint Supply. Mr. Westhoven is requesting that the City participate in the improvement of storm drainage on his site. East Riverview Avenue sits at a higher elevation than Mr. Westhoven's property and does not have curb and gutter. As a result, during rain events or snow melt the water runs from East Riverview onto his property. Mr. Westhoven's proposal is to install two (2) new catch basins on his property and connect them into the City's storm sewer within the right-of-way. Mr. Westhoven has requested that the City participate in the cost of these improvements.

After inspecting the site, it is my opinion that the City should not participate with Mr. Westhoven in the cost of these improvements. When East Riverview Avenue was originally constructed swales with catch basins were built on either side of the roadway for drainage. When this building was built, the swale across the frontage was filled and the entire area paved. Mr. Westhoven's contention is that the City's right-of-way is shedding water onto his property. This is true but only because the property was not properly developed and, therefore, not the City's responsibility to fix. This is not a new condition that has developed since he purchased the property. I am sure that it has existed for many years.

In summary, I am requesting your approval to respond to Mr. Westhoven in writing stating that the City will not participate in the cost of any improvements to his site. If you have any questions or require any further information, please see me.

Paul J. Westhoven
REGISTERED LAND SURVEYOR
129 W. WASHINGTON STREET-P.O. BOX 172
NAPOLEON, OHIO 43545
Phone (419) 592-0771
Fax (419) 592-0775

June 12, 1998.

City of Napoleon
Adam Hoff-City Engineer
Riverview Avenue
Napoleon, OH 43545

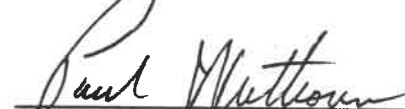
Dear Adam:

On June 11, I met with Brent Damman and Napoleon City representatives, to discuss the drainage on property I am purchasing on E. Riverview Avenue (former Terry Michaelis property).

The recommendation after discussing the situation was to install 2 standard size catch basins along the road right-of-way to drain the water from the road pavement as well as the parking area and to connect these two catch basins to an existing storm sewer which runs along the approximate right-of-way to Oberhaus Creek.

I would appreciate your consideration in helping to defray the cost of this work for the mutual benefit of the City and my property.

Respectfully submitted,



Paul J. Westhoven



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151
NAPOLEON, OHIO 43545-0151
(419) 592-4010
FAX (419) 599-8393

July 6, 1998

Mr. Paul Westhoven, P.S.
129 West Washington Street
P.O. Box 172
Napoleon, Ohio 43545

Mayor
Donald M. Stange

Re: ⁵²³ East Riverview Property Drainage

Members of Council
Michael J. DeWit, President
Robert G. Heft
James Hershberger
David F. Miller
Travis B. Sheaffer
Char Weber
Terri A. Williams

Dear Mr. Westhoven:

I have reviewed your request for the City to participate in the cost of installing drainage facilities to your property on East Riverview Avenue, per your letter dated June 12, 1998, with City staff. It is our opinion that the City should not participate in the cost of installing such infrastructure.

When East Riverview Avenue (St. Rt. 424) was originally constructed, swales with catch basins were installed on either side of the pavement which served as the drainage for the roadway. Several years later, when the property you recently purchased was developed, these swales were filled and paved over by the developer causing the runoff to enter the site. This is a condition which has existed for many years and was caused by the property owner. Therefore, we do not believe that it is the City's responsibility to remedy the situation.

If you have any questions, please call me.

City Manager
Jon A. Bisher

Finance Director
Gregory J. Heath

Law Director
David M. Grahn

City Engineer
Adam C. Hoff, P.E.

Yours truly,

Adam C. Hoff, P.E.
City Engineer

ACH:rd

cc: Mr. Jon A. Bisher, City Manager
Mr. Brent Damman, Bldg/Zoning Administrator
Mr. Rex Moll, Construction Inspector

C:\lotus\work\wordpro\CITYENGINEER\LETTERS7\6/98, 9:31 AM

Records Retention ENG-018 Permanent

Fax Cover This is a confidential message, intended solely for the person to whom it is addressed. If you receive this message in error, please forward it to the correct person, or mail it back to us. Thank you.

To Paul Westhoven
Fax No. (419) 592-0775
From Adam C. Hoff, P.E. - City Engineer *ACH*
Date 7/27/98
Subject 540 East Riverview Avenue
Pages 1, including this one

Based upon my review of the site plan submitted for your property at 540 East Riverview Avenue, you may begin with the construction of your proposed improvements. However, please note the following:

1. Taps into the 8" storm sewer shall be cored and finished with a tapping saddle so as to form a watertight seal.
2. I would prefer to see the down spouts on the front of the building outlet onto the surface versus discharging directly into the storm sewer.

If you have any questions, please call me at 592-4010.

c: Jeff Marihugh, Rex Moll

255 W. Riverview Ave.
Napoleon, Ohio 43545

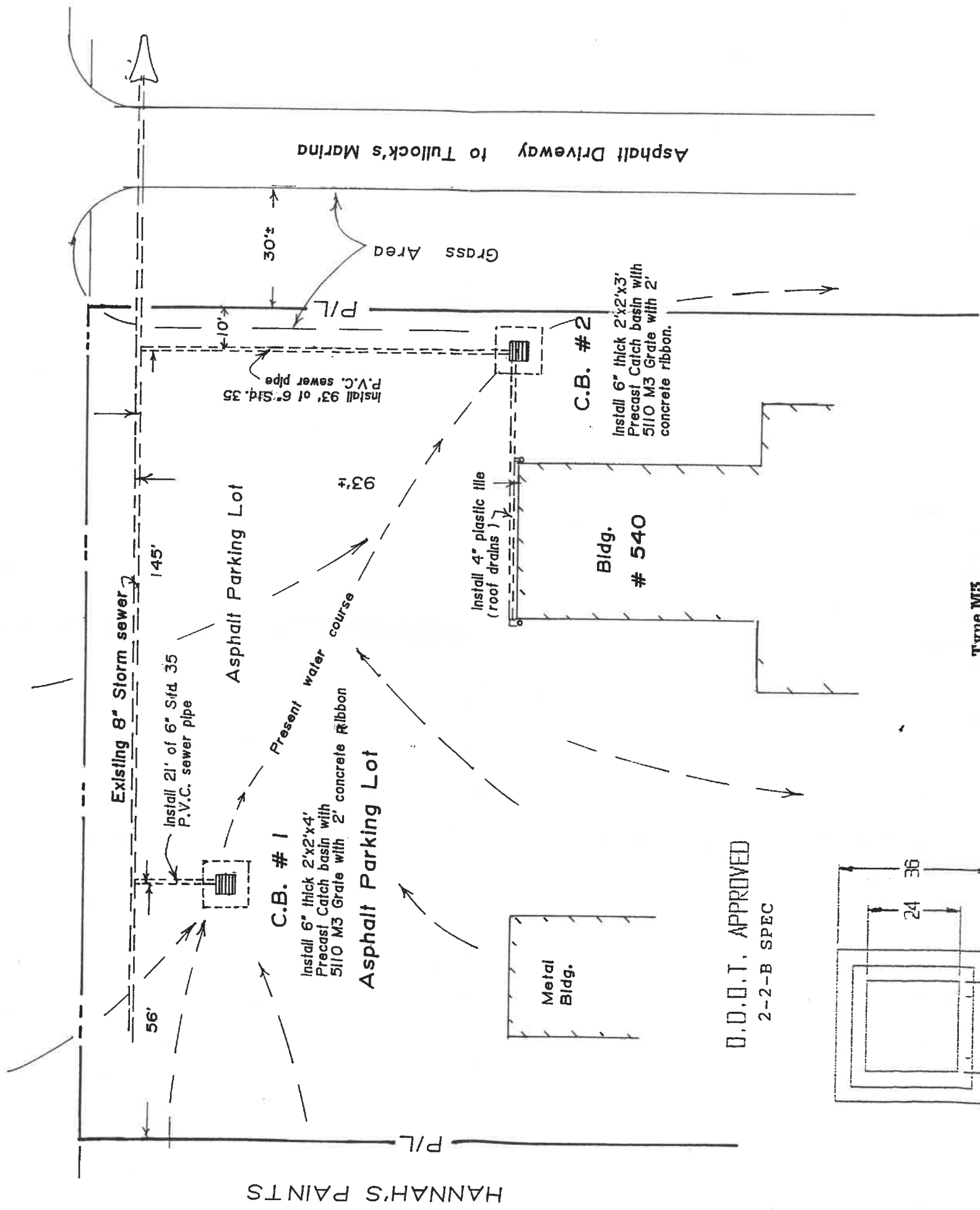
(419) 592-4010 Phone

(419) 599-8393 Fax

Drawing of proposed drainage improvements at
 540 East Riverview Avenue
 Napoleon, Ohio

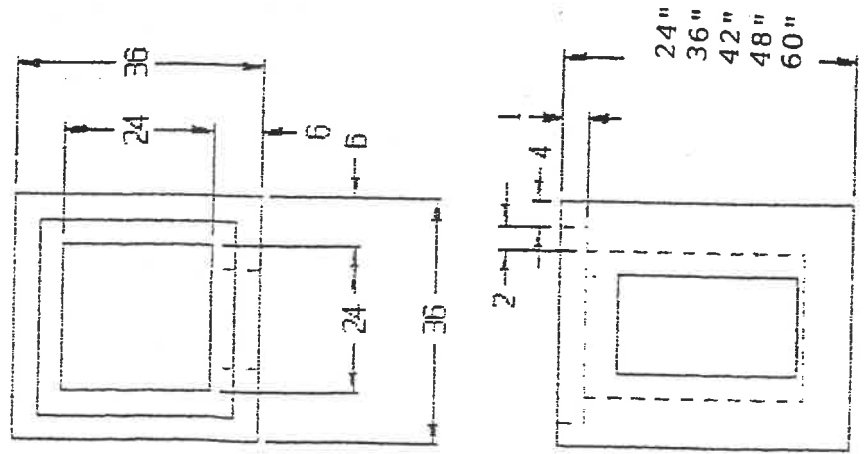
East Riverview Avenue
 S.R. No. 424

Asphalt Pavement over concrete

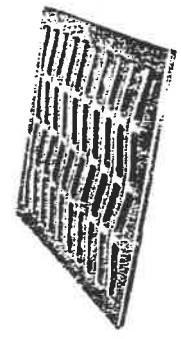


HANNAH'S PAINTS

O.D.O.T. APPROVED
 2-2-B SPEC



Type M3
 Heavy Duty Sinusoidal Grate
 Approx. 320 sq. in. of opening



Drawn by: Paul Westhoven
 July 25, 1998