

City of NAPOLEON, OHIO

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November 15, 1996

Mr. Michael Wesche
Lankenau, Wesche & McColley
105 West Main St.
Napoleon, Ohio 43545

Mayor
Donald M. Stange

Re: Terry Brubaker
Sanitary Sewer

Members of Council
Michael J. DeWit, President
Dennis Filgor
James Hershberger
Sarah J. Peper
Travis B. Sheaffer
Char Weber
Terri A. Williams

City Manager
Marc S. Gerken, P.E.

Finance Director
Gregory J. Heath

Law Director
David M. Grahn

City Engineer
Adam C. Hoff, P.E.

Dear Mr. Wesche:

This letter is in response to your November 8, 1996 letter as well as our telephone conversation.

After extensive review of our records, as well as detail review of the construction plans, as-built record drawings, as well as conversations with past Councilmembers, we feel confident that our actions are fully within our jurisdiction.

In accordance with our current practice, the sewer main was installed at the proper size (eight {8} inch) and a manhole was installed at the right-of-way, the City of Napoleon accepted the improvement and took over its maintenance from the 1979 date.

Also, in my discussions with Staff, Mr. Brubaker was told that he needed to talk to the writer, but in checking with my receptionist and administrative assistant, no contact was made.

Should Mr. Brubaker possess some particular document illustrating future cost reimbursement by the City of Napoleon, we would ask that you forward it to us for consideration. Otherwise, we will consider the matter resolved.

Respectfully,

Marc S. Gerken, P.E.
City Manager

MSG:rd
cc: City Council
Adam C. Hoff, P.E.; City Engineer
Brent Damman, Building/Zoning Administrator