

Bob Mollette

3rd Ward Councilman

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June 22, 2009

Jim Kalb, Mayor
728 Second Street
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Re: Street Resurfacing, Funding, and Informed Decision Making

At the May 26, 2009 Work Conference Session you requested \$800,000 in street resurfacing funds which is in addition to the \$200,000 previously appropriated within the 2009 Capital Improvement Program (CIP) Budget. You stated the additional funds (\$800,000) would be used to pave and maintain most of the roads in the City of Portsmouth. You requested the City to issue \$800,000 in bonds with emergency legislation to be prepared for the next Council meeting (June 8, 2009). You stated the bonds would be repaid from the 2011 Debt Retirement Fund (\$680,000) and the 2010 CIP Budget (\$120,000). You did not provide Council members any documentation for this request. A majority of Council members (4 to 2) voted to authorize the preparation of emergency legislation with a promise by you to supply adequate information in the form of a plan prior to a first reading at the June 8, 2009 meeting. I agree that our City streets need attention, but so does the rest of our infrastructure. I voted against preparing emergency legislation until a plan is prepared to avoid wasteful spending of our limited resources. Without a plan, there is no assurance the additional expenditure will solve the problem. Again, to make informed decisions I am requesting a five (5) year plan for the Capital Improvement expenditures.

- On May 1, 2006 (#06-038) I documented my review of the proposed 2006 CIP Budget and requested a five (5) year budget to provide accountability to the public. The amount proposed for street resurfacing was \$220,000. I asked *"based on inspections, evaluations, and priorities will this amount be adequate? I understood resurfacing roads are a priority then alleys but alleys seem neglected and need attention. What are the recommendations to best utilize the limited resources we possess?"* I did not receive a response to these questions.
- On April 30, 2008 (#08-016) I documented my review of the proposed 2008 CIP Budget and requested a five (5) year overview for our future needs. The proposed budget indicated *"\$110,000 for street resurfacing but per Engineering Department an additional \$90,000 from the 2007 CIP will be utilized for a total of \$200,000. The 2007 CIP Budget proposed \$220,000 and based on the increased cost of petroleum products and degraded condition of our streets and alleys I believe resurfacing should be increased rather than decreased."* Engineering Department responded May 9, 2008 that *"Street resurfacing: \$200,000 is what we have this year, and is what we will live with. Streets are the primary concern – Alleys are secondary. Doubtful if any alleys will be paved. Possible some alleys may be patched with cooperation between the Engineering and Streets departments."*
- On April 6, 2009 (#09-010) I documented my review of the proposed 2009 CIP Budget and requested a five (5) year plan. I stated that *"The Engineering Department has requested \$181,000 for Street Resurfacing. Please elaborate which streets and alleys are being proposed for paving this year. Does the City have a plan for future paving projects to determine if this will adequately maintain our streets and alleys?"* On April 20, 2009 your correspondence did not indicate any future paving or a plan other than *"Traditionally, there has been a total of \$200K available each year for the paving and this year the Engineering Department has a 19K carryover from 2008 combined with the requested \$181K....."*

- On April 23, 2009 (#09-011) I again requested a five (5) year plan and I expressed my concerns that our City may not be maintaining our pavement infrastructure, which includes alleys. I suggested a priority evaluation of the CIP Budget that could have increased the funding for asphalt paving. I also suggested consideration for a recent process called micro-slurry surfacing that is being considered in Ironton, Ohio. This may allow the City to repave three times the number of streets at the cost we currently pay to mill and repave one street.

On May 29, 2009 the Solicitor sent Council members a memo expressing in his opinion that Council should proceed cautiously when passing this legislation as an emergency. In part, he recommended this ordinance receive three separate readings due to the significant cost and potential effect to the taxpayers of the City of Portsmouth.

I reviewed your memo dated June 4, 2009, "Street Resurfacing Funding" which I received in the June 8th, 2009 Council packet. The memo included an attached listing of various streets and sections with a pre-bid estimate; noting the list may be adjusted based on the actual bid. The following statements were listed:

- Repairs will be done on Walnut Street and other sections of State Route 52 using City crews and equipment whenever possible because ODOT does not have these sections scheduled for resurfacing at this time.
- 2010, ODOT will complete a section of Route 52 which will require \$420,000 in matching funds and you intend to use the 2010 CIP Budget.
- 2010/2011, you intend to improve our City maintenance of streets over the next year. You noted the City has purchased the necessary equipment and you intend to schedule crack sealing on several streets this year and next.
- 2012, you stated with the expanded maintenance by our Public Service Department we should be able to resurface all streets needing new pavement using CIP Budget each year.

At the June 8, 2009 Council meeting a discussion took place on resurfacing and funding, but lacked a comprehensive plan that would insure this investment would solve the poor conditions of our streets. I feel in simple terms, you have the cart before the horse. I feel this is a reaction to a problem rather than a solution that was attained by diagnosing the problem. Seek viable solutions, establish a total investment, considering viable resources, and then preparing a comprehensive plan that encourages public approval and participation.

I also have reviewed your memo dated June 19, 2009 "Information Requested–Paving Project" which was included in the June 22, 2009 Council packet. This memo provided a proposed list of partial streets and their proposed estimated associated paving cost. I believe informed decision making is accomplished by analyzing a plan that has considered all the facts and has an overall vision to achieve a designated goal. I have included the following list of questions for your review and proper evaluation:

1. How many miles of streets are in the City and the rated condition with age on the existing pavement? Keep in mind pavement tends to deteriorate very slowly during the first few years after placement and very rapidly with age, as documented in various studies. Local governments invest more funds for maintaining streets than any other public purpose. There is strong evidence that some of the high operating costs originate from inappropriate or poorly timed maintenance decisions. The tool for efficiency is a good pavement management plan.
2. How many miles of alleys are in the City limits? Alleys are being neglected because the City government reports a lack of resources. Evaluate and include the investment required to repair.
3. The City has streets with exposed concrete surfaces. Evaluate how many miles exist of these streets and update the status and corrective plan.
4. In the past Municipal Parking Lots has been a concern for downtown retailers. Evaluate the quantity of municipal parking lots and provide a corrective action plan for repair.

5. Please evaluate and quantify the option for the micro-slurry process to extend the resurfacing of our streets?
6. Please evaluate the streets for scheduled crack sealing and provide a maintenance plan with an annual estimated expense?
7. Please evaluate the needs and available resources in the 2010 CIP Budget if \$420,000 is obligated for matching funds on the ODOT US52 project and \$120,000 for street resurfacing bond repayment. How will it affect the City's overall needs within the 2010 CIP Budget?
8. Keep in mind the City has proposed the use of the Debt Retirement Fund for other purchases including the City Building. The Debt Retirement Fund was used to purchase Fire Equipment in 2009 and 2010. Please evaluate and provide the potential needs of the City prior to making a commitment to expend the 2011 monies for resurfacing.
9. Due to the size of the project and required maintenance Council may want to consider a paving levy either through property owners or income tax? In order to be successful a pavement management plan would be required to provide information for the citizens to support rather than be a victim of the process. As an example, consider in 1990 the citizens of Piqua, Ohio approved a .05 percent income tax for 10 years to improve and reconstruct many city streets; the tax was renewed again in 2000. The income tax generated approximately \$950,000 per year to be used exclusively for street and storm drainage improvements to the City. Each year the City conducts at least one major reconstruction project in addition to a street resurfacing program.

Citizens know it is City government's responsibility to maintain streets. For many, the performance of City government itself is evaluated by the condition of these streets. The question is not whether to maintain our streets in a safe condition, it is how and what resources will be necessary. Council must represent their citizens by making informed decisions with a written comprehensive plan to provide taxpayer accountability and assure our City problems are being properly addressed. Bottom line, I have no doubt Council has the authority to obligate the taxpayers to spend \$1,000,000 for street resurfacing. I have no doubt that a majority of taxpayers want better streets but as a citizen representative I expect the Mayor to provide a comprehensive plan to assure our street infrastructure is safe and maintained to promote safety and prosperity for all citizens of Portsmouth.

I still hope in the near future our City government will realize the advantages of planning. A five (5) year Capital Improvement Program (CIP) is a necessity in part due to the limited or shrinking resources and this coupled with our aging infrastructure. I equally stress the importance of providing the public an opportunity to become knowledgeable and a partner with these investments. A five (5) year plan becomes a tool to assess all other demands on our resources and provides the ability to make informed decisions on maintaining all our infrastructures (water, sewer, storm water, flood defense, sanitation, structures/buildings, recreation, safety departments -fire/police, etc.).

If you should have any questions contact me.

Respectfully,



Bob Mollette, 3rd Ward Advocate and Representative on City Council

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Honorable Council Members
Michael Jones, Solicitor
Trent Williams, Auditor
Jo Ann Aeh, Clerk (Record)