City of Dublin

Parks & Open Space
6555 Shier-Rings Road • Dublin, OH 43016
Phone: 614-410-4700 • Fax: 614-761-6512

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: May 15, 2014

Initiated By: Fred Hahn, Director of Parks & Open Space

Re: Cramer's Crossing Village Condominium Association

Background

On April 24, 2014, we received a request from the Cramer's Crossing Village Condominium Association (CCVCA) for the City of Dublin to assume maintenance responsibilities for Reserve H of the Cramer's Crossing subdivision (see attachments A and B). Currently the association is responsible for turf maintenance of approximately one (1) acre, landscape bed maintenance and maintenance of the pond aerator including the utility bill. Their stated reasons for relief are based upon costs associated with the maintenance of public area coupled with the costs of the private areas. Figures provided by the association indicate the cost per condo unit for maintenance of the public area between $108 to $147 per year ($147 based upon the replacement of the pond aerator).

In addition to the costs of maintenance of the public area, the association dues also include the typical private area maintenance. Snow removal, building maintenance, landscaping, etc., adds an additional $950 per unit per year.

The City has not previously considered the costs associated with maintenance of private areas when considering giving financial or scope of responsibility relief. When considering the costs associated only with the public area, the current fees associated with the maintenance of this area seems in line with other associations tasked with maintenance of public areas.

In 2009, relief was granted to the Association by means of the City taking over the responsibility of pond chemical treatments (see attachments C and D). This decision was mainly based upon the fact that another pond being chemically treated by the City was physically connected to the pond that was assigned to the CCVCA for maintenance responsibility.

Recommendation

The CCVCA are not alone in having maintenance responsibilities for public reserves. Staff believes that the costs associated with the maintenance of Reserve H are appropriate and reasonable. Staff also believes that the cost per residential unit associated with the public area maintenance is well within the amount currently being expected by other homeowner associations. Staff is recommending that additional relief not be granted to the Cramer's Crossing Village Condominium Association for maintenance of Reserve H.

Marja J. Keplar

From: Fred Hahn
Sent: Friday, May 09, 2014 8:19 AM
To: Marja J. Keplar
Subject: FW: HOA Survey - Cramers Crossing Village Condominium Association
Attachments: HOA Survey CCVCA 121202.pdf

A

-----Original Message-----
From: csechler1@columbus.rr.com [mailto:csechler1@columbus.rr.com]
Sent: Sunday, April 27, 2014 8:38 AM
To: Fred Hahn
Subject: HOA Survey - Cramers Crossing Village Condominium Association

Fred,

As you may recall, I contacted you a few months ago regarding maintenance of our common area, specifically grass cutting and fountain maintenance, on Avery Road. You sent me the HOA survey that had been completed several years back by other associations. Attached is our completed questionnaire for Cramers Crossing. I have also sent a copy by mail to Dana McDaniel.

We are again requesting that the city, after reviewing the attached financial information, will find our request for assistance falls within the guidelines of city maintenance for homeowners common areas.

Please let me know what the next step will be in pursuing our request. Thank you for your consideration.

Christy Stratton
President
CCVCA

CITY OF DUBLIN

Homeowners Association Questionnaire
December 2001

1. Name of Homeowners Association: Cramer's Crossing Village Condominium Association

2. Number of homes in association: 64 Condominiums in 16 buildings plus a clubhouse

3. Homeowner Association Dues/Fees: $1,980. per year

4. Homeowner Association Total Budget (provide a copy of budget if possible/willing): $157,740. for 2014

5. Percent and dollar value of budget used for maintenance: 44.5% $ 70,197.

6. Percent and dollar value of budget used for improvements: 0 % $ 0.00

7. Percent and dollar value of budget used for social activities: .31 % $ 500.

8. Description of maintenance responsibilities (e.g., acreage, signage, fencing, mowing, etc.):

Landscaping, common electric, building maintenance, exterminating, clubhouse mtnce snow removal. This represents $60,807. or 38.54% of budget.
Pond/fountain maintenance includes electricity, mowing, mulch, bed mtnce at $5,000.
Expected repairs to support fountain estimated at $1,890. Cost to replace pump for third time since 2010 estimated at $2,500. This comes to additional $4,390.

Total pond mtnce and repairs: $9,390. (5.95% of budget) Cost per unit is $146.72 for pond/ftn alone.

9. Do you contract maintenance? If yes, what is contracted? Yes, all maintenance is contracted.

10. Is all maintenance performed voluntarily? If not, please describe: None. All is contracted.

11. Do you experience difficulty in collecting fees/dues? If yes, please describe:
We have three or four accounts that repeatedly fall behind.

How do you resolve this? We assess fines as defined in our by-laws and attach liens as needed.

Please return this completed questionnaire in the enclosed envelope or to:

Dana McDaniel, Assistant City Manager/Director of Service
City of Dublin Department of Service
6351 Shier Rings Road
Dublin, Ohio 43017-1243

Thank you for your assistance.

EXHIBIT C

April 6, 2009

· Cramer's Crossing Storm Water Retention Basin Maintenance

Mr. Hahn stated that the staff report provides information about the conditions of the pond located in the public space of the condominium development and the single-family home areas. What appears to be two ponds is actually one body of water and must be treated as such. Therefore, staff is recommending the City assume responsibility for the storm water retention basin water located within Reserve H, which is currently maintained by the Cramer's Crossing Village Condominium Association. The annual cost is $400 and relates to materials. He noted that there is a pending request for relief from maintenance responsibilities from the Cramer's Crossing Village Condominium Association, which is under consideration by CSAC. Tonight's request is a separate item.

Mayor Chinnici-Zuercher noted that the information indicates that the scope of review was requested of CSAC due to the fact that the Association's request included things beyond anything considered previously. What did the request include?

Mr. Hahn responded that their original request included things such as muskrat removal, landscaping bed restoration, irrigation repairs, etc. Some of these costs could be considered atypical.

Mayor Chinnici-Zuercher asked him to explain the significant difference in costs for the Association versus the City to do this retention basin water treatment.

Mr. Hahn responded that the City's cost contemplates the fact that the laborers are already on site to treat the other portion of this pond, and all that is needed is additional chemicals. The City's cost for treatment of an average size pond is about $1,200-$1,300 per year. This figure includes what the City believes is an appropriate scope of services.

Mr. Reiner asked if the Association will be billed for the $400 cost for this maintenance, in view of the substantial savings it represents for them.

Mr. Hahn responded staff is not proposing this, but could if Council directs staff to do so.

Mr. Reiner stated that this is an enormous savings for the residents, and doesn't seem an excessive amount per household.

Mr. Hahn responded that the costs provided by the Association are from 2008, and were based on their expenditures in 2007.

Mr. Reiner emphasized that he does not want to initiate having the City pay for these costs related to maintenance of common property. He likes the idea of saving the Association money by having the City contract include this portion of the pond, but believes everyone should bear their fair share.

Ms. Salay stated that she is confused with what is being requested tonight.

Mr. Hahn responded that by dumping chemicals to treat one side of the pond, they disperse throughout the entire body of water. It is not possible to treat half of the pond.

Ms. Salay noted that this does not involve taking over pond maintenance, but only this chemical application.

Mr. Hahn clarified that the $400 represents the additional chemical costs to treat the additional portion of this pond for one year.

Mayor Chinnici-Zuercher stated that the condo association is currently paying $2,800 per year to do this.

Mr. Hahn stated that is correct. It includes the chemicals and the labor for the application.

Mayor Chinnici-Zuercher noted that Mr. Reiner suggests an interesting model that has not been discussed previously. Another model is that the City would perform this maintenance, but the Association would be billed by the City for these costs. It would still bring a substantial savings to the Association.

Mr. Foegler stated that staff met on this issue in preparation for CSAC's review, and those kinds of options are being considered. In this particular case, due to the connection of the two ponds, and the fact that the City is picking up the costs of the adjacent pond, the incremental cost for this is low. In balancing the treatment of both ponds, staff is recommending an exception in this case. In terms of a citywide policy, staff does not believe it establishes a precedent. Staff is very sensitive to the precedent-setting nature of what will be recommended to CSAC as a more general policy.

Mr. Reiner recommends that the City take over the care of these ponds, but that the City bill the Association for the cost.

Vice Mayor Boring stated that this is a good concept. However, how can the City bill residents for one half of the pond and not for the other half?

Mayor Chinnici-Zuercher noted it is not possible in this case. However, staff is looking at other options for CSAC to consider in their deliberations. She does believe the motion must be clear that Council is approving only this element of their request, as the Association's previous request to Council was much more comprehensive. This recommendation relates to only a particular piece of the pond maintenance.

Ms. Salay asked when CSAC will finalize their recommendations for the remainder of this request.

Mr. Hahn responded that it is an agenda item for April 14th.

Ms. Salay emphasized that it would be important to notify interested associations who would have input on this matter. In the case of the Cramer's Crossing Homeowners Association, the City agreed to take over maintenance of the pond. She recalls that the discussion focused on the fact that these ponds are part of the stormwater utility, and staff felt it was appropriate for the City to assume responsibility for pond maintenance for this reason.

Mr. Hahn responded that at least certain aspects of the system should be maintained by the City – at a minimum, the stormwater structure. The City may find it has responsibility at a minimum to report what goes into stormwater systems, which could lead to a City responsibility – whether the ponds are public or private – for reporting to the state what chemicals go into them. There is an ongoing inventory in the City to detail the stormwater structures themselves – both public and privately owned -- in terms of deficiencies. CSAC will resume discussion on this big picture policy issue on April 14th. Regarding the stormwater discussion, however, there could be information not presently available and which may be needed for CSAC to make an informed recommendation.

Ms. Salay asked if staff may recommend to CSAC that they separate pond maintenance from the other items.

Mr. Hahn responded affirmatively.

Mayor Chinnici-Zuercher noted that this would have been a good topic for the homeowners association meeting versus CSAC having a small group meeting such a short time later. This will impact all homeowner associations.

Mr. Foegler noted that as part of the staff analysis, there is a need to identify all of the conditions that exist with regard to these kinds of basins – which are City-owned, privately maintained and which are privately-owned and privately maintained – in order to understand fully the cost implications of a policy recommendation made to Council. The cost information is being assembled. As the regulatory environment for stormwater management grows, the City will need to consider that in the context of such a policy, to be aware of the future cost implications, given the permitting requirements presented tonight in preliminary form.

Ms. Salay asked how the City will know what is used to treat privately maintained ponds. From a regulatory standpoint, it may be problematic for the City to allow this private maintenance into the future.

Mr. Foegler responded that this type of issue will be framed into the analysis presented to CSAC, who will then recommend to Council. The obligation for the City to manage that is growing. Discussions occurred in the past about the implications of forming a stormwater utility. To the extent that the City takes on more comprehensive management obligations on with regard to that, and has more legal obligation to manage that, the case for that will likely grow with time. Before recommending a policy direction, staff wants Council to be fully aware of those implications.

Vice Mayor Boring stated that suggesting a stormwater utility would result in charges to the users.

Mr. Foegler responded that stormwater utilities must determine an equitable user charge basis, which typically relates to the amount of paved surface on a property.

Vice Mayor Boring stated that she understands the homeowner associations were not receptive to the idea of forming a consortium to reduce their maintenance costs.

Ms. Crandall responded that the meeting overall was successful in terms of information exchange of landscaping specs. There was some discussion about the Associations forming smaller groups for RFPs. But the idea of a large consortium brought concerns about the difficulty of forming such a legal entity.

Mr. Gerber stated that perhaps CSAC can look into this possibility as well. Joint ventures are a possibility, and the two legal entities can remain separate and apart.

Ms. Salay moved to have the City assume maintenance responsibility for the stormwater retention basin water located within Reserve H, which is currently maintained by Cramer's Crossing Village Condominium Association.

Mr. Reiner asked for clarification of whether the homeowners would be billed for this service under this proposed motion.

Mayor Chinnici-Zuercher responded that the motion is based upon Mr. Foegler's indication that such a policy would be considered in a broader-based discussion with CSAC.

Vice Mayor Boring asked for clarification that the motion does not include any other maintenance for this Association, as requested and under review by CSAC.

Ms. Salay agreed to amend her motion to include this clarification.

Vice Mayor Boring seconded the motion as clarified.

Mayor Chinnici-Zuercher invited public testimony.

Ken Thomas, 6285 Hampton Green Place stated that he serves on the board of the Cramer's Crossing condominium association. He is confused about what is being considered and acted upon by Council tonight. He understood the motion relates strictly to the City assuming maintenance for the chemical treatment of the water. CSAC has been discussing the concept of the City taking on more of the pond maintenance than just this aspect. Has that changed?

Mr. Foegler responded that given the large number of retention basins and ponds that exist with the City – with different types of ownership and maintenance obligations – CSAC is studying what the City's policy should be with regard to participating in or contributing to that maintenance. The City must first scope out the extent of the problem, the estimated costs, the public versus private interests, and staff will then make a recommendation to CSAC based upon that.

Mr. Thomas stated that at the CSAC meeting of October, when their request was discussed, he was under the impression that there were few such ponds that the City was not already maintaining. It was indicated that having the condo association maintain the pond was not customary. He had understood there would be a fairly expeditious movement for the City to take over a much larger scope of maintenance for the pond. Now, he senses that the matter is much more complicated.

Mr. Foegler responded that when the inventories were completed citywide, it was a determined to be a much more widespread condition than anticipated at that meeting.

Mr. Thomas asked about the timeframe for any decision of providing the association additional help with maintenance items.

Mr. Foegler responded that CSAC next meets on April 14.

Mr. Hahn added that they will resume their discussion, but he is not certain of when they will have a recommendation for Council

Vote on the motion: Mr. Reiner, no; Vice Mayor Boring, yes; Mr. Gerber, no; Ms. Salay, yes; Mr. Keenan, yes; Mayor Chinnici-Zuercher, yes;

EXHIBIT D

CITY OF DUBLIN.

Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Terry Foegler, City Manager CAW for TF

Date: April 2, 2009

Initiated By: Fred Hahn, Director of Parks & Open Space

Re: Cramer's Crossing Storm Water Retention Basin Maintenance

Summary

In February 2008, staff presented to City Council a request from the Cramer's Crossing Homeowners Association asking for relief from some of their public space (City owned) maintenance responsibilities. The request was based mainly upon financial hardship. Staff worked with the Cramer's Crossing HOA to detail a maintenance responsibility plan that would achieve the goal of reducing the annual maintenance costs to the association. One of the agreements of the plan included the City taking over the maintenance responsibilities of a storm water retention basin that the association was previously responsible for maintaining. Council approved the plan as submitted by staff. At the time of this decision, staff was unaware of the fact that this storm water retention basin is physically connected to another storm water retention basin, which is maintained by the Cramer's Crossing Village Condo Association, a separate association.

In July 2008, the Cramer's Crossing Village Condo Association submitted a request to Council for relief of maintenance responsibilities based upon financial hardship. Council referred this request to the Community Services Advisory Commission (CSAC), asking the Commission to consider the larger issue of what types of relief should and should not be granted to homeowners associations. This scope of review was requested of CSAC due to the fact that this request included numerous maintenance items beyond anything considered previously. CSAC will discuss this further at the Commission's April meeting and forward recommendations to Council. However, regardless of the recommendation(s) CSAC might offer, the two storm water retention basins in front of Cramer's Crossing are essentially one body of water and need to be managed as such. The City is currently maintaining the storm water retention basin for Cramer's Crossing Homeowners Association, and any chemical treatment used has the potential to affect the quality in both bodies of water.

Based upon the 2008 maintenance costs provided by the Cramer's Crossing Village Condo Association, this action would save the HOA approximately $2,840 per year or approximately $45 per household. This would result in the costs of a household's maintenance obligation associated with open space of approximately $150 per year. The cost to the City for maintenance of this storm water retention basin would be approximately $400 per year. The relatively low cost is attributed to the fact that work is currently being performed at this location and the additional expense would relate to necessary chemicals. This maintenance would be of only the storm water retention basin water itself, not for any other associated maintenance such as aerator, utility bills or irrigation.

Recommendation

Staff is recommending that the City assume maintenance responsibility for the storm water retention basin water located within Reserve H, which is currently being maintained by the Cramer's Crossing Village

Condominium Association. This recommendation is not necessarily based upon financial reasons, but the inherent issues of the two storm water retention basins being essentially one body of water. The existing conditions associated with this request are outside of the scope of study assigned to CSAC, and Council's decision on this matter should be of no bearing on CSACs final recommendation.