

**Moral Claims Committee Meeting**  
**Oct. 2, 2023**

Call Meeting To Order 5:30pm

Pledge of Allegiance

Following people were present:

Moral Claims Committee: Natalie Antosh, Dave Phares and Monica Koudela

Council Members: Theresa Bissbee, Tom Loncala

Todd Shannon Director of Service

Hearing of Claims:

**Lori Pecjak 11411 Mourning Drove Place Concord OH 44077**

- Seeking payment of \$371.06 for two front tires that had to be replaced from fresh tar getting on them and making the car shimmer, which made it impossible to drive.
- Lori stated it happened on a Mon 9/11/23 afternoon while heading to an appointment on E 286<sup>th</sup> St. She turned down Forest Dr followed her gps to get to her destination. She stopped and parked in front of the house. Did her appointment and came back out and got in the car. While driving, there was something unusual about the sound of the car. She headed down Lakeshore to E 305 to the entrance to the freeway. She figured once she gets going maybe a branch was stuck and would fall off. She said once she started going the car started shimming and thought the tire was going to blow. She continued till she saw the first exit, which was Vine St and got off and stopped at the gas station. It was about 4:30pm now. A fellow came out and said if he had time he would help her but we a closed. He suggested she go down a few yards to a tire store, east on Vine St to a tire store. The next place did not look at the car, but he told her you will have to have the car looked at jacked up. It's not a matter of looking at the tires and fixing it. He said he was closing. She called GoodYear on Vine in Willowick to make sure they were still open because her husband's business has an account there. They told her to bring it in, but she may have to leave the car. They put it on a jack and told her to get a ride home because they didn't know how long it would take. She called the next day and they told her it was bad news, that they thought it was a matter of digging out the tar. She asked what the cost would be and he told her she would have to replace the two front tires. They just bought those tires in Jan of this year. The guy called the tire company and the tire company would not warranty the tires. Lori asked the cost and the guy at GoodYear told her why don't you present your claim to the city and let me know the outcome and this is the bill. Loris said that is an outstanding bill you have until he hears the results.
- Monica asked Todd Shannon the Service Director if roadwork was being done in this area.
- Todd said yes that we were hot tarring cracks that day and signs were up. No cones are needed because they apply Detack on the hot sealant immediately to stop it from being sticky. Detack increases efficiency so there is no need to wait until the sealant has cooled before cars can drive on it. Todd stated he has been doing this for 21 years and it is common to do it this way. They have degreaser that they spray on tires that would generally remove the tar. Todd explained that if she would have called the city immediately she would have come to the service department and they have a decreasing spray they could have sprayed on the tires and removed the sealant.
- Dave made a comment that it seems like it would eventually ware off.
- Lori stated she asked that question to the garage if she could just drive home and he said it would only get worse because it is going to get more embedded. This was unusual even the photos looked like maybe she could even dig it out. The guy said it was all over both front tires, all the way around.
- Dave asked her what she felt the car doing?
- Lori said shimming, moving back and forth, shaking and a loud noise. She is looking for compensation since these were newer tires. Maybe this was coincidental or timing. She felt she did nothing wrong except go to an appointment and now she has to pay for new tires.
- Natalie asked wouldn't the back tires get tar on them as well?
- Todd stated it depends on where the fill is on the road and if it's a small crack fill then possibly not.
- Monica asked if both of the front tires were damaged.
- Lori stated yes.

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- Theresa stated there is a warranty on the receipt. It states on the receipt "Road hazard warranty coverage of 36 months form tire purchase and installation. This coverage will reimburse up to \$150.00 per tire. Mounting, Balancing charges will apply."
- Lori said GoodYear called to see if these two tires would be covered and was told no. It didn't fall within the correct category.
- Theresa stated that nothing has been paid to this date and we have set a precedence that we do not reimburse from unpaid invoices.
- Lori said she can go pay it, but the guy told her not to and see what happens. She is guessing she would pay the difference.
- Natalie stated we need a motion to reimburse her \$371.06. Monica Koudela made the motion for \$371.06 and Dave Phares seconded the motion.
- Committee Votes on \$371.06: Monica Koudela No, Dave Phares No, Natalie Antosh No
- Monica Koudela made a motion to reimburse her for half \$185.53 and Dave Phares second the motion.
- Committee Votes: Monica Yes, Dave Phares No, Natalie Antosh No
- Moral Claims Committee voted No.
- Natalie explained to Lori that council will need to vote and the next meeting is tomorrow evening. Lori can attend to explain her story to the rest of council. Then council will have the last vote.

Meeting adjourned at 5:45pm

Respectfully,



Natalie J Antosh  
Moral Claims Committee Chair