

**CITY OF INDEPENDENCE  
PUBLIC LANDS & BUILDINGS COMMITTEE MEETING  
MINUTES  
AUGUST 30, 2022 AT 4:00 P.M.  
COUNCIL CAUCUS ROOM  
&  
VIA ZOOM**

Present: Chairman Chris Walchanowicz  
Councilperson Anthony Togliatti  
Councilperson James Trakas

Also Present: Mayor Gregory P. Kurtz  
Vice Mayor Dave Grendel  
Councilperson John DiGeronimo  
Councilperson Tom Narduzzi  
Councilperson Dale Veverka  
Law Director Gregory J. O'Brien  
Procurement Coordinator Dennis Zdolshek  
City Engineer Don Ramm  
Economic Development Director Jessica Hyser  
City Planner Anne Lynch  
Recreation Director Tom Walchanowicz  
Technical Service Director Dave Snyderburn  
Sustainability Coordinator Ryan Wancata  
Attorney David Horvath

Chairman Chris Walchanowicz called the meeting to order at 4:01 p.m.

Chairman Walchanowicz said thanks everyone for coming. We are going to switch things up a little bit in the order they are listed. We will start with Number 1, and then we are going to jump to Number 6.

We will start with Resolution 2022-20.

Law Director O'Brien said so let me give you an overview. This is in regard to West Creek, and there was some litigation involving essentially the fees that could potentially be charged under the declaration of restrictions that were filed with the County. They came to a resolution involving their lawsuit, and the City was not a party to it.

In speaking with the lawyers, the lawyers felt that it was important that some (inaudible) with the City filed with the County, that is the declaration. The City is, for a lack of a better word, a third

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party beneficiary in the declarations and in the way the plats and the subdivisions were approved, the lawyers felt it was important that this was placed essentially into the public record. I will turn it over to whatever Attorney David Horvath would want to add.

Attorney David Horvath said what the resolution was intended to do was that it was an affidavit of facts that the City does not have an objection to removing the restrictions in the plat map. Attorney Berns who represents the different parties, felt that all the plat maps had been redrawn, the boundary restriction resubmitted to Council, reapproved, and the houses had already been built. There is a ledger entry at the bottom of the plat map that says the environmental parcels are to be held in perpetuity by West Creek Conservancy. The problem is every time somebody does a title search on something, it's still going to pop up (inaudible). So, in order to remove that, we are filing an amended declaration of the association removing that, but in order to do that too, it's easier to file an Affidavit of Facts that says yes we understood what happened, yes we understand that these four parcels were supposed to be held this way, yes we understand it's in the plat map, and no we don't object to it. To do that, it would be nice if the City would sign off on that without having to go through redrawing plat maps at \$1,900 apiece and filing them with the County. So, it's just a simple resolution saying yes the Mayor is authorized to sign any affidavit that says they are removing that from the plat map, and there is no objection by the City. If there are any questions, I would be happy to answer them.

Councilperson Narduzzi asked so there's no liability to the City at all?

Attorney Horvath said actually in my opinion it benefits the City because I don't know if there is a direct pipeline if there's something wrong there, the homeowners would have to (inaudible).

Chairman Walchanowicz asked if there were any other questions? There were none.

Chairman Walchanowicz said we will move on to Number 6, the Haydite Mine.

Councilperson Narduzzi asked is Council going to vote on this next week?

Chairman Walchanowicz said this will be back on.

Councilperson Trakas asked we already voted on an aspect of this earlier?

Chairman Walchanowicz said we kept it on First Reading.

Now we will move on to the Haydite Mine where we had some questions.

Councilperson Togliatti said this was something that I had asked the Chairman to add to the agenda because of the closure to the Haydite Mine, there was some reclamation work that was necessary, and I just wanted to know if the City has been monitoring that and how far along we are with our property and this property, and if there's a timeline looking forward to completion?

Mayor Kurtz said Derek Schafer would be best to address this Mr. Chairman.

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Derek Schafer said I will try to make it as non-convoluted as possible. So, there are about 13 different parallel (inaudible) at the Haydite Mine. Yes, it's secured and maintained. The first part of the process is what is referred to as an O2G exemption. So, we are going through the process of the O2G exemption which is basically grading, capping, vegetating the remnants of the mine, the dust. The O2G exemption requests (inaudible) and do a significant amount of planning in order to even ascertain the documentation necessary to make the request for the O2G exemption. That is the first step of the process which plays into the antiquated reclamation plan that was done decades ago, it does not fit the caliber of the problem as the mine ceased operations earlier, and there are wells existing on the property that were not supposed to be there with another 30 or 40 years of mining. So, the O2G drives the next phase of suggesting revisions to the reclamation plan.

So, that's kind of the next step, once we ascertain the O2G exemption approval from Ohio EPA, that process begins, and then we start making our flexible revisions to the former reclamation plan. So, there is a plan in place, and the clock is ticking on our end at 20 months to complete the reclamation, but the reclamation as it stands right now is just not feasible; and that's why we have to suggest certain revisions to the plan so that we can close that out with the Ohio Department of Natural Resources Division.

There's a lot to take into account because we can't change certain high walls without doing certain things that ODNR doesn't even have authority to regulate us on. We would have to go through the Ohio EPA; so if we were to remove part of the south high wall, we would actually have to go through the Army Corps, the Ohio EPA, the Northeast Ohio Regional Sewer District and the City to ascertain approval before moving and otherwise adversely impacting wetlands and streams. The ODNR doesn't regulate anything on streams under 300 square miles. Obviously, the stream that comes in under the south side of the mine is not 300 square miles in range.

So, we are trying to figure out who is on first. When we were out there with the ODNR, we were trying to suggest certain reclamation revisions, and we kind of had to evaluate the totality of the process. In addition to the O2G, we kind of look at the future end user of the property. Kind of no throttle, don't do anything, half throttle possibly accessible, full throttle look at different options for a small scale economic development and recreation while also maintaining the archeological or historical (inaudible) held by the National Park on the Native American site. Then we have to worry about there's a wetland restoration project by the Sewer District and others. Plus we can't do anything that negatively impacts the railroad. Then we have to kind of consider all the options based on factors on whether it's on Hillside or Stone Road.

I guess my answer is it's in process. It's just it can't be any more convoluted, but the very first step is hopefully getting approval from the O2G so that we can get the grading. Basically, it's moved away from the body of water, but now we have to kind of create some (inaudible). Most of the reclamation I propose is grading, capping, the mine, it's not the entirety of the site. It's not the entire site, so add another layer of what do we do with the rest. In the interim, it's just kind of clean it and green it and get the rest of the remnants of the old mine out of there.

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We also have to maintain access for Bass Energy, but there are a couple of active oil wells, and we do have to maintain access as well. There are also utilities that come there as well. So, I couldn't think of one more problem that this site has, but the very first step is the O2G.

Mayor Kurtz said we have security cameras. We are working in concert with Derek's group. Council authorized security cameras, so we have someone monitoring the system in place. In addition, you have asked that the City support you in your initial most recent request. You are trying to get support for approval for grants.

Mr. Schafer said County Councilman Jack Schron who is active in this district and have certain funding available, and it would be advantageous to us if we could leverage, I think the maximum is \$250,000, and we would leverage an additional \$250,000 on top of that. Part of the reclamation provision in our plan as it stands right now is think of the site as (inaudible). So, water is going to continue to infiltrate that body of water. It's going to continue to rise and fill. There's a certain elevation where it will leave the site, and potentiality is very expensive, and let's call it to the north where Hemlock Creek requires a significant topographical issue, or has a significant topographical issue with drainage and a weird system from Hemlock Creek.

The other one is that along kind of just the middle of the site around the Native American site, there's a stream that exits underneath the culvert, underneath the rail into the National Park and then to the Cuyahoga river. So, the \$250,000 that we were proposing would materialize into \$500,000, so we could daylight that stream and provide a natural exit for that water as it reaches the elevation, don't quote me on the elevation, it's somewhere between 620, 630. If you were to go there, it's the old access road down into the pit. The water is going to hit that level, and it's going to reach a static level with the current area stream, and basically you unbury the stream, give it a natural channel to naturally migrate out of the site, but also being cognizant that the culvert, both culverts that go underneath the railroad to the downstream and upstream reach are both undersized. So, it's going to require some coordination of the Federal Government, the railroad, the Sewer District, everybody to try to daylight that stream.

Mayor Kurtz asked are we having fun yet?

Chairman Walchanowicz said I'm just glad that I'm not in charge of that.

Vice Mayor Grendel asked when will you find out how much funds will be available?

Several people began speaking at once.

Mayor Kurtz said Derek is really good at explaining complex situations and refining them into something that everybody understands.

Vice Mayor Grendel said it's not a real simple project.

Councilperson Trakas said we did have in the agreement a timeframe for all of this to be done, and I know that's not going to be very valid; but what are consequences?

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Mayor Kurtz said it's dictated by ODNR.

Mr. Schafer said that is when we did the final report, that starts the clock ticking for reclamation. We are kind of in like, it's a weird timeframe.

Several people began speaking at once again.

Mr. Schafer said that's pending any revisions to the reclamation plan. We have to get ODNR to understand the reclamation plan. I don't want to say it's invalid, but it's definitely not possible, and even regulations have changed. We just can't move a stream without any repercussions. It would be pretty ironic if I had to mitigate our own wetlands and streams in order to move a stream channel into the body water, only to let the water out somewhere else. I would have to pay for it somewhere else. So, we are trying to shift the irony of mitigating ourselves to actually meeting the requirements. ODNR and Ohio EPA coordinate with the Army Corps of Engineers on 401 and 404 permits. So, one of our big hiccups with implementing the former reclamation plan is kind of acquiescent to the plan because then we would have to go to two separate regulatory bodies, three separate regulatory bodies, get them to agree on allowing something that another regulatory body is enforcing. They didn't have a lot of consensus as to who is going to say yes. So, we are trying to put together the reclamation plan provisions to show them.

Councilperson Veverka asked how close is the area that you want to open up for the drainage to the Native American site, and how is that protected right now?

Mr. Schafer said the north base of the Native American site, if you were to walk the site, you would kind of see an artificial berm right along the edge of the Native American site. That stream now running, it runs along the toe essentially, but the pipe where it goes underground is a little more northward so basically we would be taking the stream channel away from the Native American site, giving it a different elevation to reach the body of water and enter a new created channel system versus a buried system so that it meets where the culvert. So, basically hitting the stream very hard many feet below, allowing the lake to enter into the new channel while removing the pipe, and then entering (inaudible). We would actually be moving it away from the Native American site.

Councilperson Veverka asked and how is the Native American site currently protected?

Mr. Schafer said as a National Park piece.

Councilperson Veverka asked and what about actual protection around the physical site?

Mr. Schafer said no, because the entire site has fencing on it. There is no additional fencing because half of it actually faces the body of water. It's by a stream channel, and only part of it is kind of quasi accessible.

Councilperson Togliatti said and there was a financial contribution from the donating company and some money in escrow.

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Law Director O'Brien said that's a bond, a restoration bond.

Several people began speaking at once again.

Law Director O'Brien said the way the lease works is that unless it's extended, the City can access the mine.

Several people began speaking at once again.

Law Director O'Brien said just for the committee's benefit, Derek is right, this restoration plan is pretty vanilla after it was entered into about 30 years ago. It only involves four tracts, two previously owned by the former owner, and two owned by the City, essentially the pit area and essentially an area for the public.

Several people began speaking at once again.

Law Director O'Brien said and the only other question I have, and the way I understand it, and more so for the community's benefit, is you are going through the process which I think is great, and it sounds like you are going to need some amendment to the reclamation. When is the City going to be part of the process? I would hate for you to go down this road, it's going to be a recreational area, but it would be nice if the City.

Mr. Schafer said we want to get the O2G exemption first because that is kind of like the kicker that decides the next level. So, we can start involving the City pretty soon. We have to finish up our modeling. We are also putting together kind of costs of the former restoration plan, the reclamation plan and what we are going to suggest, our recommendations. So, as soon as we have some of that basis, I can share this.

Mayor Kurtz said in the interim, we are exploring, play what if on that 114 acres plus the 68 acres that Derek controls. You are talking 200 acres of an uncut diamond as far as I am concerned. Some of it has restricted uses from the National Park, the slope that deals with the railroad; but the thought is I just believe that with the Hemlock Trail and different potential amenities on our property as well as their property, that I would like to see if Council would be willing to put some money into exploring. We have done some stuff with OHM just to play what if, a very 30,000 foot view. I just wonder what Council's appetite is to drill down a little bit more and do something to determine if there is a willingness to look at some of that land of ours for additional recreational purposes or alternative use that complements everything in that area. With the success of the Hemlock Trail and having our property, there are other trails. There is no end to what you could do if you put your vision hat on. So, just think about it because we will have something to at least to discuss with OHM and Derek just to say look at least we explored the possibility. Now if we want to invest time, effort and money beyond that, then this group here, or future Councils could determine that; but I thought it was prudent for us to at least explore a 30,000 foot view over the whole property what could we do, or what potential do we have that while Derek is managing that 68 acres, what potential do we have to complement our 114 acres?

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So, keep that in mind and as soon as we have something that we can have further discussion, probably consistent with what you are doing. If you would come back, and we could have a roundtable discussion, workshop of Council, it would be great to entertain that Council.

Councilperson Togliatti said and I believe there were some renderings by the Floyd Brown Group from back in the 1990s or early 2000s, some walking trails, gazebo overlooks in that area.

Mayor Kurtz said I think they may have incorporated those and are looking at those in terms of an overall strategy. Absolutely, it complements everything that we are trying to determine what our limits are and what potential we have.

Chairman Walchanowicz said Councilperson Togliatti because you are Chair of the Hemlock Committee.

Vice Mayor Grendel said that seems to be a logical network of trails.

Chairman Walchanowicz said talk about a visitation center down there and stuff.

Councilperson Trakas said you have the linkage with the park obviously so it could be a part of this.

Mayor Kurtz said I think Derek you are on the right path, and Council, which is good. Then we will drill down a little bit more and follow your lead in terms of some of these timetables and what you need to get accomplished. We can complement what you are doing, and be part of a major strategy for that area.

Councilperson Veverka said at least twice in the last few months there have been a bunch of trees in the area of the Blue Hole that have gotten tagged and spray painted; and then Service went out and covered it up and it came back again. So, just wondering if we have any capability of putting a portable camera in that we could possibly use to get ahold of those people.

Mayor Kurtz said we have some of our existing cameras we authorizing, Council, to look at that.

Councilperson Trakas said we have access to drones to see what is going on.

Councilperson Veverka said just some kind of options because they were there, it was reported. Tony Appenzeller came out and got it covered up, and they reappeared a month and a half later.

Councilperson Trakas asked who is doing this?

Councilperson Veverka said that's a great question.

Mayor Kurtz said thanks for bringing that up.

Councilperson Veverka said they tagged some of the bridges too recently.

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Councilperson Togliatti asked and Derek is the O2G is that holding you up from tearing down the kiln? Is there a reason that it still standing?

Mr. Schafer said the O2G is not holding us up from anything else on the site except for the general index space of the reclamation. Now the kiln, I know it looks like a giant cannon, but it is also kind of holds a unique industrial heritage to the site. So, I am not going to quote Vito DiGeronimo or any of the DiGeronimo family, but one of the original parts of the deal was that the kiln was going to come down and go away. So, apparently the company was going to take it, but as of right now, the kiln is staying. It's very unique industrially, and it has a 180 year old history to the site. This is a unique site. It has archeological and historical, and industrial and recreational and potentially economic development. You have to kind of look at the plethora of factors here. So, I guess right now the kiln is unique to the site, and we are keeping it until we decide that it absolutely has to come down.

Chairman Walchanowicz asked and now can the kiln, is it already, can it be marked as a historical site?

Mayor Kurtz said I think what we are hearing is that this could be another feature of that location which honors its history and heritage just like the National Park has done throughout the entire park area where they restored the older buildings, the paper mill. They restored some of the elements of the canal, towpath, so I think this is another one that warrants discussion because of the history. It's a unique situation.

Councilperson Veverka asked having been up in the kiln, is it protected in a way that people would crawl over the fence, that it would not be a liability issue?

Mr. Schafer said you can't climb into the kiln. It's just held by concrete pillars, unless like maybe Spiderman can get up in there. There's no ladder, no chain system, to get you in there. We are never going to stop stupid. People will try. We are talking about people climbing fences, it's no longer this kind of people passing by. They are down there with bolt cutters. It is malintent. It's not people finding a loop in the fence.

Several people began speaking at once again.

Vice Mayor Grendel asked Mayor how often does the cameras pick up activity?

Mr. Schafer said sometimes weekly, but it goes right to dispatch. It has slowed way down. There was a lot of activity, but then people found out if they were down there, they were charged.

Councilperson Trakas asked so we are prosecuting these people?

Mr. Schafer said I never heard about it.

Councilperson Veverka asked does it go to Mayor's Court or Garfield Heights Court or what does that go to?

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Mayor Kurtz said it goes to Garfield.

Vice Mayor Grendel said hopefully they are tough on them because that's a dangerous situation.

Mayor Kurtz said I haven't heard or seen any cases.

Chairman Walchanowicz asked does anybody else have any questions for Derek? There were none.

Thank you Derek, we really appreciate it.

Chairman Walchanowicz said okay from Number 6, we are going to move on to the air handlers, and Johnson Controls; and then we will do the windows after that. Do you want to get us up to date.

Technical Service Director Snyderburn said I have Jason Lockett here, he is from Carrier. There are three units here, Carrier units. One unit controls the air handler. We put in a new chiller over four years ago, and now the second phase is the air handlers. One air handler handles the Council Chambers, the other air handler handles this side of City Hall, and the third one handles the Police Department. All three air handlers are 40 years old. So, they have lived their useful life. We replaced quite a few (inaudible). They are 5, 10 and 15 horsepower.

We put money in the budget, and this is the next phase for City Hall. These units, no matter what we do at City Hall, these units are going to handle it. They talk about split systems, and it just doesn't work that way.

I brought Jason Lockett in, they are Carrier units. I brought him in to answer any questions. We have had him on board now for three years, and so the original, we had talked about the couple ways of putting them in. You could open up the roof, cut out the rafters and some joists and put the units in. Then you have to close it all up. We found that it would be a little more expensive. Carrier would offer to build them on site. They come in with components and build each one on site. We have experienced this with the pool pack, and it worked out really well. When there was a pool pack at the Civic Center, they were going to have to open up the building and crane the unit in. They did the same thing with the pool pack, and it was very successful. It was a nice unit all put together real nice, the same as putting it together in the factory, assembling a car. They would be assembling it on site. So, I have no problem with that. We will have to open up a few dormers. We don't have to open up the roof. We have to take a wall out upstairs, which we can handle. Tech can handle it, and they could put them in and put the things back.

So, if you have any questions for Jason, we need to do this. There are big coils in each unit. It's like a big radiator, and air blows through there for cooling; and those coils are old, like an old radiator in a car. They are old, and we have had them leak before, and we replace one. They go into a pan, and the pan lines the whole unit. They are big. They are half of this room, that's how big they are. If they leak, they go into the pan. Well, the pans are starting to rot. The new ones have stainless steel pans, the old ones didn't. They are starting to go a little bit. There are drains up there, but who is to say. They leak, they go through a ceiling and we have more headaches.

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All the components that come with it, all the piping that goes through, everything, it's a complete installation.

So, that's where we are at. Jason, if you have any questions for Jason, he is Carrier's rep, and I have Johnson Controls here also, Mike Geiger, and there is some control component that goes into that after the units are in. The Johnson Controls component is \$35,000, and those are Johnson Controls. I have been putting money away each year for this. If there are any questions, and obviously Chris you are in the HVAC business, you know. You researched this yourself, if you have any questions; I just brought the guys here so that these are the gentlemen, the companies that do the work.

Chairman Walchanowicz asked now will those machines come here assembled and then be disassembled and put back together in the building or are they going to come back already in pieces to be put together from day one?

Mr. Lockett said so they are going to come from the factory, and we are going to go on site and take them apart and then bring them here. We will disassemble the originals upstairs and take them out the dormer, and the little hole, we will take the large component. So, it sounds like a lot, but it's pretty simple. It's something that we do regularly.

Chairman Walchanowicz said because I just know that stuff doesn't always go back together 100% the way it comes from the factory. So, I am just wondering if there are any issues that if it doesn't go back 100% the way it came apart?

Mr. Lockett said we design the machines, we build the machines, and the same people take them apart. We are going to have guys disassemble them that do it on a regular basis.

Chairman Walchanowicz asked and what about if we were to, I am just throwing it out there, instead of replacing the entire unit, is it feasible to order all the equipment to just replace the components of the machines? So, then that would save us from having to tear stuff apart, open the roof and all that stuff. Is that an option for those machines?

Mr. Lockett said that's something we can look into if we were to replace the coil, the motor and all the components. It's not something that we do all the time, to see what is salvageable. I am led to believe that not a lot of that stuff is salvageable, especially when you add new components. It's like rebuilding an engine in a car, but you are keeping a lot of the old parts, and sometimes it doesn't work out that well.

Chairman Walchanowicz asked does anybody have questions?

Councilperson Narduzzi asked do we have money encumbered for this?

Procurement Coordinator Zdolshek said we do. That's a draft of the request for legislation, and I had outlined which P.O.'s we would use for it.

Technical Service Director Snyderburn said we have the money encumbered for this.

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Vice Mayor Grendel said Vern sent us a memo, and it says \$240,000; so we are taking \$17,000 out of improvements.

Procurement Coordinator Zdolshek said and actually for the (inaudible), there's money encumbered from miscellaneous. Also, depending on Council's decision and everything, to move forward with the controls which Michael Geiger is here to talk about Johnson Controls. There are actually two phases to that. That is a separate proposal, and Michael maybe you would want to address Council and the Mayor on that.

Michael Geiger said thanks for all of your time. So, as Dave is really on top of updating the HVAC equipment across the municipality in the City of Independence, you have controls, Johnson Controls management system. It's basically what we use to change temperature points and all that. So, here in the City you have Metasys controls. So, when you replace a piece of equipment, that new air handler will have to communicate to the Metasys controls so Dave could set a schedule of operations, basically set that unit for set points and all those kinds of things so that it can maintain the space.

So, with this, there's a small portion that would need to be Johnson Controls, a variety of controls, grabbing the points from the new units that Jason provides from Carrier and making sure that we set up the program so that they communicate back to the existing infrastructure. So, basically that's a small proposal, just about \$35,000 that is an ask from our end to help make sure that when you plug in the new units they operate as intended with the existing program.

In addition to that, there are a couple of things that Dave has kind of asked me to bring to your awareness. Basically the Measys system that has been put in place here at City Hall is probably pushing 20 to 25 years at this point. It used to be an automatic system, then on the onset of digital control, it was updated to Metasys digital system, and it's now sitting at that same revision which what we would call an aging system. So, much like your phone has an annual release of IOS, a software update, Johnson Controls also has an annual release of our Metasys program to make sure that our software stays up to date. So, it becomes a two-fold liability, one is cybersecurity and anything connected to the internet, all of these things are over the internet to make sure Dave could be at a workstation and see the whole facility. There is a multi-step process and it includes software which is the program that the controllers run and includes hardware. You can take the software at the (inaudible) level, which I believe one of the proposals you are going to see is the \$65,000; you can take the software out to our most latest revision and that software gets pushed throughout the entire field controllers below it, at the highest level down to the lowest level. The limitations you run into, a 15 to 20 year old controllers, it would be like asking Motorola flip phone 15 years ago to run the latest IOS revisions. Basically, there are limitations when it comes to field control throughout your infrastructure, and there are some key areas that Dave is having me look at to target, either at the part of if we do this. We are going to have the air handler down for a portion of the time, and that would give us an opportunity to look at the hardware that would be associated with that downstream.

So, I am trying not to get too technical in all of it, but for each room in the building there's typically going to be one controller associated to it. It gives us the stat on the wall that will

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basically dictate the schedule and occupancy and all that for this room. What I am saying is there are 51 VAV controllers that serve City Hall, and there are hundreds across the City, and many of them need to be looked at for proper operation, for outside air intake, dampers have failed and basically it's a whole validation process that needs to take place to make sure that the controls are up to date and operating as intended.

Technical Service Director Snyderburn said that's down the road. I wanted Mike to come here and give an overview from Johnston Controls. This is down the road. We can focus on that through the years, but the software update we can do. It doesn't have to be done, everything can operate the same. It doesn't have to be done right away. I just wanted while Mike was here, I just wanted to give you an update of what needs to take place, and we will give you time. I will put it in the Five-Year Capital, but I just wanted to give you an overview. I just didn't want to spring it on you right away, but right now the controls will work just fine with our Metasys system right now, the controls will work fine. I am just saying, I am giving you an overview of what we need to do, and we will get some pricing. There's some engineering that needs to be done.

Procurement Coordinator Zdolshek said just for clarification, I gave two proposals there, and the proposal for the \$35,000 is the one that will have to be done.

Technical Service Director Snyderburn said you saw the upgrade, it's the upgrading to a graph inside the computer, it's a software upgrade. Right now we don't need that, but it's coming. I would like to do it in the future.

Chairman Walchanowicz said as of right now it's \$257,478 plus \$35,000; and now do we have money put away?

Procurement Coordinator Zdolshek said there is money in City Hall under Miscellaneous.

Chairman Walchanowicz said to cover the Johnson Controls.

Technical Service Director Snyderburn said I was going to say with Johnson Controls, obviously when we order these units, they are going to take six months. I would say at least six months, am I correct Jason?

Mr. Lockett said about 25 weeks.

Technical Service Director Snyderburn said so what I am saying is we are going to be into next year. I am sure that Johnson will hold their price. We can't get the components anyways, so it would be in the following year for Johnson Controls. I wanted to bring it to your attention.

Chairman Walchanowicz asked is Carrier going to hold this price? Or do we have to order them in order to hold the price?

Mr. Lockett said I believe we will hold the prices.

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Technical Service Director Snyderburn said they just gave us a price increase in June. So, I am sure that they will hold the price. I am not going to speak for them.

Chairman Walchanowicz said I have another one coming in September. Carrier told me I have 10% coming sometime in September for residential.

Mr. Lockett said we can hold this number as long as we can.

Chairman Walchanowicz said I'm not expecting or anticipating three months because right now I can't hold that price for a week for God sake because our prices are increasing like crazy.

Vice Mayor Grendel asked so this is not going to get done until next year?

Technical Service Director Snyderburn said yes, we have to order the material. When we give them the okay, then they would start building the product. It's going to take them 25 weeks to build them.

Vice Mayor Grendel said hopefully we can approve it at the September Council meeting.

Procurement Coordinator Zdolshek said so I prepared to submit the request for legislation if Council would like me to get it on the agenda.

Vice Mayor Grendel said it seems like the longer wait.

Chairman Walchanowicz said the price is just going to go up. On this particular Carrier unit, what is your warranty on that one?

Mr. Lockett said it's one year standard labor.

Chairman Walchanowicz said so one year parts and labor.

Councilperson Trakas said we had Dave look into seeing if they were salvageable, and have we done that or what?

Technical Service Director Snyderburn said well I looked at it, and I know Chris did, and I understand. Your furnace is almost 30 years old, but you would probably put a whole new furnace in. You can call them. These units are failing. Inside that, there's insulation and duct work inside the units in various areas, and you would have to inspect and take care of that also. I'm not saying it can't be done, I am sure we can come up with a number; but like Jason says, I just don't know if that's a good thing to do.

Councilperson Trakas said it may not be feasible.

Technical Service Director Snyderburn said if it's the right approach. There's a lot of components to this. There's piping, there's valves; there's a lot of components. So, if we did it, and we only saved \$100,000 or \$75,000; we still have an old unit with all new components. Like

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I say, the pan, you have to put a new pan in, and that whole unit has to be lifted up to get the pan in. It's a stainless steel pan. It's a big job, so I don't know how much money you would be saving, but I guess we can do a little research real quick and come up with a number. You are looking at three units, you are talking \$80,000 per unit. I know it sounds like a lot, but you know you put a new furnace in at home, and sometimes new furnace and air, \$15,000, maybe \$20,000. These are huge.

Several people began speaking at once again.

Technical Service Director Snyderburn said I have to tell you that we had another person from the City of Independence come and look at it, and the first thing he said was these things really run nice. That's the first thing nice, they really run smooth. That's a testament to the guys that are taking care of them. I am just telling you, these guys know what they are doing. So, I am just telling you. I understand, and that's why I like the Carriers. In fact, the Carriers still have the original prints when it was installed.

Chairman Walchanowicz asked does Carrier offer extended warranties on these?

Mr. Lockett replied yes.

Chairman Walchanowicz asked have we researched the price? At an over \$260,000 investment for a one year warranty, if it's another \$10,000 and you get a five year warranty on it, that's something that we might be interested in. I know residential stuff, and some commercial stuff I have five year warranty on commercial and ten on most residential stuff.

Technical Service Director Snyderburn said it's a valid point Chris.

Chairman Walchanowicz said so if you could shoot over what our options are for an extended warranty on these machines.

Several people began speaking at once again.

Councilperson Narduzzi asked do you guys take the old ones?

Technical Service Director Snyderburn said they are taking them, but they have crane costs. They are taking all the parts. We don't want anything. They are removing everything. They have to clean it up.

Chairman Walchanowicz asked what's the consensus, do you want to put this on legislation for September, and if you could get us those prices on how many years extensions there are through Carrier? Then you guys could get that to us.

Technical Service Director Snyderburn said sure, I will get it to you right away.

Another component just so you know, Ryan is here, and Ryan is applying for a grant. Now the grant that he is applying for is for these units. Now if we get it, it's still doesn't make any

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difference if we order them, and the grant is for up to \$250,000. It just so happens that the units are \$249,000; so the grant is up to \$250,000. We would have to cover 25% of that. That is great. So, if we get it, actually it's due the 2<sup>nd</sup>.

Ryan Wancata said I sent it in this morning.

Procurement Coordinator Zdolshek said and actually Michael can address the grant. Do you want to share what you did with Dave and I earlier?

Mr. Geiger said so this has been something, basically ever since the onset of Covid and all that, and it's been a couple of rounds of Federal funding, and now the National Rescue Act. So, what we have basically is a strategic team that is set up to help you guys procure and find that money. I am not going to act like I am the subject matter expert, but Dave is pretty aware that some of this funding is there, anything that pertains to HVAC could be maintenance, outside air dampers, your building automation system; so some of these improvements today, basically I can hopefully try to find avenues to find funding to pay for some of these things.

Mayor Kurtz said Jason has been extremely supportive of the City; so anything that you could do would be great.

Mr. Geiger said I started on the (inaudible), and then we also have cooperative purchasing agreements through Sourcewell. There are also other avenues that help for us being the incumbent.

Technical Service Director Snyderburn said I just wanted to bring up, we are looking for grants, we always do. There was a big grant that came out. I wrote a grant three years in a row for Old Town Hall. There was one guy, and I was saying please get us this money, I can't remember his name, a State Rep.

Several people began speaking at once again.

Technical Service Director Snyderburn said we have Mike here working for us, and he has a little bit of claim to fame, he's a Michigan State kicker. He was the Number 1 kicker.

Procurement Coordinator Zdolshek said against Ohio State when Michigan State beat Ohio State.

Several people began speaking at once again.

Councilperson DiGeronimo said now that we know what team Mike is on, the contract here, and I didn't understand kind of what you explained. Could you just, some basics, on this \$35,000 here, the only thing it says you are going to do is install the controls on three units. No controls, what kind of controls, what kind of materials; so \$35,000 to do what because I am not in that industry.

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Mr. Geiger said so what that is basically there is hardware that we install. So, when you have these you will have updated hardware that is going to be attached to the units that Jason installs. So, there is some material involved. Basically, it's a computer that has hardware and outlets, and we would work in conjunction with the control that comes on the Carrier unit. Any valves, dampers, sensors, anything that needs to communicate to the Metasys control system, so that we can properly maintain and operate those units. It's included in this in terms of programming; so we would have a Johnson Controls control technician come out here. We would try to preload the program that's previous, and based on the unit, any updates or upgrades, the fan has a variable frequency drive, we would have to update the program. So, it's field time for our technician to come in and basically insure proper operation of the unit as it's installed.

Technical Service Director Snyderburn said they go from room to room, each room is tested and tested again.

Councilperson DiGeronimo said if it's contingent on what we are getting, how do you even quote, is it just a buffer of time.

Mr. Geiger said it is a quote, so obviously I have risk on my end, but I did put one thing in here, and actually Jason I did get to see his scope, and he's doing a turnkey proposal, meaning he is including all new control valves and all that. Since I know he's updating the control valves, then I can kind of quantify with our drawing and database that we already have on the controls, I can know how many points that is, how much programming time that's going to take and actually we have technicians that come in.

Technical Service Director Snyderburn said he's Number 1 in Ohio.

Mr. Geiger said he's been here at the City of Independence a long time, and so he has intimate knowledge of how long it's going to take to set up this size of unit, this type of unit, this many points, and he basically gave me a labor estimate, an estimate of his time. I just have to make sure I have the material here before that.

Technical Service Director Snyderburn said we have hourly rates with Johnson Controls because we have a contract with them, but also they are pretty good because I wanted to make sure the \$35,000 was a little high or the same; but I cost referenced it to other controls on other units that other people put in, and it's pretty good. It's more than what, like I say you are balancing the air, you are taking the time, you are coming back, you are making sure. There's a lot of alarms. There's detectors, there's quite a bit of stuff. You would be surprised, fire, smoke. It's more than what you think, and I am always in that same mode too.

Councilperson DiGeronimo said I don't know if this takes five minutes.

Technical Service Director Snyderburn said it will take days. They will be here, believe it or not, a couple of weeks.

Chairman Walchanowicz said are there smoke detectors on these? I heard they are not due in until next December, that's how backlogged they are.

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The smoke detectors, I was told that the smoke detectors are not coming in until next year December, that's how backlogged they are. So, how does that work if we can't get them for these three units?

Mr. Lockett said we will have smoke detectors. They come with the units.

Procurement Coordinator Zdolshek asked how long will they hold that price?

Mr. Geiger said it's difficult as Jason can attest to. Obviously, we are going through a lot of price increases. The biggest thing is unknown labor increases. Johnson Controls at will could increase labor costs on us, so that is one factor that is difficult. The material is, electrical components, control boards, so I have a one month hold on this one. I understand however much time you guys need, I could do a hold if we think there's going to be some substantial progress, and specifically I know (inaudible).

Chairman Walchanowicz said my thing is if we go ahead and we vote on this next month in September, and there's a six month leeway on machines, and we approve your contract next month in September as well, is that going to hold up six months for now.

Mr. Geiger said so something we could do is order the material on our end so that we get the material at the cost it was agreed to, and I can talk to our Service Manager, our local management, to hold the labor costs that were agreed to. I think on something of this, it's our local team, it's not like we are relying on a factory or bringing in somebody, I think we can find a way to hold the price.

Chairman Walchanowicz asked any other questions? There were none.

Are we good to put this on September's legislation before it increases again?

Procurement Coordinator Zdolshek asked can I also add then the Johnson Control portion of it would be the \$35,000.

Chairman Walchanowicz said I would say yes, so we can lock that pricing in at least for the equipment end of it.

Chairman Walchanowicz said thank you Jason, thank you Mike.

Technical Service Director Snyderburn said we will keep you posted on the warranty, and I will keep you posted with Ryan's, I am not sure when the grant is going to be awarded.

Chairman Walchanowicz said if you could just get us that warranty information.

Mr. Lockett said I will request it tonight, and I should have it soon.

Chairman Walchanowicz said and Dave if you could just email out to all of us so we have an idea.

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Technical Service Director Snyderburn said will do. Just so you know, Jason is an Ignatius grad.

Several people began speaking at once again.

Chairman Walchanowicz said I appreciate all of your info.

Dave, you are still on board, talking to the gentleman with the windows.

Technical Service Director Snyderburn said this is Carl Kerr from Pella. He is a rep from Pella, and he's been a great guy. I guess the reason I, and everybody talked about windows. We currently have Pella windows in City Hall. They are all Pella, and I guess my benchmark is to keep this building, this building architecturally and structurally is a very well built building. So, I just use Pella as a benchmark, and I would like to put new windows in the building, and I would like them to be Pella.

I think Dennis said we are going to end up bidding this out, so I just want Pella to be our benchmark, and we have to get pricing. That is where we are at.

Mr. Kerr said there are 71 windows that we are going to replace.

Technical Service Director Snyderburn said these windows are 40 years old.

Mr. Kerr said this is an aluminum clad wood reserve window; so it's maintenance free on the outside. Certain windows would have what we call a well between the glass, so you could actually clean both sides.

Technical Service Director Snyderburn said there are 71 windows. They are architectural grade, you see them in the front. Every window and dormers and all. We priced Pella removal and installation, clean up, caulking and everything, and then the warranty. I can attest to Pella too. I have guys come out from Pella windows five years after they were installed, and they will adjust them all for free. They still have a hell of a warranty.

Mr. Kerr said it's a 20 year warranty on glass, and 10 year warranty on the window, and 6 year warranty on the labor.

Procurement Coordinator Zdolshek said Carl did say that the company he worked for, there have been people that have made service calls after the two years or whatever, and they pretty much stand behind their windows.

Mr. Kerr said it's been since the 1920s.

Technical Service Director Snyderburn said there are window companies, and obviously we will bid it out, and I think our specs are stringent, and I would just like to have Carl here answer any questions. Like I said, in Council Chambers, and they are all over the windows, and these are smaller ones here, and that's why the costs reflect the bigger windows too. Windows have become expensive.

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Chairman Walchanowicz said Tom is a contractor, and my feeling with this is you get what you pay for. We have had Pella windows for 40 years that have done their job properly. Obviously, windows have advanced vastly in 40 years. I would want to go with a product that would give us another 40 years.

Technical Service Director Snyderburn said like he said, the glass is warrantied for 20 years, and I got to tell you this, I am sure that there are many window companies that have come and gone over the last 20 years. They have been in business and went out of business, and I have firsthand experience with that, issues, and people went with cheaper windows, and they had problems after 8 or 9 or 10 years. Not only are they out of warranty, the manufacturer is out of business.

Councilperson Trakas asked so if it's our desire to have a Pella brand window, are there multiple distributors who can bid on a Pella brand window?

Mr. Kerr said we are the largest distributor for Pella. We are located in Bedford Heights. So, we would actually provide locations to different contractors that wanted to do the job.

Procurement Coordinator Zdolshek said well what happened was the bid specifications are basically I took Pella's specifications, and whoever bids on it, the windows that they are going to install has to meet or exceed the Pella specifications.

Mr. Kerr said it would be to furnish and install.

Procurement Coordinator Zdolshek said he's going to furnish the complete product as opposed to us going to another contractor, having them bid the window, and then bid the labor.

Technical Service Director Snyderburn said they employ their installers. They don't contract out.

Councilperson Trakas asked from a legal perspective, are we precluding Anderson windows?

Procurement Coordinator Zdolshek said no, any window that would meet or exceed Pella. The bid won't be written as a bid for Pella windows.

Councilperson Trakas asked could they meet that standard?

Procurement Coordinator Zdolshek said I am not familiar with Anderson. I am sure that there are probably some other windows that could come close or meet or even exceed.

Councilperson Trakas said I just want to make sure we are bidding it fairly.

Mr. Kerr said certain windows (inaudible).

Councilperson Trakas said so we are really pretty much precluding anyone else.

Technical Service Director Snyderburn said no, if you look it up, there are other windows. There are three or four or five of them.

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Councilperson Trakas said it's okay if you set a standard.

Technical Service Director Snyderburn said I just want to set the benchmark, that's all. I just want a good window. You know, there are a lot of window companies right now. There are a ton of window companies. So, there is different glass, there's a ton of them, and the bigger windows, I have seen them when you have a bigger vinyl window and all of a sudden you get a piece of glass, and it's just a little better.

Several people began speaking at once again.

Chairman Walchanowicz said my thing also is 20 years from now, I don't think many of us will be sitting around this table, I don't want them to have the same conversation.

Technical Service Director Snyderburn said I have both Pella and Anderson in my house, and the Anderson were cheaper.

Councilperson DiGeronimo asked throughout the City in our other facilities, do we have other window issues, or these are the ones that haven't been replaced?

Technical Service Director Snyderburn said believe it or not we have all new Pella windows at Historic Hall. They are beautiful windows, absolutely gorgeous. Excellent installation.

Chairman Walchanowicz said you may not know the answer to this but in a commercial environment, what percentage of windows that are used in a commercial building like this? Is it Pella? Is it Anderson? Or is that kind of a hard question?

Mr. Kerr said I know that since I have been with Pella, there's been commercial for sure, both single stories and multi-stories. I don't know if the competition does that.

Councilperson Trakas asked do you do any tinting or shading?

Mr. Kerr said it's (inaudible) it's a low E glass. There are different glazing.

Chairman Walchanowicz said the outside of that window has the sun beating on it at 90 degrees, and it will be 90 degrees on the outside, but on the inside it will be room temperature. There will be a vast difference.

Councilperson Trakas said you are saving energy by putting in a new product.

Mr. Kerr said so the other thing, I should also talk about lead times because everyone was talking about that. Right now, if you would say go ahead and move forward with this, we come out, we verify dimensions, we do the shop drawings for you. When we order the product it would take, from the time that we start, 29 weeks.

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Technical Service Director Snyderburn said a garage door takes nine months now, a commercial door. What we came here to tell you is that we are going to bid it out, and we will see where it lands. I just wanted to let you know what was going on. I would like to get them in.

Chairman Walchanowicz said here's another one, 29 weeks is essentially March or April, it's springtime again. If we have to bid this out, that process is at least 30 days.

Procurement Coordinator Zdolshek said actually 22 days.

Chairman Walchanowicz said so we wouldn't see this on legislation until potentially October. So, that's going to put us farther behind.

Councilperson Narduzzi asked do we have to go to bid?

Procurement Coordinator Zdolshek replied yes.

Technical Service Director Snyderburn said Dennis feels we have to.

Procurement Coordinator Zdolshek said it's not on any State contract.

Councilperson Trakas asked so State contract doesn't have glass?

Procurement Coordinator Zdolshek said they didn't have any glass windows. There was glazing but no windows.

Councilperson Veverka asked did I hear you say a different install?

Mr. Kerr said the installers that we have, when I first started, they had installers for 12 years, and then that group broke out on its own, and ever since then all they have done (inaudible).

Councilperson Trakas said one thing that would be simple that could save time is you could put these on State terms, you just upload them. It only takes a half hour, and then you don't have to bid it at all. You can do it the next day. Anyone can be on State term if they wanted to.

Procurement Coordinator Zdolshek said Pella does not have a contract on the State.

Councilperson Trakas said you could upload your own contract. If they don't have one, you could upload your own.

Several people began speaking at once again.

Councilperson Trakas said we did it with Nature Stone. No one else was doing stone flooring, so we set the price.

Technical Service Director Snyderburn said I understand, I get it.

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Several people began speaking at once again.

Councilperson Togliatti asked and these are just the exterior windows, not any interiors.

Technical Service Director Snyderburn said no, all exterior. Believe or not, if these aluminum clad years ago, right now we have sills that are rotting out and all that too. The windows would be maintenance free outside.

Chairman Walchanowicz said I think everybody sitting at the table got their electric bill and gas bill last month with NOPEC added to it now, and I think we would save a tremendous amount of energy with these windows.

Councilperson Trakas said it's only going to get more expensive.

Chairman Walchanowicz said my NOPEC is more than my actual Illuminating Company is, and we have a problem there.

Technical Service Director Snyderburn said we will keep you posted.

Chairman Walchanowicz said put it out to bid.

Procurement Coordinator Zdolshek I can check to see if we could do it as Jim suggested.

Councilperson Trakas said you might be able to.

Chairman Walchanowicz said you could run it through the Law Department.

Councilperson Trakas said the State.

Several people began speaking at once again.

Chairman Walchanowicz said thanks Carl. Are there any other questions for Carl? There were none.

We will jump to Number 2.

Ryan Wancata said so a few months ago I received information from a company called Greenstop based out of New Jersey. We received information regarding charging stations in Elmwood Park near the Kiwanis Pavilion.

Mr. Wancata said so these charging stations, the way it works is, Greenspot they are an owner and operator so they install it and manage it. The beauty of this is that it costs the City zero dollars to install and operate. I have Joe here to answer any questions, and my belief is that this could really benefit some residents. Right now there are a handful of electric cars that are up there. I think it would be nice, let's say you are a resident coming home from work, and you want go work out at the Civic Center. You could just plug your car in there and charge it. Or

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maybe you are from out of town, and you drive by the park, you get there and want to charge the car.

Vice Mayor Grendel asked who pays for the electric?

Mr. Wancata said so that would come out of the City, but then we are reimbursed on a quarterly basis by Greenspot. Joe is on the line to answer any questions.

Joe DeSimone, the Chief Operating Officer of Greenspot was on via Zoom. Greenspot was founded in 2014. We have several hundred charging stations throughout the U.S. and Israel; and the primary business model is to own and operate the equipment for the term of our agreement with our partners. We reimburse for electricity. We profit share with the partner for the revenue that we make off of charging and parking. We are able to do these projects as investment. Our core business is to invest in this infrastructure, operate for the long term, maintain it, and then hopefully return that investment and continue to expand the network with our partners, which primarily are municipalities. We work with both private and public property owners, so typically we start these conversations with municipalities. We figure out how to make the agreement work and fit with your legal process, and then once we execute that agreement, we can start with any number of locations that you would like us to take a look at. Then we start the construction phase, once we get investment approval internally. Everything we do is internal so we invest internally, we have our own general contractor. We do sub out once we start the construction, but the good example of what we have done so far is actually close by in Columbus, Ohio. So, they are a long-time partner of ours, and we have 17 larger vehicle parking spots there throughout downtown Columbus.

I reached out to Ryan earlier this year because throughout the State of Ohio there are various different programs going on right now that help accelerate what we do, but the municipality right now really doesn't have a network of EV chargers for your community, and the community is going to be demanding this pretty aggressively as time goes on because they are really going to want to start adopting EVs and switching over.

The typical lease period is three years, so we would anticipate probably in the next three years or less you are going to start seeing a lot more requests from your constituents to provide publicly available charging. We are here to help with that situation. Like I said, we make the full investment so that it doesn't cost the municipality anything, and then we work with the municipality to really plan out. We can go as small or as big as you want to go, and we are very flexible. So, if you want to start with one charger just to see how it goes, that's fine. If you want to look at 10 properties at the same time, that's also okay.

We have a full range of equipment that is labeled for our network, so there's, you have heard of Level 2 chargers or DC fast chargers. We have a full range of what is required for any type of municipality, and once we install that equipment, we operate it for the term. If anything goes wrong with the equipment, we are responsible. We maintain it, and we are incentivized to ensure that it stays operational. As time goes on, we monitor utilization. If we install equipment, we are monitoring it for a period of time, and if we see lots of usage, we will make

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recommendations to the municipality to continue to expand potentially add more stations and continue to look at other locations that are interested.

Councilperson Narduzzi asked what is the cost to a person who is charging their car there for an hour?

Mr. DeSimone said the going rate around the country right now, it's roughly about \$2.50 an hour to charge. So, what that ends up looking like compared to a gasoline powered vehicle, it's going to cost you roughly about half as much to charge your electric vehicle compared to what you spend at the pump to fill your vehicle up with gasoline. So, right now there is a big savings in terms of filling the EV back up with electricity versus having a gasoline powered car. There is also lots of like state level incentives to help people adopt EVs. There is tax credits. There are other programs that provide other assistance.

A big portion of why we prefer the equipment to be publicly located is so that people that don't have their own garage, don't have the ability to install their own charger, maybe they don't also have it at work, have another solution in the community that they can use to recharge their EV. That's really what we are all about, and I will be happy to answer any questions.

Councilperson Veverka asked is it cost efficient if I was to charge it at home compared to charging in a public area?

Mr. DeSimone said it's going to cost you more to charge in public. At home you are going to be paying for your electricity. So, whatever your rate per kilowatt is at your house, that's what you would pay. You wouldn't pay a premium because there's not like our company operating that equipment for you.

Councilperson Veverka said the reason I ask is basically we don't have apartments or any places where most people if they chose electric vehicles could charge them at home.

Chairman Walchanowicz said they would just have that initial cost to put a charging station up in their garage.

Mr. DeSimone said if the community has a lot of single-family houses with garages, then there's a good chance that anybody that has an EV probably has a very slow charger along with the purchase of the EV. A lot of these home chargers can plug directly into a normal outlet, but then they also have sort of like a slightly upgraded version where you would need to upgrade to 240 volt service to be able to connect that up, and it's going to charge at your house a little bit faster. Our units are kind of one step above that, and it really depends on what the mix is in your community, but we see usage, really no matter how big or small the community. We work with municipalities roughly about 3,000 people all the way up to the size of Columbus, Ohio. That's our biggest municipality right now.

Vice Mayor Grendel said the area that you have blocked off there in yellow, could you put four stations in there?

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Ryan Wancata said so in the contract it's six parking spots.

Vice Mayor Grendel asked Mayor you are looking at the municipal lot that is going in on Rockside Woods? We are looking to have charging stations there?

Mayor Kurtz said yes.

Vice Mayor Grendel asked would it be one that we would consider?

Mayor Kurtz said absolutely.

Councilperson Trakas said a couple of questions. Have you approached our private sector? We don't have gas stations in the park, and we don't have other private vendors at the park. This would be the only private vendor that would be there. Have you approached private buildings first?

Mr. DeSimone said no we haven't in your area yet because we are based out of New Jersey, a lot of our private sector is in New Jersey, New York. We have a lot of them in Virginia. We are in nine different states right now on private property, but typically once we start working with the municipality, they will have connections to private property owners, and they could start to make those introductions as time goes on. If we end up installing on public property, there will be lots of marketing, so people that do own maybe parking facilities or other property in the area that might be interested, shopping centers and that sort of thing, will begin to reach out to us. Also, if the municipality has anyone that they know, we would be happy to start up those conversations as well.

Councilperson Trakas said from my perspective, I would not want to see this in the park. I think it's going down the road, having private companies in public parks. The gas stations didn't ask us to put pumps in the parks, and they went out and bought property and had a filling station. So, I just philosophically oppose the idea of doing this. If it wasn't for the Government subsidizing the heck out of this thing, very few people would buy them. The average car costs \$66,000; they just jacked up the price again Ford and GM the other day. Ford and GM have combined lost \$3,000,000,000 building EV cars. I don't think the Government should be involved with this until the market is ready.

Councilperson Narduzzi said I saw something on TV last night, California is going to stop selling gas cars in 2035.

Several people began speaking at once again.

Chairman Walchanowicz asked does anybody else have any questions for either Ryan or Joe?

Mayor Kurtz said thanks for the education.

Councilperson Togliatti said I do have a question. In reference to profit sharing during your presentation, can you expand on that a little bit?

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Mr. DeSimone said we partner with the municipalities. So, we want you to be able to collect some revenue off of the property that you are allowing us to install chargers on. That's really what it is for, and the profit share would be on a quarterly basis, and you would get a check in the mail for whatever that profit share was. It's hard to estimate what it will be because you can't predict utilization.

Councilperson Togliatti asked is it a negotiated percentage?

Mr. DeSimone said it can be, but to be honest, it doesn't sound like the municipality is really interested in it right? Correct me if I am wrong.

Vice Mayor Grendel said we have another location that we were thinking about putting them in.

City Planner Annie Lynch said just to clarify that it would be a grant funded program that would be utilized. I just have a question. If you don't want to see them in the park, do we look at other City owned lots where they might be utilized? For example, the property next to Chase.

Councilperson Trakas said I would just go to the private sector first. I am sure if the people want them, then they will negotiate with them because we don't know what we are going to do with those parking lots. We hope that they aren't parking lots for very long. That might not be in his best interest to do something like this.

Mr. DeSimone said I didn't hear that last comment. So, you said that you hope that the parking lots aren't parking lots for a very long time.

Councilperson Trakas said we own parking lots in the center of town, but we don't really want them to be parking lots. They kind of are defective parking lots. We would really like to see them developed into something. The thing is that if we did work with you on something like that which would have a little bit more application based on what you guys do, we couldn't guarantee that it's going to be there after "x" amount of years. It would be a short agreement, and I don't know if that's profitable or not.

Councilperson Veverka said the other place I am thinking about is the shopping center.

Councilperson Trakas said and that's private land.

Councilperson Veverka said that way, now you get charged, and you go to whatever facility is there.

Councilperson Trakas said that would be great.

Mr. DeSimone said I tell you what, I am happy to take a look at if you want to provide a list or map of any public property, I could do a feasibility study and provide results on potential locations, types of equipment and that sort of thing. I am happy to spend time on that. You could try to connect me with any private property owners, and I could start those conversations as well.

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Chairman Walchanowicz said so what I think we will do is have a discussion with Ryan that you have been in contact with, and if we have ideas or he talks with any private property owners that would be interested, then he could be your middleman between the City and the private people.

Mr. DeSimone replied okay. Just to comment, if you are trying to sell the property, and the property does sell, we are not going to prevent that. If that happens, it happens. Our agreement is designed in a way to deal with the transfer, and it has the ability to stay there or it can go away. We are flexible on the situation.

Chairman Walchanowicz asked you don't have a clause that the contract has to be broken before the time expires on it?

Mr. DeSimone said yeah there are different scenarios depending on why the agreement is terminated. Then there is also transferability, so if they are just buying the parking lot to own and operate it, then the charger could stay there if they want. It's sort of an amenity on the property.

Councilperson Trakas said what we are trying to do is develop the property into something other than a parking lot, and so it's been like that for quite some time. It could be viable for you, but we have talked to an adjacent property owner, and they may have something going on as well. So, there could be action going on there. We didn't want to represent to you that this is going to be here for quite some time. It may be, it's been there for 30 years, but it may not be. I know there is a cost. My former commanding officer used to do this for Volkswagen, make these charging stations, just like what you have. They are not inexpensive.

Mr. DeSimone said we would be investing over \$100,000 in just this public lot alone, so it's a fairly good size investment. We do ask for a 15 year term, but we would hope to be able to share a profit and then boost that once we return the investment for the rest of the term. I do urge you, I think it's the right way to go to install these on public property for the community. You don't have any chargers really in the area. Some that you do have are broken, they are no longer functional. Others are not on public property. So, I do suggest that you do install these on public property, and we are here to help with that.

Chairman Walchanowicz said thank you.

Mr. DeSimone said I hope you have a good night.

Chairman Walchanowicz said I have to say that I might be open to something like this, but we need to find the right location for it.

Councilperson Veverka said I would agree. I think that by the location where there's lots of people, but not necessarily bringing people in.

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Chairman Walchanowicz said we will move on to Number 5. We had a little bit of a discussion about the dog park already at the Community Services meeting. We will kind of expand with everybody that wasn't there and bring them up to speed.

Councilperson Trakas left the meeting at 5:34 p.m.

Several people began speaking at once again.

Recreation Director Tom Walchanowicz said back at the April Community Services meeting, and everybody seemed to be kind of interested in it. This is something that definitely is a need, especially since the pandemic more and more people have gotten pets, especially dogs. You go in the park and there are probably at least a half a dozen people walking their dogs. They are using the fields now currently for dog runs, and with all the issues we have with that. This past June we had a dog incident there where a dog was out on one of the fields, ran up to someone that was walking on the sidewalk, and we had a dog bite in the park. The Police handled it. They charged the person and all that.

It's something that is not going away. We did budget the money last year if I am not mistaken, and ideally we would like to have this dog park in the park somewhere, but we don't have the room right now at this time. If eventually down the road we acquire some more property surrounding the park, it would be an ideal spot.

So, what we are proposing is the property behind the Kindl buildings. We had talked about this before. There's really only one house, a rental house, that abuts this property. Where this is would be basically surrounded by commercial property. There is one other property on Stone Road, but there is a good buffer between that house and where the dog park would be. Again, I am throwing it out there. The money is budgeted. We did get a price, and the only cost is the fencing. What's nice about this is that if we do end up developing that land out there, this fence could be dismantled, and we can go and move this if we do end up acquiring more property near the park. I am bringing it up again to the Public Lands & Building Committee, and if there is no big resistance, I would like to try to go out to bid. Dennis will write the specs for the fence, and we will bid this out and go from there.

Councilperson Veverka said one of the conversations along the way was how do we make this resident available, talking about a scan card to get in or what.

Recreation Director Walchanowicz said we would put a swipe reader on the access gate to this, absolutely so a resident would have to have a Civic Center membership or a dog park membership that would allow them to get in.

Several people began speaking at once again.

Councilperson Togliatti said with these gates all on the eastern edge, would we be plowing and maintaining all of this in the winter time, these access roads?

Recreation Director Walchanowicz said during the snow I don't think so.

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Councilperson Togliatti asked it wouldn't really be in use during that time?

Recreation Director Walchanowicz said no I don't think we would. The maintenance gates are really only for cutting the grass. In the winter time the only gate that would actually open would be the center gate, the main gate going into the park. The one side would be for small dogs, and the other side is for large dogs. That is how they set dog parks up.

Mayor Kurtz said so the service gates would be strictly for us. If you were coming in, you could pick large or small.

Recreation Director Walchanowicz said the only other cost is we would have a couple of benches up there, and maybe down the road if it's popular, they have dog obstacle courses and stuff we could buy, but at this point we are looking at step one with the fence.

Councilperson Veverka asked what kind of hours of operation would that be?

Recreation Director Walchanowicz said we would probably open at 8:00 a.m. and until dusk, or whenever it would get dark. We will set the time, and your pass would only be able to access it after whatever time you make it. I would say until dusk.

Vice Mayor Grendel said so people will be parking on the west side where the parking lot is. Would it make sense to have the gates on the west side too?

Recreation Director Walchanowicz said there is parking right here.

Several people began speaking at once again.

Recreation Director Walchanowicz said this is actually a gravel parking lot.

Mayor Kurtz asked since we own the buildings, could we put cameras on the building just for safety?

Recreation Director Walchanowicz said absolutely. That would be a great idea.

Chairman Walchanowicz said we did discuss potentially like a water station for dogs too.

Recreation Director Walchanowicz said we could yes. We could add that. We could get water off of the buildings. We are paying the water bill there.

Councilperson Narduzzi asked who cleans this place up?

Recreation Director Walchanowicz said just like we do now. We send a guy up there. We maintain the rest of the property.

Councilperson Narduzzi asked I mean what about the feces?

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Recreation Director Walchanowicz said we will have signs up kind of like what we have now.

Mayor Kurtz said we will just set up the camera.

Several people began speaking at once again.

Chairman Walchanowicz said it's a valid point picking it up, but my big issue is there are people's pets are using our outfields, and they are not picking it up. We have little kids that are still using that for soccer and football.

Recreation Director Walchanowicz said we will put up signs that you can't let your dog on the field. That's what we are going to do. We are going to put the law down on that and enforce that. Our Police Department will enforce that.

Chairman Walchanowicz asked will this have to be run through the Law Department, can we post signs if this goes through, that there's no non-residents. Can that be posted?

Mayor Kurtz said it could be residents and residents' guests.

Councilperson Narduzzi said a pass, there's got to be something. Cuyahoga Heights basically tells you if you are not a resident, you are not allowed. It's on everything they have.

Councilperson DiGeronimo said I see what you are saying on the gates on the east side, and if you are doing the swipe you want to limit how people can get in and it's divided; but I still think the natural thing would be that people will come up wanting to park here or walk in from the center of town and want to get in on this west side. So, if there is a way, if it's overkill doing that.

Mayor Kurtz said those buildings are still rented.

Councilperson DiGeronimo said I think it's an evening crowd. I think people will want to walk up there, and I think the other thing if it is a walk up crowd, this sidewalk ended here on the south side, so if you are coming from up here, you are kind of scattered here. You run out of sidewalk. There isn't anything on this side of the street. If it makes sense to continue this sidewalk, even if you are losing this apron because I don't think you are getting traffic this way anymore.

Recreation Director Walchanowicz said we can watch it for a while.

Councilperson DiGeronimo said otherwise you are in the parking lot.

Mayor Kurtz said we could have something later on, and add on.

Councilperson Narduzzi asked what is the cost roughly for it?

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Recreation Director Walchanowicz said we got the price for this layout, and it was like \$18,000 or \$19,000, and now it's probably \$25,000 or \$26,000.

Councilperson Veverka asked will we have to have pregnancy liability?

Several people began speaking at once again.

Councilperson Veverka said you have large dogs and small dogs.

Chairman Walchanowicz said that has to be on the owners. Basically, if you are taking your dog to a dog park knowing that your dog is not fixed, you are taking that in your own hands. What is our consensus about having this go out to bid?

Councilperson DiGeronimo said let's do this. Make it as nice as you can otherwise people will still go to the park.

Chairman Walchanowicz said until we have more space, I would like to see it someplace else.

Councilperson Togliatti said I agree with John switching that gate over to the western side. I think it makes more sense. There's a big parking lot there.

Recreation Director Walchanowicz said that's a gravel parking lot on the east side. It's not paved parking.

Mayor Kurtz said there are tenants.

Several people began speaking at once again.

Chairman Walchanowicz said maybe an option bid on having this entrance on both sides so if you do park here, you can access it from both sides.

Recreation Director Walchanowicz said we could.

Chairman Walchanowicz asked is that feasible?

Technical Service Director Snyderburn said there's a company that parks in the back there.

Chairman Walchanowicz said the busiest part of it would probably be after 5:00 p.m. I don't see many people.

Several people began speaking at once again.

Mayor Kurtz said I guess that's the only real concern is no access. So, if there's no objection, then we will bid it out and see what we come up with.

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Councilperson Veverka asked is there any sense to making this kind of a conditional, in other words, it's a chunk of money, but a time period when we re-evaluate?

Mayor Kurtz said well we are going to re-evaluate it continuously.

Chairman Walchanowicz said and I think Tom had mentioned it, I mean we have residents pay \$10 to add the outdoor pool to their pool pass, maybe we have a \$5.00 charge if we want to keep it strictly for residents.

Several people began speaking at once again.

Councilperson DiGeronimo said if it doesn't work, you have a nice soccer field or something.

Recreation Director Walchanowicz said that would be a black vinyl coated chain link fence.

Several people began speaking at once again.

Chairman Walchanowicz said we will get this out to bid then.

He said that brings us to Number 7, any other matters before the committee.

Councilperson Veverka said just a quick question. I know that the curb in the Civic Center parking lot was removed with the purpose of making it smooth, but I noticed that when we had the big downpour before Home Days, there was a big water issue because that curb would trap the water and send it down to the drains, and you wouldn't get the whole parking lot all shed towards the one side. It was ankle deep over by the Alumni booth. I just bring that up as whether or not there should be even just a little hump there or something.

Mayor Kurtz said a trench drain.

Councilperson Veverka said I don't know.

Chairman Walchanowicz said it probably wouldn't be a bad idea.

Recreation Director Walchanowicz said that was one of those rains when we got two inches an hour, and actually the drains that were out there, when that water got to the drains, it took it. I went down the pool, and there were no problems.

Mayor Kurtz said we haven't gotten that severe of a storm.

Recreation Director Walchanowicz said that was a real heavy rain.

Mayor Kurtz said so we had an isolated situation with Home Days.

Recreation Director Walchanowicz said with a normal rain, there's no issue at all. I watched that, and we checked it out.

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Councilperson Veverka said if that's another issue, then the trench drain is something that could be.

Recreation Director Walchanowicz said there is one more curb cut near the restrooms.

Technical Service Director Snyderburn said there's a drain.

Chairman Walchanowicz asked anything else? There were no other matters.

**Moved by Togliatti, seconded by Walchanowicz to adjourn the Public Lands & Buildings meeting of August 30, 2022. Voice Vote: 2 yes/0 no; motion carried.**

There being no further business, the Public Lands & Buildings meeting of August 30, 2022, was adjourned at 5:54 p.m.

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Debra J. Beal, Clerk of Council  
Minutes Unapproved at Time of Release 09/01/22

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