

**CITY OF INDEPENDENCE  
COUNCIL WORKSHOP  
NOVEMBER 15, 2022 3:00 PM  
COUNCIL CONFERENCE ROOM/VIRTUAL MEETING**

**MINUTES**

**CALL TO ORDER**

Vice Mayor Dave Grendel called the Council Workshop of November 15, 2022, to order at 3:05 p.m. Present were Council Members John DiGeronimo, Tom Narduzzi, Anthony Togliatti, Jim Trakas, Dale Veverka and Chris Walchanowicz. Also in attendance were Mayor Gregory P. Kurtz, Finance Director Vern Blaze, City Engineer Don Ramm, Economic Development Director Jessica Hyser, IT Director Jim Gibbs, Building Official Michael Gero, Human Resource Director Bridget Kozub and Deputy Clerk of Council Amanda Sharrer.

**PRESENT:** Vice Mayor Grendel, Councilperson Narduzzi, Councilperson Trakas, Councilperson Togliatti, Councilperson Veverka, Councilperson Walchanowicz, Councilperson DiGeronimo

**ABSENT:**

**FIRST READING**

Vice Mayor Grendel said today's agenda has one piece of legislation as well as the ongoing discussion of the 2023 budget and getting that together. We have some of our Department Heads here.

So, we will delve right into Ordinance 2022-161. Mayor, would you like to maybe speak on this.

Mayor Kurtz said Ordinance 2022-161 has probably been in the making for the past 20 or 30 years. It revolves around the Concordia Lutheran Church property section of property behind the church that they don't need for their congregation. We attempted to buy this property in 1999. We came up one vote short because we didn't realize that it needed a super majority at the time.

The goal for this property is to allow us to come up with a housing product we don't have today, single-family, maintenance-free. I don't have all the answers, but if we don't take this first step to acquire the property, we don't have to worry about answers because there won't be any questions to ask. There are several different opportunities. Concordia has different people that want to buy the property, and we happen to be positioned appropriately. They would rather work with the City than another developer, builder, and that's why we have the opportunity to acquire this property and create our own destiny for a segment of the population that for the last 20 years I can attest to the fact that we have lost a number of good residents because we didn't have a housing stock available that could accommodate their needs.

This is not going to solve all the housing issues in the City. We are not going to accommodate every need that we have. Right now we have nothing other than single-family on big lots, and this is going to provide an opportunity. If we do our due diligence by buying this property, entering into an agreement to allow us to buy this property; the property will not be purchased unless we complete our due diligence and everything is in order. If that fails the test, then we will rescind the opportunity to buy and won't be purchasing it. If in fact we go through the due diligence period, and we determine it meets the criteria that was established by the congregation

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and the City; then we would be able to move forward and complete this transaction and begin the process of developing this property, bringing in a planner to plan it properly. If we have to do it in phases, we do it in phases; but without the property, there is no discussion. So, I am just tired I guess, all these years I have been hearing about people leaving the City, don't want to leave the City. We don't have any alternative type of housing, and so this presents that opportunity.

So, this is presented to Council because the only people that can buy and sell property in this municipality is City Council. It is my job to tee it up and provide these opportunities, or a Member of Council; but in this case it's already, the congregation has voted unanimously to support the purchase. So, it's a matter of our decision now, and what this allows us to do is begin our due diligence period, and then we would come back and Council, Planning Commission, Zoning Board, residents, everyone would be able to participate in the next phase which would determine how many units we could have, how we want them planned, what we want planned. That is not for tonight, but without the property, there is no opportunity. Once we get the property and go through the due diligence property, and then we can engage a developer or planner that can help us plan this property. Then we would engage the residents and those that would be interested in helping us advance this opportunity.

So, tonight is purely an exercise in buying the property, putting ourselves in the position to buy the property. If in fact there is a problem, then it's a moot point; but if it's not, it's an opportunity for our residents to stay in the City and provide more opportunities within our City. That is the goal. That is the vision and the goal.

Vice Mayor Grendel said so Mayor your looking as far as timeline goes, if this gets approved, and there is a due diligence period and things of that nature, you are probably looking at the planning period sometime spring or summer.

Mayor Kurtz said the first quarter of next year would be the time I would say that we would have the planner come in, make a presentation to the Council, to the Planning Commission, to the residents, and then we could all weigh in and because it's on paper, that's the time to change or modify or agree to something.

Vice Mayor Grendel said but this does not need a vote of the people as far as the kind of housing option.

Mayor Kurtz said no, the way I envision it, it would be done through variances, smaller lots, single-family, maybe one and a half story and maintenance-free on the outside. So, you would pay your quarterly dues. You would have your building, your property. It would be your house and within the framework of what we still have in our City, which is single-family dwellings.

Vice Mayor Grendel asked any questions for the Mayor from Council?

Councilperson Togliatti asked Mayor you did state that once we get into our due diligence period, if it meets the criteria established by the City and the congregation, then we will purchase it?

Mayor Kurtz said the purchase agreement that was signed, that we are looking at tonight.

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Councilperson Togliatti said so that's the criteria.

Mayor Kurtz said that is just to purchase it. The important phase would be then, once we get the property. The property is going to be an investment one way or another, but from my perspective, if we own it or somebody else owns it, we can always sell it. Eventually we would, but we will control the destiny and have influence over the future of this property rather than someone else having it.

So, once we complete that phase, the planner would then present how they see it to be best laid out. Council, myself, the residents, Planning Commission, Zoning Board, would all have the opportunity to weigh in to come in with the best product.

Vice Mayor Grendel said I envision a number of workshops.

Mayor Kurtz said that's the only way we are really going to define who wants to be here, how many could be here. I would be afraid if we had more opportunities than we have availability. It would be a great problem to have, but if that happens, then we will have to figure out a mechanism to, a lottery or something.

Vice Mayor Grendel asked is there any possibility of connectivity from this project, from this land, to the property that the City already owns north of Stone Road?

Mayor Kurtz said there is frontage on Stone Road, and so the access point, so the access on Stone Road, which is adjacent to the property we own on the north side of Stone Road; but I wouldn't say it's the same type of product that would be in the downtown area, but that will be determined.

Vice Mayor Grendel said I was thinking if this became popular, and Mayor if we would extend the opportunity to the other property just north, at least the back property, I'm not talking the front property.

Mayor Kurtz said keep in mind that a couple of the plans that were presented over the past decade envisioned housing in the back of our existing property, the baseball field, and the north and east side of the existing property in the downtown area. So, there is opportunity there also, but a different product.

Vice Mayor Grendel asked any other questions for the Mayor from Council first?

Councilperson DiGeronimo said I guess as far as diligence and what we know so far, I know we don't have all the answers, but do we have an idea of what is actually buildable on this site as a percentage of acres?

Mayor Kurtz said we won't really know that. We could do some creative things, but realistically there is enough flat spot to be able to, let's find out. I don't have all the answers. I just know that this is something that has been on our radar screen for several decades, and it's an opportunity to, my vision is to have the people that live in this City, stay in this City. We are losing them to Brecksville, Broadview Heights, Macintosh. We lose them to across from St. Basil's. We lose them to Richfield, and there is no reason. We can't see if there's an opportunity to keep people in our City.

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Councilperson DiGeronimo said I guess from the site, just looking at it, I know there are some wells, and it didn't say there were any environmental issues; but if you go through the diligence and say well realistically we could only put even smaller units, let's say there's 12. I don't know. Is that meeting your expectations?

Mayor Kurtz said the economics have to work because this is a net zero for the City from my perspective. This isn't something I want to make money on, but it's not something we are going to give away. To me, a net zero, or pretty close. Our job is to plan. Our job is to create an opportunity for our City, whatever we are doing, whether it be on Rockside Road, Pleasant Valley, residential subdivisions. That is part of our responsibility; so I see this within that framework of municipal responsibility. We can explore the opportunities, and if it's an investment that makes sense to keep people in the City, we make the investment.

Councilperson DiGeronimo said so then the role of the City, do you think it would make sense for a developer to come in or the City could build a road.

Mayor Kurtz said we could, but I think, we have had several conversations over the past 10 years, and I think a developer would help add some additional information, experience. All I am looking for is an opportunity to keep our residents in Independence.

Councilperson DiGeronimo said I don't want to go too far.

Mayor Kurtz said it's good for everybody to have this dialogue. I hope I answered your question.

Councilperson DiGeronimo replied yes.

Mayor Kurtz said I don't know what that number is, where we walk away, but a planner would help us define that.

Vice Mayor Grendel said Dale you have some questions.

Councilperson Veverka said yes, well right. I guess one of the big questions goes along with what you are saying is access. You have to have sanitary sewers and storm sewers and a road, and related to gas, etc. Who would bear the responsibility for that because I know we have had discussions in the past even about burying utility lines, and the cost is astronomical. So, besides the \$485,000 for the property, then we definitely have a major cost, you come in off of Stone or you come in off of 21. Where would we likely make those tie-ins and at what anticipated cost? Like you said, if we are going to try to do this as a wash, we would have to pass the cost along.

Mayor Kurtz said it would be similar Dale to a developer coming in like they did Pulte's, like they did most of the subdivisions in the City. They came in and got the City approval, and they absorbed the costs associated with the infrastructure. So, I don't see anything different along that line, and I am assuming that when we planned our sanitary sewer system, we took all vacant land into consideration. So, anticipating that it would be developed someday.

Councilperson Veverka said that goes along with what John said, the possibility of 12 units is a lot different than the possibility of 35.

Mayor Kurtz said we won't know that until we do our due diligence and explore all the

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possibilities through a professional planner.

Councilperson Veverka said there's also been conversation about some property to the north, and based on the cost per acre of the church property, that could be another quarter of a million dollars potentially. Is that a reasonable cost?

Mayor Kurtz said I don't know. I don't know the basis for that number, but whatever it is, it is. Whatever the fair market value is, that is what it would be.

Councilperson Veverka asked and what is the time limit that Council would need to act on this particular agreement as far as there's a time limit that we would need to act?

Mayor Kurtz said you are authorizing the purchase of the property with this ordinance. The due diligence period is based on, I am not sure if it's 60 days, 90 days, and so our goal is to see within 60 days if we could get some answers in terms of infrastructure and some concept of what we could have there.

Councilperson Veverka asked could we get some of those answers before we commit? It seems to me to be a little backwards if we are going to commit, and then get answers.

Councilperson Narduzzi asked why spend the money if you are not going to commit?

Mayor Kurtz said you are committing to the purchase of the property, what you want to do with the property after we acquire it, you could just turn around and sell it if that's what you want to do; but that's Council's decision.

Vice Mayor Grendel asked is there a time that we have now to pass this legislation?

Mayor Kurtz said you have this week in order to allow us to begin the due diligence period.

Councilperson Togliatti asked and we have never had our Engineer look at this parcel and look at utility tie-ins and look at roadway access?

Mayor Kurtz said sure.

Councilperson Togliatti asked so we have done some work?

Mayor Kurtz said we have done a cursory review, nothing that I would give to you and say hey here's the layout. We did that just to see if it makes some sense, and so other than that, no.

Councilperson Togliatti said I am pretty certain that when developers buy property with the intent to develop it into the individual lots and subdivide it and sub it off and build, they do a thorough economic evaluation prior to purchasing it to ensure that they are going to profit from it, and we are kind of just going into this blindly which is somewhat concerning to me.

Mayor Kurtz said actually they come to the City, and the City reviews everything they want to do.

Councilperson Togliatti said before they would purchase a parcel like this, they would run the numbers and make sure that they can actually build it and develop it, and we haven't done that.

Finance Director Blaze said put it this way, if we are being told the truth, there are other real

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estate related entities that have offers on the table with the Lutheran Church for more than \$475,000 that the City would be paying. So, that kind of infers that they have done some due diligence, and they feel the value is more than the City is paying for it.

Councilperson Togliatti asked and do we have any idea what their end objective with the property would be?

Mayor Kurtz asked whose?

Councilperson Togliatti said these other offers that are on the table that are higher than ours.

Mayor Kurtz said develop the property. They aren't going to look at it. I don't know if it's 1 house, 10 houses, 30 houses. I think this allows us the opportunity to stay in the game to make sure that we are doing something that's going to be good for the people of Independence, and so if in fact it doesn't work, we just put time and effort in planning like we always do. If it works, and we can keep people in Independence, then we all win. The City wins.

Councilperson Togliatti asked and have we looked at the access onto Stone Road, and if it's even feasible to have a roadway coming out of the top of that hill which is blind spot to accommodate the houses that we could potentially put in there?

Mayor Kurtz said we know there's frontage on Stone Road. There is an opportunity. The most logical place would be to come in off of the City's property, the old Fortlage property. If that's the case, we would have to get 170 feet from 3 property owners adjacent to the Concordia Church property, no houses. We wouldn't take anybody's houses. I think the properties in play, they are 800 foot deep, and a standard lot in the City is 200 foot deep. So, it provides us the opportunity, an alternative, but I am going to leave that the planners to tell us what the best way to do it is and not try to anticipate or pre-empt someone's vision that does this for a living.

Councilperson Togliatti said but if we can't get the rear of those 3 properties on the south side of Stone Road, then we are limited to egress on Stone Road, correct?

Mayor Kurtz said that's why we are going to bring a planner in. That's why we are going to explore our options and opportunities. I have said at the onset, we don't have all the answers, but we have this opportunity. Without the land, nothing else matters. There is no sense doing anymore due diligence, bring any planners in, and end up having someone else decide what to do with this property.

Councilperson Veverka asked is there a potential sticky wicket if we purchase the property and do determine that it's not feasible, and then we want to turn around and sell it, but the contract indicates that the Lutheran Church has the right of having 3 units in play? Is that potentially a problem?

Mayor Kurtz said the only reason that, part of the deal was that the Lutheran Church, if we build a subdivision there, a developer does, they would have access to 3 of the units for members of their congregation. That was part of the criteria. We also have a first right of refusal on the remaining property, the church itself. We did that to protect the City long term, another congregation, another group coming in and try to utilize that property. So, we have the first right

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of refusal if in fact they want to sell the property, or merge with another group then move out of the City, we have the right to purchase the remaining property which would give us a different type of access, different opportunities; but that's not part of what we are doing today. It's just part of the agreement.

Councilperson Veverka asked does the Lutheran Church have any overstriding limitations? I know a Methodist church is required to attempt to sell to another church group before they could sell to someone. Does it work that way with the Lutheran Church or not?

Mayor Kurtz said back in 1999 we thought we had it bought. In 1999 we met with the congregation, they voted, and we went home that Sunday with Council and myself, thinking that we had bought the property and found out the next day that it was a super-majority. It took 60% of the voting congregation members to buy the property. I can tell you that they reported to me that 100% of the congregation voted to sell to the City of Independence. I am not sure that would have been the vote for anybody else, but it's their land.

Councilperson Trakas said so a couple of things kind of from the conversation. I understand what you want to do and try to accomplish, I am just thinking if there's a way we could give them a letter of intent and then plan this thing out, get public input, get the views of the neighbors, get the views of the community and then get some developer input as to what they think it would be, and then purchase the property. If there's a way we could do it that way with a letter of intent, I guess I think that might be a little bit more of a process that would be traditional to the community. In other words, when we have these types of developments, people come to the City, and then they come to the Planning Commission, and they make their proposals. I guess I would like to try to see that if we could get that accomplished first so then we can know what we are getting into; and if we might potentially buy this other part of the property, what is the value of that. We are getting pretty close, and obviously understand what the goal is and support what you want to try to accomplish. We also should get a little bit more public input as well as some of those details put together. What is it going to cost for roads and sewers and that type of thing? Is that going to be our responsibility? Can a developer absorb that? What's the end game from the City's perspective in terms of cost? I think those are some open-ended questions that can be easily answered and perhaps we should go that route and then we could have a comprehensive conversation on it.

Mayor Kurtz said well if we could have done a letter of intent, it would have been easier, but the fact of the matter is, they have a rigid group of rules like we have. It's not as though they can, I would say that this has been going on for, when did we have that meeting to talk about purchasing this property? Was it 6 months ago? A year ago? I can't remember now.

Vice Mayor Grendel said earlier this year.

Several people began speaking at once.

Mayor Kurtz said I think it was a year ago.

Councilperson Trakas said before the pandemic hit, we were discussing it.

Councilperson Veverka said it was with the previous Council.

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Mayor Kurtz said we have been working on this for over a year. So, it's not something that just was created in a vacuum, and a lot of these questions are to be answered. The property is still the property. The property is where the value is at. The property is, without this property, there is no sense wasting any time or money. The property is not going to de-value based on this purchase price; but I think we control our destiny. We protect the neighborhood. We create this opportunity to keep it for our residents, and we are not going to be in a fight for somebody to tell us what they want to do with the property. So, that is the advantage of doing it this way, rather than waiting for somebody to come in, and then they tell us what they want to do. If it's not consistent with what we want, it creates a problem.

Vice Mayor Grendel said Mayor, I think questions will be answered by that due diligence, the 60 days.

Mayor Kurtz said during the due diligence period, we will have the answers in terms of the infrastructure. We will have the answers in terms of, I'm not sure we will have all the planning answers; that's not going to happen. I won't sit here and tell you we are going to wait, we want to get it done; but it will put us in a position to close on the deal. Then there's a lot more heavy lifting to do. I say, whoever said it appropriately, the first quarter of next year would be the time when we would really be getting into the nuts and bolts so to speak, the input, the questions to be answered, the infrastructure. I would say those would be meetings that would be held and information distributed the first quarter of next year as to how and what we are going to do. I don't see anything happening functionally until input from the residents the first quarter of next year.

Vice Mayor Grendel asked during those 60 days would there be something, some studies done that might give us a red flag and say hey.

Mayor Kurtz said that's the purpose of the 60 days. If we come up with something, the Engineering group comes up with something or our Planning or our Building Department comes up with something; we will go back to the congregation, and we will tell them this doesn't work. Our vision, or the goal was to create housing for our residents. We have been transparent with them, and that's why they sold it to us. If we hit a red flag or we hit a wall, we are going to stop. We will go back to them, and if it's something that is insurmountable, we won't sign the deal. Without your authorization, I can't do that anyway, but I don't want anybody misled here tonight. If you authorize this, we are in a position to close and buy this property. You guys know me well enough, I am not going to tell you something. If authorized, we are going to make a deal. If there's a problem in that period of time, we will take it off the table. We will bring it back to Council, and we will bring it back to the congregation. Without their support and modifying the terms of the agreement, there won't be an agreement.

Vice Mayor Grendel said like I think John had mentioned, or Dale, after the 60 days, we find out maybe that there's only 10 possible lots there, that it makes no sense to go forward with this.

Mayor Kurtz said go forward from our perspective.

Vice Mayor Grendel said someone else might want to.

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Mayor Kurtz said we will share with them what we found so that if in fact we do not close on the property, they can give it to whoever they want to because the property is still going to be the property; but if we hit a wall so to speak, or a problem is created that it's not good for us, we can't accomplish our goal, then we won't sign the deal.

Vice Mayor Grendel said so there's potential after this, say that we do an engineering study and everything and find out that there really is no access off of Stone, and we have a little better idea, then Council can revisit that say it just doesn't look like this is something that we can work with and not go through with it at that point after the 60 days. That gives us at least more professional information that we can finally see.

Mayor Kurtz said without the property, there's no discussion, today at least.

Vice Mayor Grendel said and if this isn't agreed to by Council this week, does that open up some of the other suitors?

Mayor Kurtz said we won't have a deal. We needed 60 days to do some due diligence. We are not going to buy a piece of property without exploring the engineering, without understanding what we are dealing with; and so we needed some time.

Vice Mayor Grendel said so first there would just be a deposit, \$10,000 into escrow, and then the 60 day period to do our due diligence, to have our Engineering Department, other experts we need to see if there's some problems with this. Then at that point, the City and Council would be notified on what the realities of this is.

Mayor Kurtz said that's correct Vice Mayor. We will close or we won't close. If we close, the heavy lifting begins to start assembling the information, getting input from all the people in the neighborhood, in the community, all the professionals; but the first 60 days is where we really see if we hit a wall so to speak or don't complete the deal.

Vice Mayor Grendel asked will the weather be any kind of problem? We need to get working right away to see if this is workable for the City, if this makes sense, and if the terrain is such that you could only build a handful of houses, it makes no sense to do this. If there is a potential for 25 to 30 homes or that, it would make more sense.

Mayor Kurtz replied absolutely.

Councilperson Trakas said just a quick question. On Article IV, there's information publicly available to us and several of those are oil and gas leases, oil well completion report, drill site location and right-of-way which is on the existing church property. Do any of these oil and gas folks have any easements on the property that we are considering?

Mayor Kurtz asked on the Concordia property?

Councilperson Trakas said on the Concordia property I know there is, but there's also.

Mayor Kurtz said the properties have some leases also.

Councilperson Trakas said okay.

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Mayor Kurtz said in talking with some of the neighbors, they aren't productive anymore. They are not really productive, so I am not sure what their status is.

Councilperson Trakas said I'm sorry, I didn't phrase it properly. So, on the property that we are considering buying, are there easements for oil and gas?

Mayor Kurtz said there's gas wells on the property yes.

Councilperson Togliatti said so there has to be an easement from the gas company to access that well head.

Councilperson Trakas said that would not be something that we could develop obviously. Do we happen to know where we are?

Mayor Kurtz said no, that's all what we are going to find out.

Councilperson Trakas said thank you.

Mayor Kurtz but it's all, obviously it's not something that prohibits development. If it prohibits development, we wouldn't waste our time. It does not prohibit development.

Councilperson DiGeronimo asked is there any precedence with the City doing something like this before? The City buying property and owning it, and then turning it into residential? Has it been done before?

Councilperson Narduzzi said commercial.

Councilperson DiGeronimo said so that's exciting.

Mayor Kurtz said it's a new opportunity.

Councilperson DiGeronimo said I guess Number 2, related to wording in the ordinance itself, the first paragraph, allowing residents and recent former residents to have the opportunity. I know we talked about that goal; I don't know that is enforceable. I don't know if that needs to be in here. If we can't enforce it, should it be in there. I get the goal, and maybe we can talk about it. In the role we are in, does that need to be in the ordinance?

Mayor Kurtz said I think it's in the ordinance because that's the goal, and we are being transparent in terms of our goal. Our goal is not to just put a subdivision in. If we can't keep residents in our City, or get them back to our City, it deflates my interest in trying to do something that's good for the City. That is the criteria.

Councilperson Trakas said to expound upon that John, when we contemplated the Fairmount deal some years ago, in the Memorandum of Understanding that Council approved, it indicated that they would hire a local real estate person, and the discussion at the time was with the intent of having local people. Local people signed up to buy properties. I don't know how many, 80 properties or something. They had all of them sold out, and through this mechanism, they were Independence people who were trying to sell their homes and buy here. While it might be aspirational, I think when you put that in legislation, it kind of sets the record that whoever type of developer you would want to work with, that is what the expectation is here. So, can you say I

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am going to refuse you if you live in Garfield Heights? No. Could you get a list of people from Independence ahead of time before you build and have them put deposits down? I think you can do that.

Councilperson Narduzzi said that was for the first go-around. After the property was purchased, the second purchase would be open to the highest bidder.

Councilperson Trakas asked there are certainly deed restrictions to say that there are preferences for residents?

Mayor Kurtz said absolutely. That's why we are here. From my perspective, 20 or 30 years we have been working on this. There are people in this room that have talked about leaving the City. There are people in this room that have talked about why don't you have some housing? Well, here is an opportunity. Is everyone going to be happy? No. Is everyone going to be able to live here? No, but this presents an opportunity that is consistent with our goals which is to take care of our residents. We take good care of our residents in terms of keeping them in their homes. We have been very fortunate from a City's standpoint. There are people that raise their family and don't want to live in a two-story house, multi-story with the master bedroom upstairs, and it doesn't work for them.

It reminds me of McDonald's. People were very upset about the McDonald's many years ago, and then after we put it up, built it, they went to work there. I would see them in the window.

It's like we failed 3 times for the Civic Center, and it finally got passed. I never found anybody that voted against it. So, this is just another opportunity to, and no one is being, everyone is going to have an opportunity to weigh in, all the neighboring residents, all the people that would like to stay here. Council has to obviously, and Planning Commission and our professional staff, as well as these consultants we are going to bring in to help us. So, that's the goal. We could sit back and do nothing, and then we will still answer questions next fall about why we didn't have any housing, why we didn't do this. Then some people might say why did you do this. That's okay. I would rather have that discussion than miss this opportunity and say well I don't know what would happen because we didn't take the risk, we didn't take the chance. I do believe that if we buy this property, we won't lose money on it if we sell it. So, it's an investment from my perspective.

Vice Mayor Grendel asked Tom do you have anything?

Councilperson Narduzzi said just one comment. I mean, the land is going to sell regardless if we buy it or somebody else buys it. If it doesn't work for our purpose, meaning if we can't make it work with 25 to 30 homes, somebody might buy it and put up 10 homes that are multi-million dollar homes. We don't know that option. Land is getting scarce, and if we want to do, if we want to have a place for our residents to go to and live and stay here, we are running out of space. Where else are you going to do it? In the middle of Rockside Road down there with all the industry and the buildings and stuff? It's a perfect opportunity I think to accomplish one of the goals that we have.

Vice Mayor Grendel asked Chris do you have anything?

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Councilperson Walchanowicz said I agree with Tom, but I think what I like the most is we have the 60 days. We vote on this today, and that's allowing us the 60 days to really dig deeper, whether it's infrastructure, homes. It kind of gives us an overview, and then the decision is ultimately made after the 60 days. So, the way I am reading into it, voting on this today just allows us to further find the information that all of us have been wondering or asking, and then the decision is made.

Vice Mayor Grendel said I feel more comfortable having our due diligence because there are a lot of questions that we have to find out, the possibility of how many homes we are going to build back there, the access, whether we have access to them or not. There are a number of questions, and whether it will affect us with the mineral rights, the gas.

Mayor Kurtz said they keep the gas rights.

Vice Mayor Grendel asked now do they get gas from that?

Mayor Kurtz said enough to keep the church going, but it's not something that's overwhelming.

Vice Mayor Grendel asked now the church owns that house too?

Mayor Kurtz said to the south.

Vice Mayor Grendel said I agree with Chris. This gives us a chance to hopefully, 60 days from now we will have a lot more information relying on our experts and what we need to determine do we move forward on this? I think the worst case that can happen if we decide either environmentally or economically it doesn't make sense, and if we don't go forward at that point, I think the \$10,000 in escrow would that be?

Mayor Kurtz said I think it's returned.

Finance Director Blaze said the City in its own discretion, the buyer, is not satisfied with the due diligence, then we have a right to terminate and get the money back.

Vice Mayor Grendel said so basically this gives us a 60 day window to be able to have more information, be able to provide more information not only for Council but the residents too.

Councilperson Walchanowicz said it makes the church happy that we can move forward.

Vice Mayor Grendel said we could entertain a few questions from the audience. Please state your name too so our Clerk can write it down.

Jeff Blumenthal of 7426 Stone Road said my property is 1 of 3 that the Mayor has indicated are key to accessing this project. For public record, I don't have (inaudible), and I can tell you that I have spoken in depth with my neighbors to the east, and neighbor to the west, and none of us have any interest in selling any of our property for this project. I have so many questions that I don't even know where to begin, but one of them relates to the access road on Section 4.5. It states that there will be an access road to the real property to the northern property line, and the rest of it. If none of us want to sell our property, it's a moot point. That cannot be accomplished. Why is that in this agreement if it cannot be done?

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Finance Director Blaze said I think the access road to the north property line that it is referring to is the remaining north property line where the church is.

Mr. Blumenthal said if you look at the map that you provided us last week, if anybody has not seen that, I will be glad to share it. It is impossible to reach the property that is being purchased without our property. Please explain how you are going to accomplish that.

Mayor Kurtz said well we have access on Stone Road.

Mr. Blumenthal asked has anyone on Council looked at the property access, and at that crest hill to determine if that is even remotely safe?

Mayor Kurtz said we will determine that in the next 60 days the best way to access that property, and then we will be able to go from there.

Mr. Blumenthal asked have you looked at that property? Has anyone in the City determined that it's possible given that there is.

Mayor Kurtz said it will be determined in the next 60 days.

Mr. Blumenthal asked but why would you enter into this agreement without even doing your due diligence?

Mayor Kurtz asked how many times has anyone ever entered into an agreement, or didn't have an agreement, and invest time and money and energy on something to find out that they won't sell it to you or somebody else bought it? So, what this does is locks the opportunity in play. It doesn't give them an option to get out if in fact we want to go forward. There is no sense in us trying to put all of this effort into something if in fact they wouldn't make a deal or sold it to something else.

Mr. Blumenthal said you have been working on this for 20 years. You have had 20 years to do your due diligence. Why haven't you done it?

Mayor Kurtz said it cost money to do that.

A resident asked what about our own Engineering Department in the City?

Mayor Kurtz said it cost money.

A resident asked can you send them over to look at the property?

Several people began speaking at once again.

Mayor Kurtz said you can go to the next provision, and you will see that they authorize us to get on the property.

Mr. Blumenthal said you didn't answer my question sir. How much money has your Legal Department spent on this? I would like to know the cost.

Mayor Kurtz said I don't know off the top of my head.

Mr. Blumenthal asked can you tell us?

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Mayor Kurtz said I can find out.

Mr. Blumenthal said I would appreciate that. I do have a few other questions.

Vice Mayor Grendel said I want to see is there anyone else?

Mayor Kurtz asked is there anyone else?

Tim Lesh asked would the City consider taking this property away by eminent domain? I mean that has been discussed before with Council and the Mayor with other properties. So, you know.

Mayor Kurtz said I have a pretty simple rule from my perspective, I won't take any eminent domain property if people's houses are on it. So, if in fact you have a property that has house on it, a residential dwelling, and I wouldn't take the house. Like I explained Mr. Blumenthal, I know what it's liked when the Government takes your property.

Mr. Lesh said I have some other questions. There was an issue made that there are other developers that they would be interested in this property. Is that correct? Why wouldn't you give them the opportunity to buy the property because you control how the property is going to be developed anyways?

Mayor Kurtz said not true.

Councilperson Narduzzi said just to answer you question real quick, what if they want to put 4 houses on there that are worth \$2,000,000? That's not what we want as a product though. We are trying to solve an issue that we don't have.

Several people began speaking at once again.

Mayor Kurtz said well I can just tell you that for a long time they have asked for some type of alternative housing so that they could stay in the City, single floor housing to stay in the City. So, all I can tell you is that we are going to find out if the demand is what we believe it is. I can see there are some people here that already know that this is an opportunity for them to stay in the City, and if we don't, they are going to leave.

Several people began speaking at once again.

Resident Peter Panizzutti of 8103 Stone Road said I have a couple of points that I would like to make. First, I would like to see the City buy that property just so it doesn't get developed and leaving it in its pristine state, and there are some permanent trails that could be kind of improved for people to use as park.

Second, you talk about having houses that people can stay in as they get older, virtually that's what is happening with me too; but I was thinking that the property there at the Cleveland Clinic, from my understanding, they may be moving out and it's probably going to be empty. That would be a property to purchase and have a housing development. It would very easy to develop because it's basically flat, compared to the area that we are talking about because I have hiked through that area. There is a whole series of ravines that are kind of marshy, plus just like the other housing development down there that had been proposed; there is always an issue of water on that hillside. You will increase the amount of flow going downhill if you tear out all of those

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woods and build houses there with roads and impervious surfaces. So, you will have more water running downhill towards the Blue Hole, but a lot of it right through the ravine that's behind my property because when they tore out the woods behind the Cleveland Clinic to expand the parking lot there, the increased flow of water behind my house was evident. That's a big issue with any type of development that's going in on that hill. If you have to develop it up on top, it's probably more doable, and being able to control it as far as the water up on that flat area where the Cleveland Clinic is. That area that they were talking about, the woods, you can see the woods are gone; it's going to create other problems with water. That was a big issue when the Ziss Brothers proposed the development.

It sounds great to have houses for the local people, I understand that. I think a better place would be the Cleveland Clinic property. The City should look into purchasing that and putting in houses because that would be a lot easier. You won't have the issues. Any kind of water, you will probably have some water retention there which would be easy to build compared to the marshy area down there on the south side. That's my thought.

Mayor Kurtz said look it, I don't want you to be successful with your thought by the way because we buy the property; but you may be right. If we buy the property, and we own the property. To be perfectly clear, and look you in the eye, that's not the goal; but it's the worst case scenario. We would have that property.

Mr. Panizzutti said I really would hate to see.

Mayor Kurtz said look me in the eye, that's not the goal.

Mr. Panizzutti said that's not the goal.

Mayor Kurtz said but if it happened.

Mr. Panizzutti said but I am telling you this, there's going to be an issue back there with water and that.

Mayor Kurtz said that's an interesting point you make about the Cleveland Clinic property.

Mr. Panizzutti said it's basically flat already, and it would be fairly easy to lay out some streets, smaller houses. If the goal is to put in housing for the elderly, that would probably be the place to do it and save that property with the woods back there. It's the last section of woods in town.

Mayor Kurtz said well if we buy it, we don't develop it, we own it.

Mr. Panizzutti said I wanted to bring that to your attention, thank you.

Mayor Kurtz said I don't want you to win that one, but the worst case scenario, it could happen.

Resident Gary said I live next door to Pete Panizzutti, and we bought our house in 2016, and since then I have actually seen evidence of what Pete described as water retention, water flow coming downhill. One of the things that he talked about, and evidence that I actually physically seen is the water comes down so that this is one issue that I am seeing. Up at the top where you are talking about, and downhill, all the way down to now; when we first moved in there were a few major storms that we had when it rained that were pretty substantial. They have gotten worst

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every year. When we first moved in, we were worried about our dog going down the ravine and getting caught in the washout. I was able to go across the river initially the first couple of years and not have to worry about the water depth. The past 3 years, I couldn't even go down with rope and tie across the little creek with the amount of water. The amount of water that has come down through there has changed. I don't know if anybody here has actually gone down and looked at that since then.

Someone said I have a video.

The resident said I have actually taken a video because I wanted to show the wife while she was working. I am a landscaper, and I see these issues all the times with customers, big-time people throughout the cities, you discussed, Broadview, Brecksville, the whole nine yards; it's an issue that's all over the place. I would like to see that investigated.

Mayor Kurtz said thank you for your time. Our Engineer is here so he is listening, but thank you.

Dr. Carl Asseff, former Councilperson, said I recall the Kemper plan, and after that, where it had 134 single-family homes. It was done without a resolution from Council. The planning was done. The citizens came in over at the Civic Center, and here you want to go forward with nothing. You have no plans at this point. You are going to put \$10,000 in escrow to do some planning. That makes sense, we put a lot of money into that.

Mayor Kurtz said let me ask you a question Doc, how many of those Kemper houses were built?

Dr. Asseff replied none.

Mayor Kurtz said we went through all that planning, and we never did anything. With this, we have an opportunity.

Dr. Asseff said with all planning.

Several people began speaking at once again.

Mr. Blumethal asked at the end of Hemlock Road where it dead ends, the City owns quite a bit of property. Why is that not proposed?

Mayor Kurtz asked for what?

Mr. Blumenthal said for this type of project. You already own the land, you don't have to spend any more.

Mayor Kurtz said actually we committed that property to the Hemlock Trail. So, the access is limited now because of the Hemlock Trail.

Mr. Blumenthal said but south of the trail is all open.

Mayor Kurtz said the Hemlock Trail is right there, that area that you are talking about.

Mr. Blumenthal said what I see on the maps, you can extend Hemlock Road all the way down without impacting that.

Mayor Kurtz said well actually we used Hemlock Road for the trail. When you come through the

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old ravine, and you come right on to Hemlock Road and you go down Hemlock Road, so that trail is on Hemlock.

Mr. Blumenthal said I go hiking.

Mayor Kurtz said then you see it.

Mr. Blumenthal said I don't know where that's at. The City Engineer can check that out. To me, what we are addressing here are more questions than answers, and I feel that it is irresponsible for the City given 20 years to do due diligence, to now proceed with one week to make a decision on this property without even knowing, well I shouldn't say without even knowing, with knowing that you do not have access off of Brecksville.

Mayor Kurtz said we will find out.

Mr. Blumenthal said I guarantee you have zero access off of Brecksville Road.

Mayor Kurtz said we will find out.

Mr. Blumenthal said you know it already.

Councilperson Narduzzi said well we don't need access off of Brecksville Road.

Mr. Blumenthal asked have you looked at the road at the crest of a hill. I have had an accident backing out of my driveway because people come up that hill, and now we want seniors to drive on an access road in the middle of the hill.

A resident said this is no age restriction.

Mr. Blumenthal said it has nothing to do with age restriction.

A resident said you just said it then.

Several people began speaking at once again.

Mayor Kurtz said let's make sure now, this is not senior housing.

Mr. Blumenthal said I don't consider myself a senior.

A resident said I understand there is no age restriction.

Vice Mayor Grendel said anyone else.

Pam Dengler said I live at 7714 Stone Road, and I have a couple of questions. In the spirit of some people were contacted in the neighborhood, how many actually received the letter and had a conversation with the City?

Mayor Kurtz said Pam, the ones that received a letter were the people that potentially could participate in the Phase 2 of this property, the development. They were the people who had property on, the lots on the square, and the people on Stone Road. So, the only people that were part of that discussion were the people that potentially could have property for Phase 2.

Ms. Dengler said describe what is Phase 1 and Phase 2.

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Mayor Kurtz said well again, let's put it this way, the Concordia property is what we have, so call that Phase 1. To answer your question, it would involve the people who had property on Stone Road and the square.

Councilperson Togliatti asked have you seen this map?

Ms. Dengler said just today.

Mayor Kurtz said so then you know the property we are talking about.

Councilperson Togliatti said the yellow would be the Phase 2 is what I am understanding.

Ms. Dengler asked so Phase 1 is the blue, it's what you would be looking at potentially building on right now?

Mayor Kurtz said that's the property that is on the table to purchase. It's the Concordia property.

Ms. Dengler asked that area back there?

Mayor Kurtz replied yes.

Ms. Dengler said so in the spirit (inaudible) giving people in the area an opportunity, you know there is always what comes first, the cart before the horse, the chicken or the egg. In the spirit of what you are thinking about doing at this particular point in time, to not contact a bigger scope of people, including myself. I have the longest property line of anybody here that is contiguous to that property. The only reason I found out about it today was via an email, not from the City that this meeting was happening. I have a problem with when any of the Council people, who I know numerous ones, have ever even thought about this, asking anybody's opinion in the area that is contiguous to this church property.

If I was wanting to do something on my property, as far as building a building or changing something, I would have to be going through all the steps to get a permit to be able to do something. So, in other words, due diligence had to be done up front before I spent any money to have the building or whatever else I was thinking about changing the property. You folks are thinking about spending \$485,000 up front without doing that due diligence of even just contacting the people in the broader neighborhood. I don't see that to be very open and transparent.

Several people said I agree.

Mayor Kurtz said so the bottom line is, so before anything is developed, before anything is finished planning, you will be part of that discussion. All of the neighbors will be part of that discussion. Will they have a veto power, probably not. Will you have the ability to participate? Absolutely, and that's the one thing we can do is make sure you will have a chance to participate. You want answers and everybody else wants answers. Absolutely, you will be part of that process, but we have to move forward to see if we can put something there that's going to be long-term, good for the City of Independence. Someday that property is going to be developed, and it's either going to be 3 options. A developer comes in and builds what they want to build there. Like it was said earlier, you could build a few houses right now, we can't stop you; but if

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we want to do something for the people of Independence to keep people here, that's an option. If we want to buy it and just sit on it and do nothing with it, that's the other extreme option. We want to take years to do something, control it, we buy it. That way you control your destiny.

Ms. Dengler said and so in the documents that you have given to the people on Council, do you have an outline of what you consider to be due diligence. In other words, how many different reports (inaudible) these Council people have in front of them as far as the documents to know that what I would consider to be proper due diligence is going to be done in a 60 day period.

Mayor Kurtz said in the 60 day period, the Engineer will have confirmed and given us information to tell us topography, to tell us drain water.

Ms. Dengler asked is this in the document that the Council will have?

Mayor Kurtz said that's part of our due diligence.

Ms. Dengler asked do the Council people know exactly what kind of a report they will get in a 60 day period.

Mayor Kurtz said there's 2 things, Concordia has to give us a warranty deed, title guarantee, gas and oil lease, oil reports from the engineer, drill site locations, miscellaneous distribution of statements of Bass Energy. These are things that they have to give us during that due diligence period. We need on our own, are going to determine from an engineering standpoint and from a planning standpoint, can we put enough houses? Can we do something here that makes sense.

Ms. Dengler asked do you have somebody on your staff that would exactly be in charge of those reports that I can have a conversation with?

Mayor Kurtz said Don Ramm, the City Engineer, Economic Development, Jessica Hyser, Mike Gero, Building Department.

Ms. Dengler asked and who is going to take care of the environmental impact?

Mayor Kurtz said that would be Don Ramm, that would be Engineering. We will all participate. We get through that first due diligence period, everyone is going to be part of the planning process, everyone, publicly.

Mr. Blumenthal asked what do you need from the citizens to convince you to either go ahead with this or not?

Mayor Kurtz said well first we have to do our due diligence and see if in fact it's feasible.

Mr. Blumenthal said but if the citizens want it or don't want it, assuming the due diligence is done and it's a go; if the citizens say we don't want it, what would you need?

Mayor Kurtz asked what they don't want to develop it or don't want to buy it because there are 3 issues on the table, buy it to develop it, buy it to leave it dormant or don't do anything. I don't know.

Mr. Blumenthal said I am answering the question, if the citizens say don't buy it, don't buy it.

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Mayor Kurtz asked who are the citizens? Just to be clear, here's a fair question, 7,600 people aren't going to make that decision.

Mr. Blumenthal asked why doesn't it go to the ballot?

Mayor Kurtz said because if it doesn't have to, it doesn't have to.

Mr. Blumenthal asked if there is significant objection, will you listen?

Mayor Kurtz said I'm always going to listen, I work for you; but I work for the entire City, and 7 people here on Council work for the entire City. You elected them to make decisions, so that's what we are doing, we are exercising your judgment, we are trying to do what we think is best for the City of Independence.

Mr. Blumenthal asked and if you hear significant objection, will you listen?

Mayor Kurtz said I will always listen.

Mr. Blumenthal said thank you.

Mayor Kurtz said I will always listen.

Vice Mayor Grendel said that's Council's job.

Mayor Kurtz said that's our job to have meetings and discuss these things.

Dave Faehnrich of 8215 Stone Road said I think what I heard Greg say early on was Independence City won't take this property, I am not taking sides, but if Independence walked away, Concordia has the right, within the boundaries and guidelines of the City codes to sell it to a developer; and that individual can develop that property whether they choose to do that or not. Is that correct?

Mayor Kurtz replied absolutely. There are 2 other people that we know of, and that church isn't going to dance with us. They didn't try to make us match a number of do anything like that. They have been very transparent in terms of they recognize the City of Independence is probably the best party to own this property, and that's why we have this opportunity right now. If it was purely money, we wouldn't be having this conversation. We would be having a different conversation, and that conversation would revolve around okay whether you like it or not, they have rights to use that property. If they do, as long as they stay within the codes that the City has established, we can't stop them. If they don't, then we can have some flexibility; but they have a right to develop that property; and they chose us to let us move forward rather than make more money from somebody to develop it. We are not going to keep going in circles now.

Mr. Lesh asked how is that property now zoned?

Mayor Kurtz replied residential.

Mr. Lesh asked it is residential?

Mayor Kurtz said yes sir.

Vice Mayor Grendel said if the City doesn't go forward on this, somebody else buys it, someone

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else will have it.

Mr. Lesh said but they would have the same problem that the City has with egress and access to the property.

Mayor Kurtz said not necessarily. Today you can drive right in the property on Stone Road, Now the degree of safety, that's a different discussion; but you have legal rights to that property right now. So, someone could come in and decide they want to build on that property, they stay within the rules and laws of the City, they can do it.

Mr. Lesh said if it becomes a safety issue by egress.

Mayor Kurtz said you couldn't tell somebody right now, if somebody else bought that property, you couldn't tell them they wouldn't have the ability to build on that property and use Stone Road as their access.

Mr. Lesh asked there's enough access there?

Mayor Kurtz said there's enough frontage there for them. There used to be a road there years ago. That is how they got in and out of the property, a gravel road. What's a driveway? It's a road, a gravel road.

Mr. Blumenthal said I will say that if there are 2 entities that are interested in purchasing it, add me to the list.

Mayor Kurtz said well you could buy it from the City if we don't decide to.

Resident Betsy Green of 7104 Stone Road said I just want to be clear. If this plan goes through, there will be at the most 35 homes.

Mayor Kurtz said we don't know that.

Ms. Green said for discussion.

Mayor Kurtz said there will be homes.

Ms. Green said and they will be single-family, and they would be, the City will run the property.

Mayor Kurtz replied no, absolutely not.

Ms. Green asked so who is going to.

Mayor Kurtz said we will sell it to a developer, there will be HOA fees, so that when you buy it, you will pay your fees because mark my words, people in this room will buy that property given the opportunity, trust me.

Ms. Green asked so then the City would not have anything to do with it?

Mayor Kurtz said we are the vehicle, I said it before, and I will say it again, I have one goal, keep Independence residents in Independence.

Ms. Green said and the City employees would have to take care of the property for these people.

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Mayor Kurtz said however it is set up with the developer, that's how we will do it. I envision a fee because there will be exterior maintenance, you won't be responsible for the outside of your houses like we are today. That is one of the different criteria that we don't have today.

Ms. Green said you don't know the numbers. Your idea is for seniors to live there or people who want a single-family.

Mayor Kurtz said so he said he's not a senior, so as long as we are not seniors, it doesn't matter.

Ms. Green said they will probably be what, \$300,000.

Mayor Kurtz said at least. This is not for everyone, especially with the price points today. It's gone up 30% in the last year.

Ms. Green said I just want to be clear on who is going to run this.

Mayor Kurtz said we are not running it. We are the vehicle to put it together and let someone else build, manage, be responsible for.

Resident Jim Schaefer of 7702 Stone Road, and my question is, (inaudible).

Mayor Kurtz said that's part of the process.

Mr. Schaefer said it confuses me as to why we are, that's all part of the due diligence right.

Mayor Kurtz said every question is part of the due diligence, absolutely.

Mr. Schaefer said the concern here is the voting on the property, not all these concerns you have.

Mayor Kurtz said that will be determined later on. Good point, absolutely. This is about the property, all the other elements will be discussed, I think first quarter. That's my opinion. If this goes through, we get our due diligence period, we move forward, all these discussions and these questions that you just created will all be part of that discussion. No one will be left out of that discussion because we are going to need input, good or bad, if it's positive or negative. That's how you create something that finds balance, and find some common ground, not this polarizational far right, far left, find some common ground that we can live with. Not everybody is going to be happy, but at the end of the day, if it's good for the people of Independence, that's the direction we are going to try to go in. Look it, without this piece of legislation today, there is no opportunity.

Vice Mayor Grendel said or it will be an opportunity for someone else.

Mayor Kurtz said it won't be for the goal of keeping Independence people in Independence.

Ms. Dengler said one real quick question, all of you sitting at the table, and Don also you, how many of you have actually walked this part of the property?

Mayor Kurtz said well it's not a fair question because some of us were here years ago and did it as part of tour around the Blue Hole and coming up from that way.

Ms. Dengler said so only 2 of you. Don, have you actually walked this property, the back part?

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Mayor Kurtz said actually that's part of the problem, it's private property. Would you want someone walking through your backyard? So, in all fairness, it's not fair. We did it as elected officials when I walked it. I wouldn't want somebody walking in my backyard, and you wouldn't either.

Ms. Dengler said if you were thinking about buying this property.

Mayor Kurtz said excuse me, now we can walk on the back of this property because we can do our due diligence.

Ms. Dengler said if you were thinking about buying a piece of property personally, would you sit there and be penning a resolution right now to buy that property without even setting foot on it and looking and walking on the property that you are thinking about buying and developing?

A resident said this resolution is only to authorize you to give them \$10,000 to talk to them for 60 days and then walk away if you want.

Mayor Kurtz said we can walk away. We are committed though.

Several people began speaking at once again.

Councilperson Togliatti said this is a purchase agreement, Council has the authority to authorize the purchase and sale or disposal of the property.

Mayor Kurtz said after they do their due diligence.

Councilperson Togliatti said no, this is our opportunity to vote on it. Once this vote is complete, the City will enter into this purchase agreement. The decision will then be made by the Administration.

Mayor Kurtz said no, that's not true.

Councilperson Togliatti said it is.

Mayor Kurtz said that's narrow-minded.

Councilperson Togliatti asked so you are going to come back to Council?

Mayor Kurtz said you think we are not going to make a decision without having input? I know how you are going to vote, so I'm not worried about that, but the bottom line is, the majority of Council should have an opportunity to review this. So, we will through the Engineer's office.

Councilperson Togliatti asked we will have a second vote on it?

Mayor Kurtz said no you won't have a second vote, but it will be an informal vote because I will get a pulse of things. There will be a pulse, believe me.

Vice Mayor Grendel said worst case, say this does go, you mentioned if we bought the land and would hold on to it, it could be part of a trail and stuff like that because we talked about having a trail connection.

Several people began speaking at once again.

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Mayor Kurtz said that's up for debate too.

Vice Mayor Grendel said well this is going to allow us to at least have the opportunity to go back there, and Don maybe you could kind of lead an expedition back there for us and take a look and see what problems, if any problems there would be. I think if we have 4 or 5 Councilpersons that look at it, and say hey this doesn't look like it's going to be, I don't think you would go forward with the purchase.

Mayor Kurtz said let's put it this way guys, \$26,000 an acre, that's the purchase price.

Councilperson Togliatti asked how much is usable?

Mayor Kurtz said it doesn't matter.

Councilperson Togliatti said we don't know.

Mayor Kurtz said you know what, it's \$26,000, you find me any land in the City of Independence for \$26,000 an acre, please do.

Resident Mike Guzi asked what was the appraised value?

Mayor Kurtz said I don't know off the top of my head Mike. It was less than this. They negotiated this. The appraisal was done years ago, but just think of it, they told us what they wanted, and we were within \$25,000; and that's how we made the deal. It's a willing buyer, a willing seller, and maybe a willing buyer. The bottom line is \$26,000 an acre. You can't buy Independence land for \$26,000 an acre. So, if worst case scenario, we buy it and do nothing with it, it's better than leaving it in the hands of somebody else to control it for that kind of money. You can debate that all night long, but to me it's a business deal, and our business is to take care of the people of Independence, but also protect the people of Independence. That's why you have a Mayor and 7 Councilpersons.

With all due respect Vice Mayor, we can't keep going back 3 times or 4 times.

Vice Mayor Grendel said we will take 2 more questions.

Mr. Lesh asked will this need a budget re-assessment?

Vice Mayor Grendel said I think what we are capable of, if something is environmental, you might have experts handle that part of it.

Mr. Lesh said there won't be any other engineering firm that may be involved in this.

Mayor Kurtz said well if we have some of our experts that we bring in, our consultants, if we don't feel comfortable, then we can always bring them in to make sure that we are comfortable.

Vice Mayor Grendel said Don has a network of engineers, depending on the expertise and that who you would be able to call on.

A resident said with all the concerns from the folks on Stone Road notwithstanding, I would like to say a few things that are on the other side of the coin. I am one of those people who would be interested in exploring this property. Just observing Council here tonight, I have seen a lot of toe-

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dipping into the water, oh it's too hot, no it's too cold, no it's too deep. I would like to see Council take the risk and go forward with this plan to explore what can be done on the property. There is nothing to lose. So, I would like to be a voice to encourage you. I think you can do it. Let's take the risk. Let's find out together what can be done with this property. Let's stop the toe-dipping and take the risk to swim.

Vice Mayor Grendel said thank you, and getting back to as far as whether we want, until there is something that we have in writing, there is no use walking the property. Now we know we have this time to personally look and make sure what's capable. I would like to be able to go with you or somebody from your department and be able to get a good idea and ask the questions at that point. That is what the due diligence is for.

Mayor Kurtz said absolutely. Of the 3 options that will present, do nothing, let somebody else come in and then have these discussions without the same criteria, buy it, do nothing, buy it, do something. I think 2 of the 3, we can manage that, the people that you elected and your input can influence that. Without this opportunity and toe-dipping, then we lose 2 of the 3 options and then well the Blue Hole we used to do that but that was years ago. You know what, we control our own destiny at least. We influence the future of the City this way. Without the property, somebody else will be here doing something, knocking on doors.

**ORDINANCE NO. 2022-161** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH CONCORDIA LUTHERAN CHURCH FOR THE PURCHASE OF REAL PROPERTY LOCATED WITHIN THE CITY (**I: MAYOR KURTZ, VICE MAYOR GREDEL, COUNCILPERSON DIGERONIMO, COUNCILPERSON NARDUZZI**)

Vice Mayor Grendel said well I guess at this point, we are ready to entertain this piece of legislation. Do we have a motion for title only?

**Moved by Walchanowicz, seconded by Narduzzi, to read by title only. Voice Vote: 7 yes/0 no; motion carried.**

**Moved by Grendel, seconded by Narduzzi, to suspend the rules. Voice Vote: 7 yes/0 no; motion carried.**

Councilperson Togliatti asked any questions?

Vice Mayor Grendel asked are there any questions?

Councilperson Togliatti asked how long do you anticipate holding this property before we turn it over to a developer?

Mayor Kurtz said that will be determined by how long it takes us to get all of our questions answered and to come up with the best plan long term.

Vice Mayor Grendel said but Mayor you are looking at short term.

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Mayor Kurtz said the goal is to have meetings starting the first quarter and begin exploring all the different options and opportunities.

Vice Mayor Grendel said well this is a little different, not like some of the other properties the City has purchased over the years, and they are still in our hands. This is something that the intent is an opportunity for residents.

Mayor Kurtz said keep in mind, the schools, they have bought property for decades. If our forefathers wouldn't have bought the property, we wouldn't have the school where it's at. We wouldn't have City Hall where it sits. We wouldn't have the Civic Center for sure, and so we buy property. We buy it to either clean things up. We buy it to either give us an opportunity in the future, and one thing my great uncle used to say, they are not making any more of it. So, for \$26,000 an acre, you are not going to find land in the City of Independence for that amount of money.

Vice Mayor Grendel asked any other questions?

Councilperson Togliatti said the one discussion that was had regarding the reluctance of the south Stone Road residents to sell their rear yards, and what I heard from you is that you will take property as long as there's not a residential dwelling on that property. Can you explain what mechanism you would do that for?

Mayor Kurtz said I think it's premature to talk about anything until I see the Engineer's report and see our opportunities that the planner would recommend.

Councilperson Togliatti asked but currently with the way this property is configured, there is no access to Brecksville Road?

Mayor Kurtz said that doesn't mean we can't go back to Concordia and use a joint road on their property. So, there are options. Some people haven't thought of them, but we have.

Councilperson Togliatti said I don't know about making a residential development that is supposedly high-end, and you are going to run it through a church parking lot.

Mayor Kurtz said nobody said that. You just said that.

Councilperson Togliatti said well you said through the property.

Mayor Kurtz said I didn't say where. I didn't say what the options were. You are forming a conclusion based on the perspective of where you see things going. Time will tell that answer too.

Vice Mayor Grendel asked any other questions?

Mayor Kurtz said just remember one thing for the record, this was designed to help keep Independence residents in Independence, and without this opportunity, that's not going to happen. With this opportunity, at least we have something that we can sink our teeth into and quit losing good residents. Some of them could be you. So, it's not a good position to be in the last couple of years to see people leaving because we don't offer a product that we don't have in the City; and so is this the answer for everything? Absolutely not, and I don't want anybody to

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walk out of here thinking oh yeah we are going to have housing for everybody, wave a magic wand. It's not going to work that way. Is this the end of the line in terms of what we have to acquire? I don't know, but I am going to let the planner and do our due diligence, and then we can determine a strategy.

Vice Mayor Grendel said Mayor I have had my office here in town since 1986, and there are so many clients I have had that again voiced the same thing that they would rather stay here, but they had to move somewhere else, whether it be Brecksville, whether it be North Royalton, other communities.

Councilperson Walchanowicz said we are in your same boat.

Vice Mayor Grendel said Chris you and your dad work in the community. You can see that time and time again, and you would like to have the opportunity. You see what Brecksville has. You see what other communities have, and they are excellent communities.

Mayor Kurtz said the easiest thing Vice Mayor is to do nothing. The easiest job I could have is we don't do anything, but that's not leadership. It's not easy having to be responsible to make tough decisions.

Vice Mayor Grendel said and more opportunities.

Mayor Kurtz said as long as I am here, I will make the tough decisions.

Vice Mayor Grendel said very good. Debi, will you call the roll please?

The roll was then called.

Mayor Kurtz said and it's adopted.

Okay, thank you for being here. Jim, I'm a little confused, you help write the legislation. So, we will address that later.

Several people began speaking at once again.

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| <b>RESULT:</b>   | <b>APPROVED [4 TO 3]</b>  |
| <b>MOVER:</b>    | Dave Grendel, Vice Mayor  |
| <b>SECONDER:</b> | Tom Narduzzi, Councilperson                                     |
| <b>AYES:</b>     | Dave Grendel, Tom Narduzzi, Chris Walchanowicz, John DiGeronimo |
| <b>NAYS:</b>     | Jim Trakas, Anthony Togliatti, Dale Veverka                     |

**CONTINUED 2023 BUDGET DISCUSSION**

Vice Mayor Grendel said it's 4:30 p.m., so I don't know if we have much time.

Finance Director Blaze said the 5:00 p.m. hard stop is pushing me. I have awards at 5:30 p.m.

Someone said the Cleveland Clinic is the place for houses.

**ADJOURNMENT**

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Several people began speaking at once again.

Mayor Kurtz said thank you, we will do the best we can.

Vice Mayor Grendel said we are probably going to end the meeting now.

Several people began speaking at once again.

Finance Director Blaze said unless you guys want to go this Thursday.

The Clerk said we can't.

Councilperson Walchanowicz said there is the Board of Zoning Appeals meeting.

The Clerk said it begins at 5:30 p.m.

Councilperson DiGeronimo said I can't do Thursday.

Vice Mayor Grendel said we can have it next Tuesday at 3:00 p.m.

Councilperson Veverka asked the Vice Mayor if he got a motion to adjourn.

Vice Mayor Grendel said let us entertain a motion to adjourn.

**Moved by Walchanowicz, seconded by Veverka, to adjourn the Council Workshop of November 15, 2022. Voice Vote: 7 yes/0 no; motion carried.**

There being no further business, the Council Workshop was adjourned at 4:34 p.m.

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Debra J. Beal, Clerk of Council

**Minutes Unapproved at Time of Release November 21, 2022**

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