

The Village of Walton Hills

Committee of the Whole Meeting

Date: February 14, 2017

Time: 6:00 p.m.

Location of Meeting: Council Chambers

Mayor Hurst called the meeting to order. The roll call was taken by Katie Iaconis. Present: Councilpersons Denny Linville, Gloria Terlosky, Don Kolograf, and Brian Spitznagel. Councilman Kolograf makes the motion to excuse Councilwoman Brenner-Miller and Councilman Rich from the Committee of the Whole meeting of February 14, 2017, seconded by Councilwoman Terlosky. No questions or comments, and four ayes approved.

Item C – Persons having business before Council – Chuck Viktor from 18750 Egbert Road stands and approaches the microphone. He states that last week when there was very nice weather and he noticed that our road crew was out patching. He is asking if it is policy to have them out patching the roads without a follow vehicle behind them? He states that Bedford has a follow vehicle, Oakwood has one, and it is mandatory for the state of Ohio to have one for the highway. The follow vehicle is behind them to protect the road crew and he wonders if this is our policy. Mayor Hurst states that they were doing patching on Dunham Road and there were three vehicles out. There was a gentleman in a flashing truck and a gentleman flagging traffic, and someone shoveling it off of the truck into the patches. Mr. Stucky is here tonight and we can ask this question of him. Councilman Linville asks if the vehicles have any emergency lights or anything. Mr. Viktor said yes, but this does not do any good when someone runs into the back of the vehicle on the highway. No other questions or comments from the audience at this time.

Gardiner Trane – Mark Havens with Gardiner Energy Group out of Solon, Ohio. He has some support this evening as well with a few others. Mark states that they were here late summer or maybe the first part of the fall, and the Village issued a Letter of Intent to Gardiner to perform a facility study on all facilities here that we have. That Letter of Intent authorizes us to do a full development, so an investment grade audit. So, they went and audited all of the facilities and identified measurements and improvements that need to be done. They worked in concert with the staff here uncovering some of these needs and they came up with a scope of work that is fully developed. This means they walked contractors through and they got prices. Some of this information that was given to the Councilmembers is a completed fully-vetted out IGA (Investment-Grade Audit) that is complete in its nature, supported by quotes for all of the work. For example, we worked with Smith and Oby contractor down the street for some of the mechanical parts. Councilman Kolograf brings up a few questions on the spreadsheet that maybe Mark can explain. The first option, in essence, in simplest form is retrofitting one-for-one what currently exists in the facility. That would be what is called Direct Replacement. In talking with Mayor Hurst, Katie, and staff, it was decided that maybe Option 2 was a better route to go because of the future. So, we are trying to plan ahead versus simply replacing lights for lights right now. So, Option 2 is the one we kind of settled in on. Mayor Hurst suggests that we go ahead and go through the page that says Option 2. Mark states that one of the things they try to do is save energy, help it support the project. He states that we spend about \$55,000 to \$60,000 per year in utility (natural gas, water, electric). A typical energy-based performance solution is where we try and have that energy savings support the complete construction of the project itself. It would be very difficult here because we do not have the level of expenditure that we might see in a larger city that has a lot of buildings in it. This was designed to show us what we can save and what the necessary funding would be from our side outside of the energy side. This is the Energy Project Selector sheet and you will read it from right to left. The first column says which building. We have divided it by Village Hall, Community Center, Service Garage, and at one time early on we talked about looking at the church but we have not done this yet. The column at the middle at the top, it says Energy Savings. We divided this by electric, natural gas, water, and sewer. We looked at the energy savings impact that each of them would

have on our facility from the replacement that we had. There are some operational savings that are savings that go beyond pure energy. Things like if we do an LED lighting retrofit. This has a 10-year warranty on it so you wouldn't have to buy any ballast or lighting fixtures for the next ten years. So this is an example of operational savings. Then, there is the total savings, the total cost, and then the simple payback of the project itself.

Option 2 is recommending that we get away from the idea of a hot water boiler because right now, we have one hot water boiler in the basement that provides perimeter radiation heat to the building and then some supplementary re-heat. So, we will get rid of that and go to basically rooftop air handling units heating and cooling itself. Looking down from right to left, the police dispatch, that is a unit that stands by itself so we would replace that with new. The Village Hall – air handling unit replacement package, gas, electric, roof (which is ECM1-05), this is going to be a complete retrofit of a new air handling unit on the roof of the facility that would provide both heating and cooling. It would also be a variable air volume system so each of the individual offices here would have its own stat, its own individual VAV box, which will provide for individual room control. It is the most energy-efficient type of retrofit, but also provides the best comfort as well. We do have this system in place here now, but it is very old and antiquated, and it is not working. The box that we have is not repairable or replaceable, which is why we have to do this because we have 1972 vintage equipment still in the facility. Councilman Spitznagel asks about the air conditioning unit that is on top of the police dispatch area was put in in 2009. Mayor Hurst said that he thinks this sounds about right. Councilman Spitznagel is asking how much that cost back in 2009 (Mayor Hurst said we can find that) as it seems to shovel off as cursory overview to take a system that probably cost \$20,000 in and of itself, and just throw it away. Replacing it is in the view here, but it can be stricken out and we don't have to replace it if we don't want to. So, basically we will have an entirely new system. Duct work will be run, because we will have to run new duct work to all of the offices, and new boxes will be installed. Along with that, they will put in all new LED lighting fixtures as well, and this is identified as the ECM box on the left side (1-10).

There is an option to replace the first floor drop ceiling as well for \$71,000 and then we are going to automate everything by putting complete automation. All of the boxes will have a computerized energy management system with it. All of the air handling units will have controls that can be monitored from within the building or outside of the facility. It also helps for energy efficiency. It starts and stops equipment based on occupancy patterns. It allows us to more easily diagnose problems that may be occurring from our office in Solon. So, this is computerized energy management. At the Community Center (ECM 02-02) will be, again, the replacement of the existing air handling unit in the Community Center to a VAV-capable system. Right now, we have one large area basically in the Community Center. We will just put a system in place that is going to have the ability to be a variable air volume. We understand, again, the long-term planning is to move offices from this side over to that side of the building. So, this means that there will be offices cut in and things of that nature. So, we are planning for the eventual cut-in of those offices. We will be able to put boxes in and have the same individualized room control on that side of the building that we have on this side of the building. They are just trying to plan ahead versus kind of doing a replacement of existing equipment here and then five or ten years down the road, we would have changes down the hall and we would have to do this all over again. There will also be an LED lighting retrofit at the Community Center as well and the automation controls that control that air handling unit. Mark also adds that there is a First Energy Rebate Program back in place for lighting retrofits so we will receive an LED lighting retrofit rebate. It is not substantial and it will not pay for the entire retrofit, but it will aid in the payback on this. This piece is not included in this so this will be an additional savings or reduction in costs. There are some as well for the HVAC. This will be forced air, gas heat. Councilman Linville has a question about simple payback with an explanation of this particular line that Mark just covered, Package Gas/Electric/RTE/Roof. Mark confirms that the Simple Payback is simply the savings that the measure has divided by the cost. Councilman Linville asks if there is a time period. Mark says that the number there is in years. Mark says that it is 467 years because we don't have the payback that supports it. Mark wants to talk about the fact that when the project started, we were looking

at doing things that helped save energy, but at the same time, we have original 1972 equipment in the facility. So, regardless of what we do to replace it, we are going to have long paybacks if there is no energy savings with it. So, for example, if we retrofitted the boiler downstairs, we would have a long payback on that as well, or any other upgrades to the system. So, it is combining shorter-term payback measures as much as possible with long-term payback measures.

Councilman Spitznagel asks if they do any work with alternative energy sources, renewable energy sources, solar water heat, geothermal or anything like that and what is his take on that. Mark says that we are probably doing one of the largest solar, geothermal wind projects in Northeast Ohio at a church in North Ridgeville. The bottom line is that, in their experience, some of the paybacks are just not there. For local governments, there needs to be a philosophical decision that they might want to go to a green energy. Obviously, we can put solar panels on buildings and do some type of power purchase agreement arrangement and that is possible. Again, it is tough. You need to be in the right environment, the right area. Along the lake is more viable than in the middle of the community. If you want to have a green solution, we can certainly look at that, but he thinks that we need to understand and accept that it is going to be a longer payback and it is not going to have a fantastic payback. Councilman Spitznagel states that looking at the list, we would get better paybacks with the lighting obviously but we are talking for the 467 years for the AHE replacement in the Village Hall and the Community Center has 684 years. If we went to some sort of geothermal or something like that and was able to get it fully funded, none of us is going to be around and we don't even know if the world is going to be around, in another 684 years and if there is a better option to get these items funded, whether the payback is not exactly there or not, but if we can get it 100% funded or 90% funded by going green....

Mark says that geothermal would be a much longer payback than what we are seeing on any of this because we are talking about drilling into the ground and putting in piping and all of that. We have a relatively simple HVAC system so going to something like a geothermal application would only add cost because now we are doing a lot more excavating and drilling work for geothermal. Mark says that one of the emails he received was regarding the funding and he can go through a couple of things. He is not aware of where any funding exists for any of this. He is not aware of it. NOPEC in 2009 to 2011 had a grant program. The work with First Energy Solutions to provide membered communities with monies for energy conservation. It was based upon population and the lowest amount available was \$50,000 and it went up to about \$611,000, all based on population. The Village of Walton Hills received a \$50,000 grant from NOPEC and we did doors and windows on the Service Garage. NOPEC does not have any kind of grant program or any monies to give the membered communities at this time as this program no longer exists. Property Assess Clean Energy program (PACE) is a popular hot term right now. It does not benefit municipal governments and local governments very much, it is more for business, maybe residents, to put things like solar panels on the roof of their home and pay for it through their tax bill. So, it is an advantage for local governments to do this or use the PACE financing. We are talking about two different things here – grants and borrowing. Even under PACE financing, we are required to borrow money to make that happen and we would pay for it over time. Nobody can borrow money at a lesser rate than a municipal or Village government. We would have the best benefit in terms of municipal borrowing that exists out there. The Department of Energy EEBCG grants, the Energy Efficiency Community Blocks Grants, was formed in 2009 for the American Investment Recovery Act, the ARRA funding that came out under the Obama Administration, this is issued through county government. Cuyahoga County received \$5 million for that in EEBCG monies and they used half of it in their own facilities and they gave half out to membered communities to do energy studies in their buildings. In talking to Dan, he thinks we had a study done and it was paid for by the county. That program is no longer in place as those monies have been expended as well. He thinks that funding is probably going to come from the local pocket to some degree. All they can do is find some relief for us in some of the energy measures here, and most of this is around lighting. Mark thinks that in terms of the payback, he wants to reiterate that they provide these as a number, but really the decision to make those changes are not related to payback. We just have a need based upon age. They have provided us the simplest form of solution that we could engineer on this. Councilman Linville

addresses the Mayor and states that for us to get money to help does not sound very rosey, the picture that was just painted for us. Mark just clarified that he is not aware of any place to find \$700,000 in grant money and/or federal funding to do building improvements. He can't promise anything, though. Mark does state that they work with various banks where they could do a municipal lease with them and pay for it over multiple years. This is what they typically do with their clients. Mark also says there is something called Qualified Energy Conservation Bonds, which is low-interest borrowing for energy conservation programs but our dollar amount is not high enough on the energy savings side to qualify for that. Councilwoman Terlosky asks if the quote and design they came up with is for six months, and then the figures change? Mark clarifies that they could potentially change after a certain amount of time, but we can get our contractors to hold tight for a while, though. He cannot speak to what can happen in six months to a year. The Letter of Intent talks about making a decision within 30 to 45 days from the issuance of the Investment Grade data. They are very patient and will work with us in any way we can. Mark is confident that we can hold pricing for a while and he is not concerned about that. She clarifies that this survey was \$18,000 and asked that if we went with them, the \$18,000 would be absorbed into the price. Mark verifies that this is correct. Councilman Linville asks that in composing all of the prices, it looks like there are four or five components of this with the building, HVAC, roof, etc., how many different companies within each group did we consult with on putting the prices together. Mark says that we always consult with two to three whenever we assemble our pricing within each discipline, unless there is a local contracting firm. Mayor Hurst says that there is a lot of information on this spreadsheet and asks if Mark can give us a prioritizing of what is mandated or what is probably the biggest concern for the Village; probably the top three things on here? Some of the LED lighting we are trying to do ourselves in-house. We can do the ceiling tiles in-house with our employees and things like that. Obviously, the furnaces and things of that magnitude, we don't have the capability of doing furnace. The interior windows, we are not interested in the windows in the courtyard. Mark said we can remove those from the price list. Mayor Hurst states that we can talk about the outside windows because those are the ones to the weather being something that we can consider on this, and the furnaces, is this more of a priority than the roof. Mayor Hurst states that he knows that they wanted to cut into the roof and look and see if there was some leakage because of the insulation.

Councilman Spitznagel asks other than a complete replacement, what would be a basic fix for that roof, tarring? It is a membrane roof so we would not tar it. Mark said that roofs are generally something that you cannot get away with not doing – it is a necessity. This would be the thing of biggest concern to Mark and his colleagues. Mark also comments that they are more than willing to work with us and our staff here with maybe just providing the material with the ten-year warranty. Mark also says that the prioritizing of repairs, etc. would also depend on the long-term vision and plan is for the facilities, whether we are moving out to the Community Center, and things like that. We do have a boiler that is original and he is sure it has been ticking along pretty good, and he thinks this would probably be a concern there. Councilman Linville asks about 1-11, the drop ceiling. Mark talks about this and says that the reason is because they will be putting in new light fixtures, running new duct work, and putting new VAV boxes in so their concern is going to be damage to the ceiling tiles and it may make some sense to replace the ceiling as well. Mayor Hurst asks him to give us a prioritized list and then we will present it to the council, and then probably discuss it in the month of March at the COW. Councilman Linville asks how soon we have to make the decision. He said 45 to 60 days, so Mayor Hurst would like to see the council ready to do something in March or April, at least be ready to go. This is why we have them here tonight. Mark said that they will come back as many times as they want or need, and he states that he feels that success of any project binds on everyone having a clear understanding of what is going on and what the benefits are. At the Service Garage, we are going to do an LED lamp retrofit and automation of controls as well. No more questions or comments are made from the council. Mayor Hurst opens it up to the audience for any questions or concerns. Someone asks what they use for lighting and Mark answers them by saying they will typically use a GE or Phillips – they will go back out and get competitive pricing on those. Discussion ensues with a member of the audience. Mayor Hurst clarifies so we are all on the same page. We are not changing our footprint here and we are not adding on to the buildings or anything like that. We have had a lot of

renderings of tying the two buildings together and using the courtyard in the future as more office space. So, what he thinks we would do is have a long-term plan to where we would put a pitched roof, new heating, and then eventually close in the courtyard, and that would all be tied in to if we divide the rooms over there, if we divide the courtyard up to where we have office space, and the heating would be accessible. This is the whole goal of this. Another question is posed from an audience member regarding the necessity of doing this with the economic state and whether this is a good time to do this. Mayor Hurst states that we are anticipating that if we do this, it would be a long-term payback and it would not be something we would front the money up front. The audience member states that we would then be taking on a long-term debt for the rest of the community. Discussion ensues on this. Mayor Hurst states to this member that they will continue to promote our economic development, and continue to bring in new businesses, and continue to work with council to look into all of the different options we have. The audience member asks that maybe it would be better to first do economic development and then entertain this. Mayor Hurst is in the way right now. The audience member also asks them to consider the extreme upgrade of the systems that is costly to install and costly to maintain. He urges them to do their due diligence on upgrading things to the new and best technology out there because it comes with a hefty price tag. No other questions or comments from the audience.

Item E – Discussion of Street Commissioner's contract – Mayor Hurst states that this was discussed in Executive Session and everyone knows the direction we are headed. The only thing he has to say about this is removing Section 5 that was added and we will have it on next week's council meeting for vote of council. No other comments or questions. No comments from the audience.

Item F – Discussion on changing the zoning code pertaining to the occupancy permit – Mr. Mason was able to throw together some information and he asks everyone to review it and give their input so Mr. Mason can answer their questions today. If we do not have an agreement, I would put it on for first reading and we can discuss it in the month of March. Councilman Spitznagel passed out some information from other communities. Councilman Spitznagel speaks and states that he did some searches of ordinances in other communities around us – Oakwood, Valley View, Northfield, Solon, Bedford – the thing that he is questioning is item #3 on page 2 of the ordinance where it says the Certificate of Occupancy shall be valid for a period of 12 months and be posted at the entrance of the building or unit. No other community that I have found, and again, this is only a cursory look, had an occupancy permit that you had to renew. If the business changed or there was a change in ownership, they do have occupancy permits for residential. Then, they get into the annual renewals and things like that. For businesses, however, to him that would be overly cumbersome for businesses. His cursory view at looking at the communities around us, he, at this point, would not support that item #3 in there. He does not mind it being posted, but he things it is overly burdensome for our businesses to try and make it easier for them to come here. Mayor Hurst states that the only reason we proposed this was to work with our tax department to bring that up to code as far as knowing all of the businesses that move in and out. Councilwoman Terlosky comments and states that she knows what has happened in a business and the things that can happen with two businesses functioning under the same building but with only one permit for the owner of the building. Katie speaks and says that we are working closely with the fire department now where they do their yearly inspection. This is part of the reason why we want the occupancy permit posted at each location. They share a report with me on a weekly basis that says they did produce it or it is posted, and if it is not, then they give them a period of time to either come in and get that or we would come out and contact them. As for the yearly renewal, that is dependent on the zoning inspector. Councilman Spitznagel speaks and asks if the fire department looks at the permit and that they look at that certificate and have that on file, they would know what should be in that building so they can compare that to their inspection. They give us a complete list, which will show us any vacancies and then any new companies that have moved in. They would also have information on hand on where to come for them to obtain an occupancy permit and who they would need to contact here. We have been very lucky with the Oakwood Fire Department. I give them a lot of credit and they are working very closely with us and have been very open to adjusting their regular procedures to help us. It is an ongoing thing, but she thinks we are moving in the right direction. No other comments or questions.

Mayor Hurst opens it up to the audience participation. Joseph Klukan, owner of Dunham Products at 7400 Northfield Road and also a resident of Walton Hills, stands at the microphone. He thinks that this is just another way to discourage businesses to move into the Village. He states that he has enough things to do all year long than to worry that my occupancy is going to be revoked at the end of the year. This is something that would be glooming over every business owner's head that the inspector would come in and find some glitch and say, "you are no longer able to occupy your own building." At that point, what would the business owner do – shut the business down? Mayor Hurst states that that is not their intention, no. Underneath #4, it says that the inspector of the building shall have the power to revoke a Certificate of Occupancy if any false statement is made by the applicant in connection with the issuance of such certificate. So, if he as a business owner, his business model changes and he comes in at the end of the year and states you were not doing that last year but you are doing it this year, what would happen to his business? Mayor Hurst states that out of courtesy, they would ask him to come in and get an occupancy permit, make sure you get your fire inspection, and move on. That is all we ask. Mayor Hurst states that we have found some rental properties in an industrial area that they were storing chemicals. The owner of the property says that the ordinance does not say that I have to have an occupancy permit, it is the business owner. So, we cleared this up and this is why we are cleaning this up so the language is there. Joseph states that every business owner knows they have to have an occupancy permit. Joseph asks if we have an occupancy permit for all of the businesses in Walton Hills right now. Mayor Hurst and Katie clarify that yes, we do. Joseph simply states that something like this glooming over a business or property owner is huge. Just to have that fear that you are going to come in and shut them down. Joseph also talks about section D under #2 where it says "if it is found that any building or premises is in compliance with the provision of these codified ordinances..." – what if the Village changes an ordinance, then we will not be in compliance. Then, what happens at that point. You would be deemed an existing non-conforming change of ordinance while you were occupying the building. Joseph said he just feels this is kind of micromanagement and another real deterrent. He has spoken with the Mayor and council about this before and states that we are the third worst city to do business in. Passing these kinds of ordinances is just another notch to re-solidify that we are not a business-friendly community.

Councilman Spitznagel addressed the audience member and the Mayor and states that he did not show everyone what he pulled up, but everyone around us does have an occupancy permit standards. They do. The only thing that he was questioning was the yearly renewal. Mayor Hurst says that it is not their intention to make it difficult to work there. He asks if he gets the journal that they send out. Joseph says no, not at his business he does not. Mayor Hurst says that they send it out to every business in the Village. They have a mailing list. Joseph says that he never got one there. He gets one at home, but not at his business. Mayor Hurst will have them check and make sure that he is on the data because it goes out through the U.S. Mail. Joseph says that he thinks it would be important to start engaging the community we have here before we lose more businesses. There are a lot of businesses right now that are having tough economic times and when they keep getting hit with these things, this is just another way to say, "hey, now is the time to move." Interest rates are low, properties are low, and other cities want you with tax abatement. Walton Hills does not offer those things. Mayor Hurst says that we do offer tax abatements. Joseph says only for new people moving in so we could move out of Walton Hills and enjoy those in another community. Mayor Hurst says that we offer tax abatements for expansion and we offer many of those opportunities. He says that he has come to our luncheons where we talk about our CRA and we did them for four years straight, and we have gotten 25 businesses. We have went out to these businesses. Most of them, like MPK, states that they are happy. Mason Structural Steel, I have no problem. Mayor Hurst says that he has not found a business that is not happy or that is doing what he is saying. He says that they are welcome to come here – he will have a luncheon and he will invite him and go over all details that we have. He states that he has shared everything in our journals, we have shared everything on our webpage, and when they call here, we share the information. He states that he, Joseph, called him when he first became Mayor about updating his electric, and he immediately hooked him up with First Energy and all of their engineers and said, "whatever we can do to make this happen." Mayor Hurst also states that if Joseph remembers, we came to his office and we made it happen. Joseph said that he remembers that.

Mayor Hurst states that that was the last time he has talked to him about any type of upgrades or anything in his business. He has walked through his company and has seen the growth in the back where he has the production back there. Mayor Hurst questions where Joseph got the information about us being the third worst as he cannot find that anywhere. Joseph said it was in a meeting that I had. There were other people in that meeting as well and if they would like to share that they were there, then that is fine. Mayor Hurst continues by saying that he went through the Village and he found three empty facilities. Ford still has payroll coming out because they are up there tearing it apart. Arhaus Furniture, the bigger building is under contract with Jobs Ohio with incentives; the smaller building we were held up with some kind of zoning issue and that is up on the market. We have Todd Industry that has a contract right now. Fred's Autobody is owned and is not up for sale, and they cleaned it up, and that was in violation. Penelope's sold and that belongs to Don Shuman. So the Mayor states that he has been to all of these businesses and talked to them all. Mr. Welch, he is ready to cash out and he wants to put his market up eventually. Steve Wicks from Walton Plastics and I have had conversations and he has already made three additions to his facility on Hanna Parkway and he also bought the building on Northfield Road and we gave him a variance to tie the two buildings together because they needed two different addresses. So, we have been down this highway but for someone else, the Mayor would be more than happy to entertain anybody that he would like to bring forward and talk because he has nothing to hide. Mayor Hurst states that we have incentive programs. The Village gives a CRA (community reinvestment), the council voted that in. As far as block grants, I cannot get block grants for my residential, but I can get block grants for my commercial. We have applied four years in a row for \$150,000 and we have been turned down every time. We don't fall under the criteria to get a lot of the grants because we do not have Section 8 and we do not have the debilitating type of communities. So, we have been on top of this. What the Mayor does not understand is why he does not bring them to the Village Hall or ask me to come to their facility and I will go there. I will send out a letter to every business. Joseph said that I will do that and he and the Mayor will get in touch and he can come down to my shop and I will facilitate a meeting so that way the Mayor can hear these things first hand. Mayor Hurst said no problem.

Councilman Linville states to Joseph that he wants to see the Village turned around and he did not realize we were that deeply in difficulty, but if he has some ideas, the Councilman would appreciate having them written down and sharing them with us as to what he would do and how he would turn the Village around, and what he would do. The Councilman asks Joseph to do this for us. Mayor Hurst asks for any other questions or comments on the occupancy permit and there were none. Mayor Hurst says that he is waiting on the zoning inspector to give him his input. It will be on next week's Council Meeting agenda if everyone is on the same page. He clarifies that he is not charging a fee for a renewal, he simply wants when the fire department comes in and where you have the Workman's Compensation posted by the time clock or you have it posted on the wall with the worker's rights and everything, that is where the occupancy permit should be posted so the fire department can see that. Right now, there is no ordinance that says that. He wants it posted so we can see it right away that they are up to code and up to speed. If it is the same business in there and it has been there ten years, he is not asking them to fill out a new occupancy permit because they have fire records and all of the things going on and we have records that show that. Councilman Kolograf brings up the chemicals. He clarifies that it was actually biohazard from hospitals and other facilities that they were actually putting in the sewer system. So, he tells the audience, namely Joseph, that he understands his concerns but at the same time, when this was caught and the business operating in that facility being a medical facility involved with the large hospitals, environmental services handles biohazard material and radioactive things are handled by another department. There are very strict rules and when we saw what was going on there, it does bring an awareness that maybe we are not doing enough. Councilman Spitznagel does ask that given the example of the biohazard situation, would the yearly renewal requirement for the occupancy permit have made this not happen? What we are actually doing is that the fire department is getting better at going to these businesses yearly and inspecting them and making sure they are in compliance anyway. With this example, just because they come in and fill out some more paperwork for an occupancy permit is kind of superfluous because they are getting yearly inspections anyway. Katie states that usually when they come in to fill out an occupancy permit, it triggers

us to alert the fire department to do the inspection. So, if they do not know that a new tenant is in the building, they are just going to keep with their usual yearly schedule. So, we didn't know the new tenant was there because they did not pull an occupancy permit. Councilman Spitznagel thinks that maybe we would be able to come up with a way to program the computer to pull up a schedule of inspections based on the occupancy permits so the fire department would have one set and we would have another set. He thinks this would be something that would be relatively easy to have the computer spit out. Okay, next month I am going to do these. Mayor Hurst says that this is what they are doing right now, and then sharing this with the tax department. The tax department does not have the manpower to go out door-to-door. So, when they have the occupancy permits and the fire inspection, they find out if that tax code or whatever is actually operating out of there or what is going on. Councilman Spitznagel then asks if we have all of this information and if we are staggering our inspections now, why do we want to put another onus on a business owner to have one more thing to do to come in every year, because years fly by fast; to renew that when they are getting inspected at least twice a year anyway. He thinks it seems superfluous that they are being inspected twice a year and we have all of this information, but then they still have to take the time out of their day to come in and fill out the paperwork and do that. Mayor Hurst states that we don't have a problem with the businesses that have been here long-term, but our problem is when we have rental properties or businesses that are leased out to other companies. We cannot control this. This is why we are asking to build a relationship to notify us. We are not going to charge them an extra fee. Councilman Spitznagel completely understands the concept of an occupancy permit, he simply does not understand them having to renew it every single year after that if they are being inspected. They would have a permit saying they are doing this, this, and this and it is written in the ordinance, "if you change your business profile, if you rented out to somebody else, if you do this or do that differently than what your business permit states, you have to get another one." He completely understands that, but if they are doing the same thing year after year after year, and you are being inspected twice, why are we putting that extra burden on the business to have to come in every year and fill out a permit for the same thing they are doing. Discussion ensues.

Councilman Linville asks the Mayor if there is a way for the department to have the occupancy permits with them when they do the inspections so they can take care of them right away. Mr. Mason addresses this by stating that this was just a draft. He thinks this is a good conversation and we have a lot of good ideas. He says this can be modified. This is just a draft for conversation. Whatever changes the council would like to see in it, they are all valid – from the audience and from the council. We can make changes. Joseph approaches the microphone again and states that he completely understands the biohazard situation, but he states that putting this into place is not going to stop that; it simply puts more pressure on the people who are legitimate. Joseph also brings up an idea that maybe there should be a form that could be sent to the businesses asking them if they have changed their business in any way and how did it change, and letting them fill it out and send it back within the timeframe. Then if it is sent to every business and every suite that was there, the ones that don't answer by that date, then at that time it would not be such a burden for him to go check on those places, because the places that choose not to answer may be the people we are looking for. Then, at that point, also, we should send one to the property owner. Joseph is saying every single week, he is filling out paperwork, yearly things, that is becoming part of his routine for the day – compliance, compliance, etc. Mayor Hurst says that they did that in 2012, 2013, and 2014 when the fire department passed out the form when they went and visited. Most of the businesses did respond but not all of them. This is what sparked this whole thing. Mayor Hurst says that Joseph is a good resident and a good business, and he is not trying to put a burden on him. They are simply trying to clean up the detrimental areas of the Village. Councilwoman Terlosky feels that the business owners should not have to come in and fill it out, but they should fill out one. Also, it should be on there that if they are renting the place, who are the owners? There are two tax liabilities right there. We want to know how many employees they have there for marketing purposes, for economic development. We want to know what kind of chemicals they have in there for safety reasons. We want to know everything about that building. But it does not have to be that they have to come in. They can fill it out on the internet so they can bring it in or whatever. Give them a timeframe – two weeks. If they do not fill it in, then you come out and ask

them why they did not. We do have a right as a Village to know what is in this Village and what is inside the Village. She tells Joseph that no matter how he looks at it, he is still going to have to fill out paperwork. She explains that we will have a better understanding of what is going on in our Village and that it is a safer Village to live in. Councilman Spitznagel states that he is sure we could have the computer generate, rather it be an email or a letter, to send to the business to say that their time is coming up. Katie says they have a new software that they are still working through that could be a good database for us that will also be able to generate letters or put things online such as form letters to fill out online that will generate content back to us. Mayor Hurst says he will move this until next month for the COW in March.

Item G – Other Business – Mayor Hurst reminds the council that he needs a motion next week to renew the lawn care. No increase. We will do this at the council meeting. Mayor Hurst also wants to do more discussion for retire and re-hire ordinance in the month of March. He wants to discuss the rental and legislature for the new building. He says that we should have enough database together from all of the other communities around us and what they do with their communities and banquet halls. Mayor Hurst also wants to have a discussion of marijuana. They are meeting right now in Columbus and if this does become law, they are putting together a board and all the committees. This is not going to be grown in the general yards, it will be grown inside buildings. Do we want it in Walton Hills or do we not want it in Walton Hills. We need to decide if there is a possibility of revenue generating or not generating. These are the options. There was someone on the news that passed ordinance that allowed them to grow it in a building, and it was going to create 38 jobs, but the mindset of that was that in less than five years, it would probably become recreational to where you can buy it like a cigarette. He would like the council's input and then we can have Mr. Mason draft ordinances or laws to control it if it does come into our town. Mr. Mason goes over some of the stipulations with the laws, etc. Mayor Hurst says that we have a moratorium at this time, but he thinks it expires in May. So, we need to make some decisions in March and April, so the council should be prepared to discuss it. At the next COW, we will pull direction on what we want and then from there, we will draft some legislation and discuss it publicly, and see what everyone feels. This Thursday, there is a CIC meeting in Council Chambers at 6 p.m. The next Town Hall meeting is on 02/28/2017 at 6 p.m. in the Community Room.

No other comments or questions.

Councilwoman Terlosky motioned to adjourn the meeting of February 14, 2017, seconded by Councilman Kolograf, and four ayes approved. The meeting adjourned at 7:45 p.m.

Katie Iaconis, Fiscal Officer