

The Village of Walton Hills

Committee of the Whole Meeting

Date: April 10, 2018

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, Fiscal Officer. Present: Councilpersons Gloria Terlosky, Mary Brenner-Miller, Jennifer Allen, Don Kolograf, Denny Linville, and Brian Spitznagel. Mayor Hurst asks that the record reflect that we have our law solicitor, Mr. William Mason, present at this meeting, and we also have our Fiscal Officer and Clerk of Council, Katie Iaconis, present at this meeting.

Item C – Approval of Special Council Meeting Minutes from March 14, 2017. Mayor Hurst asks Katie to explain why this is on the agenda. Katie explains that it was brought up last week that this was missing from the website. It was a recording error. The transcription company missed it. The recording ran into the following meeting. She says it was just a Special Council meeting and there was only one agenda item for Executive Session. Councilman Kolograf makes a motion to ask for approval of the Special Council Meeting minutes of March 14, 2017. Seconded by Councilwoman Terlosky. No questions or comments. Six ayes approve.

Item D – Approval of Special Committee of the Whole Meeting minutes from December 4, 2017. Mayor Hurst explains that this is where we discussed the budget for 2018. Councilman Kolograf makes a motion to ask for approval of the Special Committee of the Whole Meeting minutes of March 14, 2017. Seconded by Councilwoman Brenner-Miller. Councilwoman Allen asks Katie on page 4 of the meeting minutes in the 3rd paragraph where we are talking about recreation where it says “13,1000.” Katie says she is sure that is just a typo. Five ayes approve. Mayor Hurst tells Councilwoman Allen that she cannot vote because she was not at this meeting. She can vote present. Councilwoman Allen asks if she could vote abstain and Mayor Hurst says this is fine.

Item E - Persons Having Business Before Council. Benjamin Blondin from 16883 South Meadowpark stands and commends council and the Mayor for getting the Carr Brothers deal done because, in his eyes, it has been a problem for a long time.

Ed Fox from 7133 Allen Drive stands and asks if the two-minute rule is in effect. Mayor Hurst says that we will work with him. Ed says he will try to make it brief. He is here to follow up on the discussion we had the other night about the relocation of the concrete-crushing operation. He had the occasion to go through the development agreement between CIC and Carr Brothers and the Village, and he states that in section 2, Construction of the Project, there is quite a bit of detail in there supported by Exhibit C for the existing site; the green space provisions if you will; and in section 3, covering the maintenance of the project in the existing site. When he looked through there, he was looking for things pertaining to the new site. The only thing he found in section 2 was the Village cooperating with the relocation of the concrete and rock activities. He thinks that as we move forward and close this thing out, he thinks that is important. Then, in section 3 where Cajin Trucking has to maintain the natural tree line within 20 feet of the new site. He says that in going over there and looking at that, with the elevation and the condition of that forest, it does not seem that is much of a buffer in his opinion. He says that we have \$150,000 being spent on the front end of this thing and then on the back end, it is \$0 to him. He says to him this is a bit disappointing. He says that he knows that the Village is going to put \$200,000 in the general fund and what he would do as a resident is appeal to the Village as much as possible under section 2 to try to positively influence that site plan as much as possible in the view of the residents. He wants to be sure that, as it unfolds, we have the ability to look at the site plan if possible before it goes to the planning commission and also be aware of

when it is going to be voted on by council. He says that his neighbor, John Webb at 7170 Allen Drive, could not be here tonight. He says there is a lot here that they have to discuss, so maybe we will need to do this at another time. He hopes the residents would be better considered in the future as we move forward.

Ron Swede from 18851 Carmany Drive stands and says he is with the previous gentleman and would like to appeal the council and also to the Mayor for the residents. He has some information that he will be mailing to the councilmembers and to the Mayor that he would like them to look at. He says that when he does the research, nowhere does there seem to be any beneficial news for residential areas. He says that one of the resident's representatives talked to one of the owners of Carr Brothers who seemed to be surprised that we were upset. He is unhappy with what is going to happen next door. He asks if some of the facts can be brought out and answered. He asks if they are going to have to stay in the house from now on during the summer when all of the grindings are going on. He is wondering if maybe they cannot do any outdoor improvements because of the residue that would be covering the yards and the property.

Ed Fox from 7133 Allen Drive stands again and addresses the council. He states that Councilman Linville mentioned receiving a memo, and if Councilman Linville was referring to him, if he would welcome that, he says he thinks that the residents would be more than happy to do that. This may be a very good vehicle for the residents to list the sundry of things that they want to talk about. He says that they are interested in things like air emissions, sound barriers, how storm water is going to be treated, and the fact that it is part of the Tinker's Creek Watershed. He thinks a memo is a very good idea.

No other questions or comments from the audience.

Item D – Council Comments. Councilman Linville speaks and comments on the gentleman that was here speaking about concerns about Carr Brothers. He says a memo from council would be nice so we could review it at our leisure to see exactly where they are coming from. He would appreciate this. He states that one of his concerns has been the woods back there and the creek. He thinks we have to monitor that and, if need be, have some kind of a barrier against the crushed stone. Councilman Linville also comments to the last gentleman who spoke and asks what he would have the council do. He says Carr Brothers has been here forever and they bought some property. It is their property to do with as they wish. Councilman Linville also states that he has had several people over the last two weeks indicate to him that they are concerned about bicyclists not stopping at stop signs, people not wearing reflective or bright clothing when they walk or jog, and people walking on the wrong side of the road. He says there was even a complaint about people at night walking without any reflective clothing or anything. He states that we should look at this and have our police be aware of this and act on them. Councilman Linville also states that he has seen instances where councilmembers comment on something such as an old tire in a front yard, and then you go by a few days later and that tire is gone. So, this says there is a conscientious council who is watching the Village. He states that if any resident wants a copy of the final site plan, he will make sure they get a copy of it once it is available.

Mayor Hurst now comments on some of the comments that were made. He says there are maps there that show that the majority of the rock crushing will be done up by the building where the power source is. That is over 960 feet away from the gentleman's house on Carmany. He says they will do this three times a year and usually during the winter season, and it is not an ongoing 24-hour session. All the rock-crushing system has water suppression. They do have EPA permits that has to be monitored every two weeks, and this is all public record. He says the Bedford Landfill is up for sale and they do have a buyer. This is 19 acres and that property is buffered by Walton Hills property. Discussion ensues regarding this by the Mayor. He wants everyone to be informed and know the facts.

Councilwoman Brenner-Miller states she thinks everyone said everything and covered it all.

Councilwoman Allen states that her understanding is that once a company has their plans firmed up, they come to us and we approve it. Mayor Hurst states that first it goes to the building department. Then the building department sees if there needs variances. If there needs variances, it would go to BZA. Then, it would also go to our Architectural Review Board and our engineers. Then, the engineers always ask for site plans of storm water retention, they always ask for drainage, they always ask for elevations in their drawings, and they always ask for specific things that are required by Ohio revised code. After all of those things are met, then it comes to the Planning Commission. It is discussed in Planning in order to divide this lot up. Mike Hopkins on the Planning Commission was the one who laid out these designs so it did not impact us and the engineers worked on the detail. The Planning Commission will give the final approval and then it will come to Council as a resolution and the Council approves the final approval of the Planning Commission. Councilwoman Allen states that Planning Commission seems to be where it would be the most effective. She asks the Mayor if he could let the residents know or send a letter to a couple of representatives and they could let the rest of the residents know so they could sit in and find out what is going on right then and there. That way, the information is going directly to the residents from them. Mayor Hurst states that he has already spoken to Mr. Fox and he knows that I am going to notify him as soon as he has a plan in front of him. Councilwoman Allen states that it seems to the residents that it feels like it is an aftereffect.

Councilwoman Terlosky states that they rock crush with water to keep the dust down. She asks the gentleman from the audience not to put the For Sale sign up. She says we are all here for safety. She says it is going to stay a beautiful community.

Councilman Kolograf states that he and Councilwoman Brenner-Miller sit on the CIC Committee along with some residents and the Mayor. He said that he and the Mayor actually said in a previous conversation that they probably should have sent a letter to the residents who are closest to that. He admits that if he could go back, that is what he would do. He says he has never stopped anyone from voicing their opinion even if it goes past the two minutes. He confirms that Carr Brothers has been doing this process for years. He says there is a lot of dust when you go down Northfield Road, and the first thing is to figure out if the dust is from the rock crushing or is the dust from the existing concrete site that is up there. The conclusion that Councilman Kolograf got is that this is actually the site is up there from the trucks that come in and with the dust up there. It needs to be watered down more or have a buffer or screening, etc. Discussion ensues on how this compares to the other cement company in the village and how they use the water suppression system when they have a contractor come in and do the rock-crushing for them. Councilman Kolograf also states that in his development in Barclay Estates, when they were doing Arhaus, we had specifications for a buffer zone there along Regency Drive and the size of the trees. We have to hold the businesses and contractors to the fire. Councilman Kolograf also mentions that Planning Commissions are public meetings so they can come to any of them.

Councilman Spitznagel speaks and says that when these people get their plans in place, we need to notify all the residents around there that the plans are put in and notify them of the meetings so they can all attend the meetings concerning this. He wants to get this right the first time so there is not any misinformation. He thinks this is more of a concern to the residents of the unknown, and it is very understandable.

Item G. Mayor Hurst says there is a map and if there are any questions or if anyone does not feel comfortable with this information, we will have a special meeting directed to this conversation.

Item H – Review of the BZA. Mayor Hurst states that he put the wrong information in the council's packet. They have the new information in front of them now. It was recommended to review and take under consideration that the Board of Zoning Appeals and our Zoning Inspector to change the language. Right now, the way it is when you build a home in Walton Hills, you have to have it faced in brick wrap around the basement so the concrete or cinderblock is not exposed. Now, with these new homes that are being built on Walton and also on Alexander and some other areas throughout the village, they are using

what they call poured basement where they change the dye in the basement, and it is one color solid. Right now, they have to go to the Zoning Board of Appeals in order to get approval. It is a cost and a time-consuming thing. There is a recommendation that we change the language. Councilwoman Brenner-Miller asks to understand the way they are pouring floors a little differently. Then, maybe we can put something together. Mayor Hurst states he will try and get her some more information about it. Discussion occurs regarding this between the council members. Councilwoman Allen brings up the point about the continuous maintenance of the concrete blocks if they were exposed whereas this is virtually maintenance free just like a brick finish would be. Mayor Hurst opens up the topic to the audience. Benjamin Blondin from 16883 South Meadowpark stands and states that he has been a cement mason for 15 years and he states the council is on the right track. It is structurally superior. It does look better and can be dyed any color they would like. He thinks it should be changed. Councilman Kolograf verifies that we are still allowing block foundations, it was only the outer layer. Barb Rohal from 7550 Walton Road stands and states that she has poured walls. The basement looks completely finished with the brick inside. The outside is white brick. She says it is wonderful and she would recommend it highly. No further comments are seen from the audience. Mayor Hurst asks that this be drafted up and placed on for first reading at next week's council meeting.

Item I – Inside millage. Mayor Hurst states that he did write a memo for everyone and he reads it into record. This states, “Dear Councilmember, Our goal is to sustain the village economics for short-term as well as long-term sustainability to allow our community the ability to thrive into the future. We have several different resources that make Walton Hills a solid investment opportunity for businesses who want to relocate or grow their existing business. Please see the list of the following examples as of what we offer the interested parties. These are just a few of the things we offer. We have the lowest municipal property tax. This is where we need to make choices about if we want to increase it and if we increase it, if we still want to stay competitive with other communities. We have great location from the interstate access. We have every incentive that the state offers on our books. We have local incentives; for example, the CRA, the TIFF, the land tax abatements, the job creation incentive - that we recently use last year with Todd Industries. Our village infrastructure is solid in most areas throughout the business history. We need to use any further increase in the municipal millage tax as an opportunity to improve our industrial areas such as but not limited to the roadways, curves, and other improvements throughout the whole corridor because they are starting to break down. We have an excellent location between two major cities, Akron and Cleveland. We have great locations to water ports. We have great access to two different airports. We have great resources to electrical power and demand that some investors require, that most communities cannot offer. We have positive zoning in place to protect the future of Walton Hills. These are only a few different variables. I am sure there are quite a few other ones if everyone would dig into it. Village of Walton Hills Council, would you please consider, when deciding to increase our inside millage, increase the municipal millage from 0.3 mills to 3.3 mills, which would be a 3 mill increase. This would allow our community to be third lowest in Cuyahoga County and still remain competitive with Glenwillow Village. This 3-mill increase would bring our total to 3.3.”

Mayor Hurst states that he wrote this so the council has a direction from the Mayor and a recommendation from the Mayor Hurst. On the back sheet shows all the municipalities. This is where the market is. Discussion occurs about this. Katie also included a list of all of the different scenarios that everyone requested. Mayor Hurst states that if we went with 3 mills, this would generate \$419,000 of additional to what we are gathering currently right now. This would give us an opportunity for the public utilities to pay \$137,000, commercial \$101,000, and our residential base \$212,000. That would generate \$419,000 to our overall. Katie verifies that this is correct. Katie mentions that it looks a little scary only because we have a lot of purchase orders that we open for the entire year. Until we have more revenues coming in, they will not see a true balance. She says we are still around a cash balance of roughly \$600,000 to \$700,000. She says we are going to have a large influx coming in with collections through the end of this month. She is also expected reimbursement from NEORS from two of the projects we did, the Walton Road Stream Restoration and South Meadowpark. There has been a delayed in being reimbursed. We paid for those in

2017, so it will look as though it is revenue coming in this year. She cannot offset last year's payments. This is also reflected in our revenues. We have not received payment on Carr Brothers, so that is another \$200,000. Also, the property on Northfield, the \$17,000, is not in the revenues yet either.

Discussion ensues on this topic. Councilman Linville says he will support this legislation because we have to keep our village up. Councilman Kolograf says that he has no problem supporting it. He says we can always roll it back. This is because we have a lot of good things moving forward. Mayor Hurst says that we have until July. He said we can amend it at any time. The legislation is prepared, but they want everyone's comments. He says that we have three full months of discussion and conversation if we wait until July. Councilwoman Brenner-Miller says that she is going to vote for it. We have to do this to keep our judiciary responsibility and have a capital fund and be able to keep this village going. Mr. Mason speaks and states that the amount of millage that is left in the village is 3.58 remaining un-voted tax maximum. This would make our total 3.88. Councilman Linville says he would push hard for rolling back if we could. Councilman Kolograf states that he has been against raising the inside millage, and one reason was because once something is in place, it is a lot harder as a body. That is why he was in favor of the levy because the levy had a term on it and it would have to be voted on again. Our expenditures are exceeding our revenues, and the reason is because we have lost some of our biggest businesses. He would not be in favor of going over the total of 2.7, which would make it 3, or the 3.3, because he thinks it is very important that we stay competitive. Continued discussion occurs. Councilman Spitznagel says he has been wrestling with all of this for a long time, and he knows that this budget we passed, that \$7,000 surplus is not going to be there long. Something is going to happen. He is still digging into this trying to find away around it. Councilwoman Terlosky speaks and states she agrees with increasing the inside millage and she has no problem going to the maximum. In fact, she would like to go with the maximum if we can. Discussion continues. Councilman Kolograf states that we talked a bit about 32 hours with our employees. If you go to 32 hours with your employees, you lose many good employees. He discusses other things that make Walton Hills special that would make people want to live here. He says that we are putting some burden on the residents, but we are also putting the burden on the businesses and utilities, which have reaped the benefit all these years of having the lowest property tax in Cuyahoga County. Discussion ensues. Mayor Hurst comments on how our employees have stepped on all levels. No raises for several years. Vacation time changing.

Mayor Hurst opens it up to the residents for questions or comments. Raymond Weeden from 19346 Rashell Drive. He comments that we did hear a lot of passion tonight regarding Cajin Trucking and Carr Enterprise, and the discussion that took place tonight went a long way toward making the residents feel more included. He also feels that we have parked this discussion about the millage along the side again. In the letter that the Mayor read, the residents do not have that information. He just wants to be sure that the residents have all of the right information. He has a couple of questions on two points. He asks if he understands correctly that the inside millage would go toward building the roads in the business community and asks for clarification on that. Mayor Hurst re-reads his memo where it says that we need to use any further increases in municipal millage tax as an opportunity to improve our industrial area such as but not limited to the roadways, curves, and improvements throughout the whole corridor, because we are impacting the businesses as well. He confirms that this is not going to be exclusively going into industrial. Raymond also asks the Mayor to restate what portion of the dollars come from where with the new millage with what portions come from the residents, etc. Mayor Hurst says it is on the agenda on the back page. He confirms these numbers with Raymond. Raymond also asks about the potential new sites and the Cajin Trucking and how the residents can be more included early on in the process. Discussion ensues regarding this between Raymond and Mayor Hurst. Raymond also states that he has heard that the traffic count in the village has gone from 4000 in one area up to 18,000. He is asking where those people are going. He is wondering if it is time to have some visioning around having some of those cars stopping along the way. He also asks what is going on with the Rocksino, as the residents do not all know what that situation is about. Mayor Hurst explains what is happening with the Rocksino, with MGM buying the Rocksino for \$1.06 billion. Raymond asks what that means to us. Mayor Hurst tries to explain what we know and where

we are with this. Raymond just wants the residents to be included and be part of what is going on before it happens and before it goes to planning, BZA, and council. Mayor Hurst says that they have no problem reaching out to every resident it would touch. He says that we will amplify that and make sure that everyone is aware of it. More discussion occurs between the Mayor and Raymond. Councilman Kolograf also comments as well. He tries to explain how some of the things are done with the council and the Mayor and the economic development. Councilman Spitznagel speaks as well and tries to address some of the questions and comments that Raymond posed.

Councilwoman Terlosky also addresses Ray's questions. Discussion ensues from this point about this as well.

No further comments or questions about the inside millage. Mayor Hurst asks that we put it on for first reading next week, and then we can discuss it again in the month of May. Everyone is okay with this. The deadline is July.

OTHER BUSINESS: Mayor Hurst says that he gave out a couple of memos and there were some questions. He would like them to read the memos, and then he would like to discuss the live streaming and those things in May at the COW meeting. He says he has some details because residents have asked about times and things. He asks them to review the memo.

Mayor Hurst states that he sent a memo out to the Safety Chairman, Councilman Linville, about our jail system. He says it would cost us an exorbitant amount of money to bring our jails up to par. We are recommending from the state and the police chief, and he will take that recommendation and use it as a six-hour facility where we meet the standards for that. Everyone is okay with that. Then, if we have to, we will send them to Bedford Jail Systems for long term. Most of the time, in six hours, they get bonded out and then are released.

Mayor Hurst states that on April 16, the 50+ Club auction will be held in the Community Room. On April 18, there is the Meeting with the Mayor in the morning from 9 a.m. till 11 a.m. in the Community Building. On April 18, the doors open at 6:30 and the show starts at 7 p.m. Oakwood Village and Walton Hills are hosting an inspirational concert at Mr. Zion Church. We currently have 77 residents signed up. This is Elvis Presley. On April 23 at 6 p.m., we are scheduling a CIC meeting at the Community Building. That meeting will be with the CIC members, and then we will probably take a walk over to the house and see all the things that have been improved with painting and things. Then, we will talk about the process of selling it and things. On April 25, there is a trip to the fire museum. On April 28, the Women's Club Craft Fair is held at the building on Alexander Road. On April 30, there is senior lunch, and we have Kathleen Kapusta coming to talk about Homestead and making sure you are registered for those things. The Book Club is on April 30 at 7 p.m. On May 3 at 11 a.m., there is the National Day of Prayer. We are having it in our Community Building. On May 3 at 6:30, we are hosting, along with Oakwood and the other communities, at our Banquet Hall, the sports banquet for the high school. They asked us to host it. The cost for food and everything is being covered by the other communities. All we are giving up is the use of the building.

Mayor Hurst says that there is a letter that was sent to all of council. We will be going through our state audit. They are asked to answer the questions on here about fraud. Then, when the gentleman comes in, we give them to her because it has their name and information on there. Katie says that if they need any help or have any questions, they are to let her know. She says they are planning to start the week of the 23rd.

Item K – Adjournment. Mayor Hurst asks for a motion for adjournment. Councilwoman Brenner-Miller makes a motion to adjourn the COW meeting of April 10, 2018, seconded by Councilman Linville, at 8:01 p.m. Six ayes approved.

Katie Iaconis, Fiscal Officer