

**AVON LAKE COMMUNITY IMPROVEMENT CORPORATION
MINUTES**

Regular Public Meeting
Avon Lake City Hall Council Chambers
and Virtual
February 10, 2023
9:00 A.M.

I. Attendance

Attending in person were Todd Hunt (counsel to ALERG), Councilman Mark Spaetzel, Don Lydon (Avison Young), Joe Reitz (OHM Advisors), Scott Reschly (ALERG), Dick Shields (Avison Young), Dan Rogatto (ALERG), Danny McCormick (ALERG), Rob Shahmir (EAAB), Wayne Woodruff (ALERG), Nate Gamellia (Stop 65), Sam Naumann (EAAB), Jim Ziemnik (Lorain County Metroparks), Barbara Mooney (WestLife), Ron Kovach (DIRECTOR), Ted Esborn (TREASURER), Mayor Zilka (DIRECTOR), Councilman Zach Arnold (DIRECTOR), Councilman KC Zuber, Deb Beard

Attending virtually were Andre Brumfield (Gensler), Todd Davis (outside counsel to Avon Lake), Dan Bucci (Brownfield Committee), Gary Deigan (Deigan & Associates), Richard Hanson (Avison Young), Steve Luca (DIRECTOR)

II. Minutes from January 13 Meeting

Mr. Esborn said we are deferring the minutes from the January meeting and voting on their approval at the March meeting. But if anybody wants the video of the January meeting, that is possible. And I'll send it to you.

III. Update on CIC Finances

Update on CIC finances. The CIC account balance is the same as it was in January. That's 39,891 and 55 cents and that

IV. Status Update since January Meeting from ALERG

Mr. Rogatto said I'm the site manager for the ALERG plant. Here again is the demolition update.

We always start with safety as our top. We keep one of our key priorities. Draw your attention to the couple of the pictures. The top picture is our morning job briefing with the with trifecta. The demo contractor going over all the safety aspects and open discussion. Again, all workers on site participate in a morning stretch and flex, so that's kind of a picture of what you see every morning. All the workers are out in the turbine room and doing probably like a 5 or 10 minute stretch and flex. We make sure that they're ready for the day.

So let's move into the environmental update and you'll see some progress as I scroll through this slide presentation. There's some progress and some exciting things to talk about. There were 32 borings and 59 samples were taken. And those were all varying. From either 5 to 20 feet in depth. All the sample results were prepared to the Ohio VAP standards for industrial commercial land use without additional soil. It was a slight exceedance of the industrial commercial limit for arsenic in soil, and that was along the railroad bed. It would have been basically on the east side of the property where former railroad was. And so now we're basically starting to kind of extend out that sampling program and see to what degree that area is has this high arsenic level. And then obviously, you know if it is high, we'll go ahead and remove that land and put it in the appropriate landfill. Railroad ties are treated with an arsenic compound to prevent rotting and insects impacts. Our desire is to get a clean Phase 1 so that we can facilitate a property transfer. In addition to the soil samples, ground water sampling analysis is in progress, we have five wells that we drilled in that area this past week. The wells were being purged and their first sample was drawn yesterday in each one. Any questions?

Mr Shahmir asked: The arsenic that you guys detected. Coal is a major source of arsenic contamination. So how long has the cold been stored in that area?

Mr. Rogatto responded, Well, again, It was in the railroad bed here.

Mr. Shahmir said, So typically, how long was the cold stored in that? 80 years. 60 years, 70 years?

Mr. Rogatto replied, No, I wouldn't think that long. I'm just trying to think of when the actual yard went in. 50 years. That's the aerial images that I've seen.

Mr. Shahmir asked, Is there a liner below the coal pile?

Mr. Rogatto responded, No, there was shale

Mr. Shahmir asked, Have you sampled for PAHs?

Mr. Deigan responded, Yes we sampled for PAHs. There was no exceedance of industrial commercial standard for PAH's, and let's recall what we did here, we removed a layer of coal that had been on that natural ground for years and years. And once that layer of coal covered the entire ground. So we are simply confirming that the coal removal action itself resulted in a remediation of this property, so to speak. And the resulting sampling and analysis is confirmation that that coal removal also took care of whatever environmental conditions might have existed. The subsurface we're seeing is clean of PAH's. It's clean of heavy metals and it is appropriate for industrial commercial use. And except for the railroad bed that had a slight exceedance of arsenic at 185 parts per million versus an industrial commercial standard of 100 parts per million, the site is in excellent condition. We will take care of that arsenic issue so that we don't have a direct contact or a runoff issue and that's message that we're presenting.

Mr. Esborn suggested they move on with the overall update because when we have comments and questions from EAAB, the audio will be better because you'll be at the microphone.

Mr. Davis said Can I just ask one question on this on this slide just in terms of process, just so I understand? I guess my question is, do you intend to take each property through the voluntary action program get an NFA and a covenant not to sue? From the slide it says you want a clean phase one. To me that raises a question as to whether you intend to take it through the VAP or not. And I'm just not clear.

Mr. Deigan replied, It depends on the buyer type. It depends on what the buyer wants. That's a business decision that the group will make.

Mr. Davis said OK. I can explain that to the group later. But just so that you understand, I'm not saying that's not appropriate. I am just making a clarification for the group, which is a little bit different than what we had been talking about internally. But we can move on from that.

Mr. Rogatto continued, Obviously one of the biggest activities going on right now is the abatement of the power plant. We're abating the asbestos and builders 9 and 10 and scheduled to complete that in mid-March. We've had eight EPA site visits to date and no violations. Over 1000 tons of asbestos removed from the site. At least 2500 bags of asbestos a day and then those bags which are double bags, get put in a dumpster. The next slide is on the demolition. Anybody that's driven past the plant knows about the Unit 9 precipitator demolition that's moving along, probably going a little slower than they thought because the steel is a little tougher than they thought.

The unit 9 pulverizers will actually be completed this week. Tentative planning from CEI on the transmit remaining transmission lines and I think they've been in touch with Ted over the past week. One thing that I'd like to alert the board here. I think during that time frame we should at least alert all our emergency rescue squads to stay clear of that area because obviously you don't want them sitting there 5 or 10 minutes.

Mayor Zilka said that One person suggested that there was unabated asbestos in the atmosphere.

Mr. Rogatto replied that There is no asbestos in the unit 9 precipitator. We did our asbestos survey and along with prior to doing the demo.

Dick's going to talk about them a little bit further, but decision has been made to take the turbine hall down.

Moving into the next slide. The crossing Rd. gates crossing gates came down this week along with the railroad crossing signs The other thing is we're getting costs and I've alluded to this in the previous slide, We're getting cost to remove the pond dredgings and we're still moving forward on looking at the turning the whole yard run off on into the stormwater basin and being able to connect that to the city stormwater.

The last slide really continues to be our project schedule slide and there really has been no change to the actual end dates.

Mr. Kovach asked, Has a vendor been selected for the demo stack demo?

Mr. Rogatto responded, I think they're looking at two different vendors right now.

Mr. Shields began his remarks saying: I'm Dick Shields from Avison Young I Support ALERG with the master planning, marketing aspects of the project. Zach, thanks for your question. Our process went through a long evaluation in the market. There was about a \$5 million premium just to save the Turbine hall and the demolition and having 4 million pounds of brick having to fall someplace. The Turbine Hall would have never survived that. Risk assessment was hard to sell. Hard to find the capital to redevelop it. Hard to take down stack nine with that there. Without significant outside funding sources to fill the gap to do the additional demolition and protection and redevelop that property just it was too hard to

take and deliver. We modified the master plan on that basis without having had the benefit of work with the city or metro parks or the county or others regarding public spaces, but have developed a concept plan I think becomes a starting point. For I'll ask Andre to join. But with that, we see opportunities that are presented with the property and they all do begin by still respecting the history of this site and what was here.

Mr. Brumfield said Thank you, Dick Good morning. You know, as Dick mentioned, you know we still want to find ways to not only respect the past, but create a sense of place. It is tough to do. We still thought that there was a lot of opportunities to explore ways to actually preserve that heritage here. And as was mentioned, you know with the Turbine hall coming down, there's still other ways that we think that we could build on what is there and create that sense of place that's really unique. So we looked at these five elements to preserve the switchyard building, also of course stack #7 stays in place, but we wanted to find a way to actually explore ways to preserve part of the facade of turbine hall, mainly around the columns almost kind of a ruins. And of course the pump house. So with that, the big move was to really create a new kind of open space and we're right now loosely calling it Power Plant Park to really build a new public realm that's around these kind of found objects that really speak to the past of the power plant. We think not only for Avon Lake, but also for this part of the state of Ohio

Mr. Shields said, So that's where we are regarding the redevelopment activities. We continue to market the properties, all the properties, the industrial properties in the South, there's a lot of activity on we hope to announce something soon on the the coal yard and the rail yard and further that on the. On the main site there is interest today and we hope that with this new plan we'll be able to accelerate our activities there.

Mr. Kovach asked, On the main site that's mostly the residential?

Mr. Shields responded, it's not a whole lot different than the previous plan, which was about 1200 residential units. This is 12113 hundred units, so as the potential for 150,000 square feet of commercial or office and then. Some minor restaurant or service type. 59.

Mr. Esborn said, A question for Dick but would appreciate thoughts from anyone on the ALERG. Team, which is how how would you describe the purpose or role of this plan? I mean, I found that that's a kind of a tough thing to convey to Avon Lake residents. Well, is this the City's plan, you know, is it the owner's? Is it a you know? So how how would you describe the purpose of a?

Mr. Shields responded, From the beginning, the question that we had is what does the city want? And we heard clearly Mayor and others in the city say we want to open access to the to the lake. And so the centerpiece of our efforts was making the lakefront open. This plan was developed for four reasons. Number one is to see what the market would actually be willing to do Who in the marketplace likes this type of product? What are they going to pay for this product? The second reason was d what is the potential for the site to contribute back to the community and its redevelopment, and so developing the plan. The third one is what's the cost of the infrastructure to support that plan? Because these eventually are going to be public roads with utilities and they need to be maintained. Other structures to help finance those public improvements to create this, to generate the new taxes. And fourth to inform the community on what potential land use changes needed to be made in the zoning.

Mr. Esborn said, I appreciate that. Response because I can absolutely take those and explain. To people. You know, I I really do.

Mrs. Fenderbosch said, I don't see a marina here and I was wondering what kind of access there would be for boating.

Mr. Shields replied, Today we're meeting with the report authority. And Great County commissioners and you know, like at the plant to. Look at the water. We don't own the water. From the beginning, we imagined it. We hope for it and I think that the Port Authority and others who similarly aspire to it are better positioned to consider, evaluate that and there's nothing in this plan that I think would restrict that from happening and we're happy to host them today.

Mr. Reitz said, You're trying to market that coal piled property to industrial users? Because you've got industrial and light industrial. And as you as you as you know. With the city. I mean, if you you can rezone it to industrial when they're going backwards people. So I can understand why you would, but I guess my question is, are you trying to market that sell property battery farm?

Mr. Shields replied, That's one concept. But that's a concept, though, that will take some years because of the process.

Mr. Ziemnik said, It is important that people realize that these plans are conceptual.

Mr. Naumann said, Had you had said that those board meetings cover off on some more environmental concerns, the other thing I was just going to Offer Up, you know, the AB is increasingly becoming a public forum for those conversations. If you want to. More or less, take those agenda topics and. Move them to a discussion during the. Environmental board and have those. There we would love to. Energy or yourself to come to meeting and share those. Updates and then. Make group or whatever you like. So if you'd like to. I can talk with you. We can talk about bringing those updates to the city. This kind of discussion, while exciting, isn't really following the scope of our board, but the prior information is equally, if not more important, because it kind of helps set the foundation. So those are.

Mr. Zuber said, Just in regards. I just want to make sure. That you are aware. Of this. Is the form. When we discussed this issue, this is. The kind of thing. That everything comes. To and goes through for this particular issue. Council has mandated that while EAB has a role. I think that. We just need to make. Sure that we reiterate that this. Is the area this is. Another thing that I'll say is that. I think it was very good when you talked about Tech and Metro Parks and County Port Authority and we're working with them because I think that that's something that we have to ensure that this is not just working with the county in different ways and many other different. So that when the time comes within. The person that's doing this project. That we have a lot of different people together that are willing to work and help.

V. Comments from Avon Lake Environmental Affairs Advisory Board (EAAB)

Mr. Shahmir began his remarks: Good morning. Rob Shamir with EAAB. This is a fantastic conceptual development plan. There is a lot of positives there is an amazing future with conceptual development plan like this.

So those outfalls have been operating for 50 plus years, if I'm not mistaken. Somewhere in that neighborhood. Our question was, what about sediments that could be contaminated with metals or any other constituents that were in the plants? Are they going to sample in the sediments offshore and the answer was no.

What you do see is heavy sedimentation. If you want to call it soot or hydrocarbon type staining on the images and if you go out and look off.

But you also have operational discharge points. So you have two things. You've got comingling of two things. Do fingerprint analysis of the constituents and test it against whole residue. So that area in itself requires a visit, especially if we are going to have public spaces on the coastal area where people are going to do sunbathing, swimming, fishing and if we take one more step. So that is the question that I had based on the answer to question #17 that you guys had previously sent us and we received just the day before the the previous meeting so I can leave this with CIC. They can disseminate it and. I can e-mail this as well. Any questions?

Mr. Esborn said, Any questions for Mr. Shamir? And I will, I will disseminate that information.

VI. Ward Meetings

Mr. Esborn noted that the Avon Lake Ward meetings were March 1 (Wards 1 & 2) and March 15 (Wards 3&4)

VII. Scheduling CIC Meetings for April – June

Mr. Esborn said, if I don't hear any objections, we do the 2nd Friday of the month, 9:00 AM this format. Anybody wants to suggest anything else, but otherwise I'll set those up.

VIII. Adjournment

Councilman Arnold made a motion to adjourn. Ron Kovach second. Motion passed 5-0. Meeting adjourned.