

**AVON LAKE COMMUNITY IMPROVEMENT CORPORATION
MINUTES**

Regular Public Meeting
Avon Lake City Hall Council Chambers
and Virtual
December 13, 2022
9:00 A.M.

I. Attendance

CIC Directors attending in person were Mayor Greg Zilka and Ted Esborn. Others attending in person were Dan Rogatto (Charah), Chris Livingston (Avison Young), Don Lydon (Avison Young), Wayne Woodruff (Charah), Bob Garrety, and Councilman KC Zuber

CIC Directors attending virtually were Janice Lapina, Zach Arnold, and Steve Luca. Others attending virtually included Jeff Brausch, Avon Lake Outside Counsel Todd Davis, Gary Deigan (Deigan & Associates), and Scott Reschly (Charah).

II. Approval of Minutes from November 11 Meeting

Ted Esborn made a motion to approve the minutes. Mayor Zilka second. Motion passed, 5-0.

III. Update on CIC Finances

Ted Esborn, Treasurer, stated that the CIC account balance is \$40,989.55. This new balance is due to a donation by the City of Avon Lake of \$34,500—the proceeds of the sale of two parcels south of Pin Oak Parkway that the City acquired through forfeiture in 2016.

IV. Renewal of Non-Profit Directors & Officers Insurance

- a. \$1,098 to McGowan, Donnelly & Oberheu, LLC; insurer is ACE Fire Underwriters Ins. Co.

Janice Lapina made a motion for the CIC to expend \$1,098 on the renewal of its Directors & Officers Insurance. Councilman Arnold second. Motion passed, 5-0.

V. Status Update since November Meeting from ALERG

- a. **Environmental Update on Remediation Progress Since Last Meeting**

On the subject of safety, Dan Rogatto of Charah stated that he had talked to Captain McKay of the Avon Lake Fire Department about fire safety. The employees at the plant have been going through fire extinguisher training. Drilling has taken place, with borings mostly on the north side of Lake Rd. In terms of asbestos abatement, Turbine #8 is complete and they are working on Turbines #9 and #10. EPA site visits have been for asbestos work done in the May/June timeframe.

b. Demolition Update on Progress Since Last Meeting

The conveyor has been removed. They are continuing to remove oil and universal waste. Action on the precipitator building has begun. Councilman Zuber asked if the rest of the lines are coming down. Mr. Rogatto said yes, they are looking at another closure in May. On the coal yard, they are working with engineering on the basin there. Rails and ties have been removed north and south of Walker Rd. Mr. Rogatto said that they want to remove the sign and gates; he is still getting permission from the State of Ohio. Mayor Zilka asked if there will be soil put on the coal pile. Gary Deigan said they do not need to because the pond got them to the standard when they dug down. Steve Luca commented that when a developer comes in, they will have to make improvements no matter what.

c. Redevelopment Update

Ted Esborn asked a question on behalf of Director Ron Kovach, it had to do with the nature of the battery storage company that has expressed interest in the acreage south of Walker Rd. Don Lydon answered that it is primarily battery storage but also solar. The company likes that they are next to the grid. And they prefer to have a greenfield site.

Todd Davis asked if they have heard from Ohio Department of Development on the Round 3 Ohio Brownfield Remediation grant application. Gary Deigan replied that they talk every other week with their ODOD contact. Scott Reschly asked Mr. Davis if there is a rationale provided by ODOD if they don't get the award. Mr. Davis said perhaps not; it is supposed to be the case that if you are eligible, it is just a matter of when you applied.

Mayor Zilka asked where the video is that we were shown in the November meeting. Chris Livingston said that they would have the video out that day.

Janice Lapina asked about the sticky note data from the July public meeting; Chris Livingston said he would check on that.

VI. Development Agreement Proposal Update from ALERG

Todd Davis said that he had a phone conversation with Dick Shields about the development agreement, and the goal was to make progress on things like overlay, rezoning, etc.

Don Lydon said that Todd Hunt from Walter Haverfield (joining Roetzel & Andress in 2023) had just been engaged two weeks prior to be ALERG's zoning counsel. The plan is for him to begin the development agreement process by contacting Avon Lake Law Director Gary Ebert.

VII. Schedule for 2023 CIC Meetings

It was agreed that three CIC meetings would be put on the calendar for the first quarter of 2023: January 13, February 10, and March 10.

VIII. Adjournment

Mayor Zilka made a motion to adjourn the meeting. Steve Luca second. Motion passed, 5-0.