

**AVON LAKE COMMUNITY IMPROVEMENT CORPORATION
MINUTES**

Regular Public Meeting
Avon Lake City Hall Council Chambers
and Virtual
October 13, 2023
9:00 A.M.

I. Attendance

Directors attending in person were Mayor Zilka, Ron Kovach, and Ted Esborn. Directors attending virtually were Nathan Deutsch and Steve Luca.

II. Approval of Minutes from September 7 Meeting

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

III. Update on CIC Finances

a. Account Balance of \$37,242.25

b. Expenditures

i. \$217.30 to Auditor of State for Bi-annual Basic Audit

(in addition to \$82 payment in September, total of \$299.30 for Basic Audit from State of Ohio)

IV. Status Updates since September Meeting from ALERG

a. Safety

Dan Rogatto of ALERG began: “Here we are in October. Time is just flying by. We want to start off with the safety and environmental. Those are two critical things as far as Charah is concerned. We’re up to 42,000 hours accident free, our last accident was earlier this year. We are continuing to focus on safety, making sure we have pre job briefings in the morning and continued site oversight. We have two safety representatives on site, one for Trifecta, who’s the lead demo contractor. And of course one for ALERG. Trifecta did some skid steer training for their employees recently. And because skid steers are used quite a bit within the demo operation—keeping areas clean, moving metal—they wanted to have a good refresher for their crews. We’ve had no trespassers witnessed since last time, but we did have a few tools come up missing. We’re still trying to figure out where they went and how they got out. Nothing on any of the cameras has told us.”

b. Environmental

Mr. Rogatto continued, "In terms of environmental, since our last meeting, we're still in process on the fly ash removal. But right now, we are probably about 75% complete with getting all fly ash off the site. Probably 85% of the fly ash is actually down on the ground. Another update since the last time we met was the chemical removal and flushing lines within the main plant. All the acids, caustics, ammonia, all those chemicals are now off site. They were handled by Circon, formerly Chemtron, which is an Avon Lake Company."

"Removal of hazardous substances—we have a running tally of all these," said Mr. Rogatto. "All the chemicals, oils, asbestos, and everything of that nature within the plant has been removed. There are some pretty awesome totals. We talked before about the 2,700 tons of asbestos that was removed. Transferable oil and used oil is now up to 142,000 gallons. Fly ash removal is up to 1,714 tons. Ammonia, we have removed 11,155 gallons from the site. We continue to update these numbers every week in our weekly meetings starting to kind of get to the end."

Mayor Zilka asked, "Could you explain what the caustics might be?"

Mr. Rogatto replied, "I was talking about caustic soda—sodium hydroxide. We had it at the plant for regenerating our mineralizer or mixed beds. A good portion of that was actually removed and disposed of offsite, but some was actually given to Avon Lake Regional Water. They needed that a caustic, so we went ahead and gave it to them so that it can be reused."

Mr. Rogatto continued, "On the Coal yard restoration, the grading and seeding is just about completed. You probably can see it from Walker Rd. We delivered an updated phase two report to a prospective purchaser. We also had an onsite visit from Verdantas, an environmental consultant for a prospective buyer. They came on site to do a phase one assessment on behalf of their client."

Ted Esborn said, "Looking over the minutes from the last meeting, Gary talked for a minute about the fact that the environmental process has to work with the demo. It can only move around the demo. In a very general way, can you expand on that?"

"Sure," Mr. Rogatto answered. "Some of the site right now is covered with the plant. So until there's more demo we're going to have an area that can't be accessed for testing."

Mr. Esborn followed up: "You painted a picture last month of doing the outside and then being able to move inward as the demo happens."

"Right," Mr. Rogatto replied. "The areas that are exposed right now have been looked at. For example, the demo of the storeroom and the maintenance shop. Those are down now and that is new area where we can do a boring."

c. Demolition

"One of the things I'd like to highlight," said Mr. Rogatto, "is the demo of the storage and maintenance shop. That was completed. We continue to work on the west side of the plant, they're removing the silos."

Mr. Rogatto continued: "Here's the implosion schedule. We are trying to keep that in the forefront because the Avon Lake CIC did ask for that. Right now we're looking at the first implosion is scheduled

for February of next year, but there's a possibility that move will move up a little bit. That's Precipitators 6 and 7, which are on the lake side of the plant. The last implosion will be the Unit 9 stack in March of 2025. I know that there was some concern about events within the city.”

“Kelly Brothers is 90% complete with the multi-use trail in the former coal yard using the on-site coal fines and soil to make the base of the bike path,” said Mr. Rogatto. “90% of the area has been final graded and seeded and grass planted. The reroute of the former coal pile stormwater to the city stormwater drain project has started.”

“And I know this one's always kind of on everybody's mind—the railroad crossing on Walker Rd. That project has been released to Kelly Brothers just yesterday. The engineering package was approved by the city or their designee. On Monday they're going to have a pre-construction meeting on that project, still targeting that work to be done on middle of November. So Walker Rd. should soon be back to its original smooth state.”

Todd Davis asked, “I'm sorry, Dan, just clarifying, when you say you're going to fill it with construction debris, you mean recycled concrete?”

Mr. Rogatto said yes.

“The project schedule has not changed since the last meeting,” said Mr. Rogatto. “We're still looking at the plant wide demolition being complete in April of 2025 with site restoration complete by August.”

“I don't know if everyone knows Sheila Roth,” said Mr. Rogatto. “She works at CRS and she approached us last year and told us that her dad used to work for Westinghouse for many, many years. And her dad also landed on Normandy back in World War II. She said that every day when she went to CRS, she passed by that sign that was on our promotion turbine. And she asked if she can have that sign. So we did remove that sign prior to the demo and we presented it to Sheila. It is a dedication to her father, who has since passed away.”

Mr. Esborn asked, “Can you clarify what you mean when you refer to the North Road?”

Mr. Rogatto answered, “It is the traffic back and forth along the path between the plant and the lake with some of their excavators. That's where all that structural steel has been removed because the headroom was too low for their vehicle or their construction vehicles to get back or their construction demo units to get back and forth.”

Mayor Zilka said, “We constantly get questions about where does all the demo stuff go exactly. Where did all the bricks go?”

Mr. Rogatto replied, “The bricks are still on site. The bricks and concrete are still on site. Any of the steel is any of the scrap steel is going to Cleveland. Probably most of that material will be used.”

d. Redevelopment

V. Update on Development Agreement / Zoning Attorneys

Dick Shields began: "We continue to work the south side of the property. We've submitted our comments on the redevelopment agreement to the City's attorneys for discussions, we have a meeting later today to go through that. We are working with Metro Parks and the City regarding the grant application, we're also interested in pursuing the additional \$150 million of funding under HB 33 site restoration grants. We have great interest in the property north of Lake Rd. Everybody wants to know when they could acquire it, what the conditions would be. So yesterday there was a walk through the site to understand what the final demolition conditions would be of the plant such that we can represent that to buyers and hopefully we'll have discussions with the City, Metroparks and private developers regarding the sale of all that property."

Mr. Esborn said, "I do have an update on your grant seeking. I talked last month about a grant for which the city wrote a letter of intent for planning and land acquisition, a grant from the National Oceanographic and Atmospheric Administration, or NOAA. They contacted me this week to let me know that by today we would be getting feedback and an indication of whether our letter of intent is going to be developed into an application. So, by the end of today, I should have input on that."

VI. Public Comment Period (3 minutes per speaker)

Deb Beard said, "Dan answered my one question about the building in the old coal pile that that's going down, but my question is about the fence that's been around the whole area. I wonder if that's going to stay. And then with the pond, I understand that that's staying because it's got something to do with the sewer. Are they going to incorporate that with bushes and stuff so people can't get into it?"

Mr. Rogatto answered, "With respect to all the fencing, even all the way around the plant, it would be our intent to leave the fencing there until there is a new buyer. I would assume they would keep the fencing up just for security, but that would be up to them. So we're not taking any fencing down."

Councilwoman Fenderbosch said, "Thank you to ALERG for donating 3 hybrid miniature crab apples in City of Avon Lake with the intent of moving them. They have been reviewed by Doug Baldi, who's a landscape architect. They've also been reviewed by Rick Varga, who is an urban forester. And they are capable of being moved. I'm thanking everybody there for donating them to the city because they are lovely."

Ryan McDavid asked, "So as far as the demolition, all the C&D debris after the buildings are down is staying on site?"

Mr. Rogatto answered, "All the construction we create or demo debris will be either used to fill voids or left on site for the development."

Mr. McDavid said, "I've seen a demo project like this before in Lorain. St. Joes Hospital. And that site has been demoed for seven years and it still sits there with rubble. So I'm not looking forward to that."

Todd Davis replied, "I would like to respond to that from an environmental legal perspective. I assume that you're going to characterize the crush material. Which is completely appropriate, and that's what I would expect the developer to do."

McDavid responded, "Well, I guess what I'm saying is, if the debris is left on the site and the developer doesn't come in and buy it for the next 15 years, there's piles of rubble sitting right here on our lake."

"But in a good development you want to crush and reuse those materials," said Mr. Davis. "It needs to be characterized to make sure that there are no contaminants, so that when they go through the state Voluntary Action Program, they continue within the standards. That is a very common and expected practice to develop. I'm not taking away from your comments about other developers who might not be as responsible for leaking material, they're just trying to save money. I don't think that's the intent of of this developer at this point, and they can speak for themselves, but just to let you know, if it's just C&D material that's going to be remaining, think it's just a notification. So it's a technical issue. I'm sure they'll address it."

Dino Polizzi said, "I'm a retired technician. I was in the Navy in a tactical electronic workforce group. And I'd like to bring to your attention that climate change is a cover story, the smokescreen for weather warfare that's been going on for decades between the superpowers. And that's why we're tearing down all the coal power plants, which I believe is wrong, because windmills and solar are not sustainable."

Ryan McDavid asked, "The grant you guys are applying for, what was it called again?"

Mr. Esborn replied, "The grant that I was talking about is the Climate Resiliency Challenge from the National Oceanographic and Administrative Administration."

VII. Schedule for Remainder of 2023

- a. Friday, November 17, 9am (observation of Veteran's Day on 11/10)**
- b. Thursday, December 7, 7pm**

VIII. Adjournment

Mayor Zilka made a motion to adjourn, Ron Kovach second. Motion approved, 5-0.