



***COMMITTEE of the WHOLE***  
***CITY COUNCIL***

**MINUTES**  
**September 28, 2015**  
**5:00 P.M.**

**COUNCIL MEMBERS PRESENT:**

S. Marmarou, D. Sterner, D. Reed, M. Goodman-Hinnershitz, C Daubert, J. Slifko, J. Waltman

**OTHERS PRESENT:**

L. Kelleher, S. Katzenmoyer, D. Cituk, R. Johnson, C. Snyder, V. Spencer, J. Miravich, F. Lachat, D. Kersley

The Committee of the Whole meeting was called to order at 5:12 pm by Mr. Waltman.

**I. Episcopal House Pilot (Skyview Apartments)**

Mr. Kersley distributed and reviewed information about this property.

Mr. Younger arrived at this time. Mr. Lachat left the meeting at this time.

Mr. Waltman questioned if the reduction in real estate taxes was prorated over all three taxing entities. Mr. Kersley stated that it is. Ms. Snyder reminded Council that the property is currently classified as non-profit and taxes are not collected.

Mr. Marmarou stated that the City is generally the last entity contacted after the County and School District already give their approval. He stated that there is always an expectation that the City will also approve it.

Mr. Slifko questioned how HDC arrived at \$50,000. Mr. Kersley did not have this information.

Ms. Goodman-Hinnershitz questioned if the City sent a legal representative to assessment hearings. Mr. Miravich stated that he represents the School District at assessment hearings. He stated that generally there is no City representative but suggested that it consider sending one.

Ms. Goodman-Hinnershitz questioned how the City could keep assessment reductions from being granted. Mr. Slifko suggested that the City become part of the hearing process.

Mr. Waltman questioned the percentage of ownership by HDC. Mr. Kersley stated that he did not have this information.

Ms. Snyder stated that this agreement would carry until the tax credit expired.

Mr. Daubert questioned how long that would be. Mr. Kersley stated that it would be for 10 – 30 years.

Mr. Marmarou questioned the timeline. Mr. Kersley stated that HDC would like this approved as soon as possible. He stated that the City has already committed \$40,000 of CDBG funding to this project.

Ms. Snyder stated that this project is similar to the one at the 11<sup>th</sup> & Penn property.

Ms. Reed questioned the long delay between the agreement with the School District and their approach to the City. Mr. Kersley stated that they initially contacted the City in April.

Ms. Snyder reminded Council that the City does not need to do what the School District does.

Mr. Miravich stated that he did not attend this specific assessment hearing but that he would provide additional information. He stated that the School District was told that the apartments are uninhabitable and that they are not willing to invest in the property without this agreement. He recollected that the School District negotiated this agreement approximately one year ago.

Ms. Goodman-Hinnershitz stated that she has visited this property many times. She stated that it is producing income and that residents receive many City services. She also questioned how the apartments are uninhabitable as the building is nearly rented out.

Mr. Sterner stated that the property produces revenue but that there will be no increased revenue to the City. He suggested that there be a provision in the agreement for increased payments to the City over time.

Ms. Reed questioned why the City was not contacted while the School District was in negotiations. She noted the need to work together and stated that the delay was unacceptable.

Ms. Snyder stated that HDC sent the request by mail but that there have been no meetings held.

Mr. Slifko stated that over 30 years, this agreement will cost the City \$1 million.

Mr. Younger reminded all that the property is currently classified as non-profit and that the City currently collects no taxes.

Mr. Marmarou stated that he has also visited the property many times and that it is habitable. Ms. Goodman-Hinnershitz agreed.

Mr. Waltman requested that representatives of HDC meet with Council. He voiced his support of an agreement for 10 years. He stated that HDC has leveraged the City before at the 11<sup>th</sup> & Penn property and that the status has changed to for-profit. He requested HDC's financial statements.

Mr. Kersley left the meeting at this time.

## **II. Waste Water Treatment Plant Update**

Mr. Waltman announced that Council needed to enter executive session to discuss pending litigation. Council entered executive session at 5:27 pm and exited at 6:17 pm.

Mr. Miravich left the meeting at this time.

## **III. River Road Extension**

Mr. Johnson distributed maps of two options for this roadway. He explained that Option #1 runs along Windsor St and empties onto Windsor St near Ritter St. He stated that it is a steep grade for large trucks and is in a residential area. He stated that this area stays away from the contaminated areas.

Mr. Johnson explained that Option #2 runs through the contaminated areas and will require much more cut and fill. He stated that the grade will be much better for the trucks and will empty out on Windsor St near Lincoln St. He suggested that during construction, a trail head be added in this area.

Mr. Johnson stated that he recommends Option #2 and reminded Council that this is a federally funded transportation project.

Ms. Reed questioned the land acquisition required. Mr. Johnson stated that Option #2 requires only the acquisition of Windsor & Ritter playground from the School District.

Mr. Waltman questioned the contamination. He stated that once the playground area is opened it will be prime space. Mr. Johnson stated that the contamination will be capped during construction.

Mr. Waltman noted the condition of the garages along that portion of Windsor St. He stated that the auto repair business causes congestion and affects the travel lanes. Mr. Johnson stated

that this is a code and zoning issue. Ms. Snyder agreed and stated that there are several locations like this across the City.

Ms. Goodman-Hinnershitz suggested that this area be rezoned due to the new highway use. Ms. Kelleher explained that the garages would be a pre-existing non-conforming use and would be able to remain. Ms. Snyder noted the need for better enforcement.

Ms. Goodman-Hinnershitz expressed the belief this this type of garage are appearing City-wide and conditions are getting worse.

Mr. Johnson stated that he supports Option #2 and stated that it is much more appropriate for traffic.

Mr. Waltman questioned what the City would do with the rest of the land. Mr. Johnson stated that Council will be kept updated throughout the process.

Ms. Reed questioned the timeline. Mr. Johnson stated that the design will take about one year before the project is bid.

Mr. Turtell arrived at this time.

#### **IV. Agenda Review**

Mr. Waltman announced the need for Council to enter executive session regarding pending litigation. Council entered executive session at 6:30 pm and exited at 6:31 pm.

Mr. Waltman stated that one resolution will be added to this evening's consent agenda settling the recycling truck lawsuit.

Council reviewed this evening's agenda including:

- Conditional use 508 N 9<sup>th</sup> St

Mr. Spencer questioned the ingress/egress at the rear alley providing the onsite parking. Ms. Kelleher explained that the Zoning Administrator would be able to address this.

- Ordinance amending street cuts

Mr. Johnson stated that this ordinance gives the Public Works Director the authority to reject or deny street cuts. He explained that most street cut requests during colder weather are due to residents changing their heat source or for emergencies.

- Ordinance approving a lease agreement for the Hillside Playground holiday event

Mr. Daubert questioned if Mr. Profit submitted his comments on the agreement. Mr. Johnson stated that he has not.

Mr. Sterner stated that he is not comfortable authorizing the lease without the City receiving the agreement language. He suggested that this be tabled.

#### **V. 2014 External Audit**

Mr. Turtell asked if Council had any additional questions. There were no questions from Council.

Mr. Cituk explained that he would not be providing a report at the Council meeting this evening but that Mr. Turtell would make a presentation on the 2014 external audit.

The meeting adjourned at 6:40 pm.

*Respectfully Submitted by  
Linda A. Kelleher, CMC, City Clerk*