

**THE CITY OF KENT, OHIO
HEALTH AND SAFETY COMMITTEE
WED., APRIL 7, 2010**

This meeting of the Health and Safety Committee of Kent City Council was called to order on Wed., April 7, 2010 at 8:30 p.m. by John Kuhar, Chair, who explained the only item on their agenda dealt with the architectural analysis of the police station.

PRESENT: MR. AMRHEIN, MR. DELEONE, MR. FERRARA, MR. KUCHAR, MS. SHAFFER, MR. VALENTA, MS. WALLACH, AND MR. WILSON

ALSO PRESENT: J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. COPLEY, CLERK OF COUNCIL; W. LILLICH, PUBLIC SAFETY DIR.; AND J. PEACH, POLICE CHIEF

ABSENT: MR. TURNER

Dave Ruller, City Manager, introduced **William Lillich, Public Safety Director**, at this time. Mr. Lillich said the last time they addressed Council was Fall, 2008, and they were still working toward a cooperative facility. He said the University had to withdrawal and they had trouble working through a memorandum of understanding with the County, which languished for inaction. Mr. Lillich said the Administration reached out to the County, but not much more has developed.

Mr. Lillich said that in the meantime, there was a lot of apprehension about their revenues. He said they came to a disappointing decision late last year. He said the \$9 million allocated in 2009 and 2010 is not available because of the economy. He said it was dropped from the ending balance of the 2009 Plan, and not included in the 2010 year. He said that despite that decision, they knew they had serious deficiencies. He said they were aware of their concerns, but did not anticipate the magnitude of those problems. He said they felt it would take quite a lot to survive in the existing building. He said they knew they needed professional assistance to define what we could do with limited resources in terms of maintaining the existing building. Mr. Lillich said at that point, they brought Dave Sommers back in, who has done a lot of work on the new building, with his experience dating back to 1977. He said that Mr. Sommers brought Mr. Myers with him as his associate. He said their primary intention was to look at a temporary rehab of the building. He said they also took a broader approach from the City side, and operated as the administrative committee with the Fire Chief, Service Director, Engineer, and Planning Director participating. He said they realized it had a broader implication with respect to development issues, planning and maintenance issues. He said that was the charge they gave Mr. Sommers and Mr. Myers during their review. He introduced Mr. Sommers at this time.

Mr. Sommers said they have two facilities listed. He said one study was compiled at the end of February, and the second study was an analysis of additional options, completed in mid-March. He said they are looking for a recommendation on how to proceed after this point.

Mr. Sommers displayed photos of the building in the 1950s and currently. He said the old Fire Department is buried inside the existing building. Mr. Sommers said the facility study investigated the current safety building to fully understand the existing deficiencies. He said it was divided into the short term versus the long term. He said anything within two years was deemed short term, and anything up to ten years was deemed long term.

Mr. Sommers said they further divided it into base minimum deficiencies and those that were ABOVE the base minimum deficiencies.

Mr. Sommers said that base minimum deficiencies are those that are mandated, or required by an outside source, such as the Ohio Building Code, ADA, the National Life Safety Code, and the Ohio Department of Rehabilitation and Corrections.

Mr. Sommers said it included those that were deemed critical, and are a health, safety, or general welfare concern for the staff and public. He said it also included those that are essential, which are needed to operate at the minimum standards of a public safety building.

Mr. Sommers said the Above Base Minimum Deficiencies include those that are desired, which are needed to operate above minimum standards. He said it included those that are needed for efficiency, and are operation deficiencies inherent to the layout of the building. He said in this case, the staff can continue to operate, but time and energy is compromised. Mr. Sommers said the last deficiency is the pride factor, and these are those deficiencies that are primarily cosmetic in the way that the community and staff view the building.

Mr. Sommers said the existing facility is a two-story masonry structure with a partial basement. He said portions of the building date back to the 1920s with the most recent addition completed in 1977. He said that the building was the subject of two previous studies, including one in 1995 by Horne and King Architects. Mr. Sommers said he updated that report in 2000. Mr. Sommers said both studies focused on the operational layout and projections of future functionality needs.

Mr. Sommers said that twenty-five functional deficiencies were identified and discussed in the studies. He said one has been resolved; five have had minor improvements; and nineteen are unresolved. He reminded them this goes back fifteen years.

Mr. Sommers said the physical deficiencies are addressed in the Facility Study. Mr. Sommers said that parking is a deficiency, and occasionally, Walgreen's parking lot is used. He said the City has a casual agreement for overflow parking, which can be dissolved at any time, depending on Walgreen's management. He said it is located on the South Gateway to the downtown, as defined by the Bicentennial Plan done a few years ago. He said this location is one of four gateways.

Mr. Sommers said the site is undersized and very congested. He said an additional seventy parking spaces are needed, and thirty-six should be covered from the weather for the police vehicles. He said it lacks an easily identifiable main entrance with direct access.

Mr. Sommers said that both entries meeting the minimum ADA requirements. He said they need an ADA accessible path to all major building functions. He said all of the doors are non compliant, adding that most of the bathrooms are two small with level changes throughout the building.

Mr. Sommers said the functional deficiencies were analyzed in depth in previous studies. He said the jail is woefully undersized by today's standards, adding this means fully renovating the existing jail, with the addition of 4100 square feet. He said they also have an immediate need of 1000 square feet for an expanded dispatch area.

Mr. Sommers said they looked at the physical deficiencies. He said the interior finishes are worn, aged, and past their useful life.

Mr. Sommers reviewed the outside of the building, known as the building envelope, at this time. He said the chimney is deteriorating and cracked. He displayed a picture, adding that condition was typical for all four sides of the chimney. He said the mortar is deteriorating, and they need tuck pointing in many places. Mr. Sommers said that only 26% of the occupied spaces have natural light, while LEED certifications require 80% having natural light. Mr. Sommers said the roof needs a total replacement, and has rusted through the deck. He said there are a few places with large holes.

Mr. Sommers displayed a brief video of the roof at this time. He showed the "miserable" shape of the shingled roof, where it is cupping and missing shingles. He said the water gets under the duct work, freezes and thaws, resulting in more repairs. He said the duct work should be on the inside of the building, and is in miserable shape. Mr. Sommers said if it is removed so they can replace the roof, it would probably fall apart. Mr. Sommers displayed a pocket where the duct work goes into the building.

Mr. Sommers showed the south side of the chimney, adding their solution is to remove about four feet and to run a metal flue thru it. He showed more flashing and more HVAC units, with more gas piping. He said everything would have to be removed from the roof, and there would be no heat, air conditioning, or gas when that occurs. He said there is a total of eight units on the roof.

Mr. Sommers said the HVAC system is in miserable shape, very inadequate, and beyond its useful life. He said the study indicates that two larger units with zones were needed, rather than eight units. He said there would be less roof penetration, and it would be better for the roof. Mr. Sommers said the plumbing system is barely adequate, with some problems existing. He said the entire building does not meet the current electrical and fire alarm codes.

Mr. Sommers summarized that the Police Department has outgrown the existing Kent Safety Building. He said the original construction type, age of building, and site constraints make remodeling problematic and expensive.

Mr. Sommers said the renovations are further diminished because it still will not function 100% if they use the existing building structure.

Mr. Sommers said they are looking at a construction cost of about \$7.5 million, which is associated with mandated, critical, or essential deficiencies. He said they are looking at a construction cost of about \$5.2 million additional to handle the desired, efficiency, or pride deficiencies. Mr. Sommers said the total construction cost associated with correcting all of the deficiencies is \$12.65 million.

Mr. Sommers said their opinion for a new police station, including the jail, parking, and additional surface parking ranges between \$12.5 million to \$14.5 million. He said it is their opinion that the renovation project of \$12.65 million is not economical.

Mr. Ferrara asked if that included site acquisition costs, and Mr. Sommers said it includes site acquisition, professional fees, demolition costs, and a 15% contingency.

Mr. Sommers said this study recommended further investigations on what other options might be available.

Mr. Myers said their task was to analyze the existing building. He said the numbers pointed to it being uneconomical to renovate. He said they looked at several attributes, not just cost. Mr. Myers said this type of approach determines what best serves Kent, adding a recommendation from Council is needed on which option to proceed.

Mr. Myers said they did detailed investigations on four options. He said those options were renovation of the existing facility, correcting the base minimum deficiencies; renovation of the existing facility correcting the above base minimum deficiencies; a new facility and jail at a remote/different location; and a new facility and jail within the current vicinity in what is known as the Kent Civic Center.

Mr. Myers said they used eleven attributes to determine which option best serves the City. He said those attributes were the Gateway, and how close to the downtown. He said it included the proximity to the County Courthouse. Mr. Myers said they did not rate this one as they do not know where it will be located. Mr. Myers said they looked at the Kent Civic Campus, and the initial cost. He said they looked at the life expectancy of a facility and the operation and maintenance costs. Mr. Myers said other attributes included the temporary relocation of the safety force's staff, site acquisition, operational functionality, once complete, code compliance, and LEED accreditation.

Mr. Myers said the four options were rated, relative to one and another. He said they were rated with ratings of positive, negative, or neutral. He said the Kent Civic Center received a positive rating because of its proximity to the other City offices. Mr. Myers said if they renovated the existing building, it would still be near the other offices. He said that the renovation above the base minimum received a positive rating,

while a remote location, which may not be near other facilities was a negative rating. He said a new building at the same location would be positive.

Ms. Shaffer asked if the remote location could be anywhere, and Mr. Myers said there were numerous possibilities. Ms. Shaffer asked if it could be across the street, and Mr. Myers said that would be option #4, as it would be in a close proximity. He said a remote location would be ½ mile or greater.

Mr. Myers provided an executive recommendation of the second study. He said that eleven quality attributes are subjective, and some could be weighted higher. He said they did this to eliminate an in-depth feasibility study for each option. Mr. Myers said that the results should not differ significantly, and they suggested Kent should move forward with the design/ construction of new Kent Safety Building at the Kent Civic Center.

Mr. Myers said a recommendation from Council is needed at this time.

Mayor Fiala said it does not matter whether they build or remodel, if they still need to relocate the Police Department. Mr. Myers said if they build on a remote location, that cost would be negated. He said the costs of relocation are not included.

Mr. Valenta asked the life expectancy for a renovation, and Mr. Myers said if they do the above base minimum renovations, it would be fifteen to twenty years, adding that is how long it will last without a major renovation. He said the expectancy for a new building would be thirty to forty years. Mr. Myers said buildings are lasting for a lesser amount of time because of the technology. Mr. Sommers agreed, adding they are becoming functionally obsolete, adding that means they are still functioning with no efficiency.

Mr. Ferrara asked what they see for funding, adding it is an issue of the cost. Mr. Ruller said he wanted to give them a better sense of the basic options. He said that depending on their preferences, they would return on the next committee night with some analysis of the funding. He said they do not have a lot of money to use, so it will take a fair amount of creativity and resourcefulness to make it doable. He said they wanted to start as early as possible so they have as much time as needed to work through the issues. He said they would return with options. Mr. Ruller said in the capital plan, they planned to bond the project. He said there are a variety of methods, but none are cheap.

Mr. Wilson asked if they rebuild at the current location or do the renovation where they will get the seventy parking spaces, and Mr. Myers said they will need additional land either way. He said that all four options require more parking.

Mr. Ferrara asked where they came up a need for seventy extra parking spaces, and Mr. Lillich said it is based on the practical adequacies. He said they have meetings regularly, and invite people to the building, adding there is no where to park. He said the fire station uses parking all over when they have training, and may need to continue to do that. He said their parking is wholly inadequate, and meets none of their planning codes. He said once they get some direction, they will begin looking at various sites, what it would take to relocate, and that cost. He said it is their intention to have some of that information back by the time they consider next year's capital plan.

Ms. Wallach asked how often they are meeting to need overflow parking, and Mr. Lillich said they have had three meetings in the last two weeks. **Jim Peach, Police Chief**, said they had at least twenty meetings in the last year on different levels. He said they knew in 1995 that something should be done.

Ms. Wallach said she thought it had already been decided that a new building would be built, and asked if that was the case because the University and County were involved, and Mr. Lillich said it is a totally different economic situation, which forced them to take a different and more in depth analysis about their specific needs. He said at that time, the presumption was that they would issue some bonds for \$9 million. Mr. Lillich said they had to give it more in-depth thinking, because they felt the voters in Kent demanded that of them. He said they were shocked to see the base minimum needs cost. He noted that when they added some of the efficiency needs, they approached the level of a new building. He said they

asked what they can do to continue to function, and the answer evolved as they did more and more analysis.

Ms. Wallach said she thought the decision had already been made to get a new building, and the problem was funding. Mr. Lillich said a decision was made for a new building, but when funding opportunity evaporated, they had to look at other alternatives. He said they have seen the inside of the building. He said they have one estimate to fix the roof that is \$200,000. He said they would have to relocate the officers from the building, as the second floor would be wide open. Mr. Lillich said they had one estimate for HVAC equipment of about \$700,000. He said they did not anticipate those needs, but were forced to consider them during the winter when half of the roof collapsed on a Sunday morning. He said they did not choose to come up with the idea of a new building, adding their analysis led them in that direction.

Mr. Silver said there are parking problems. He said that he periodically rides with the police, and inevitably, he cannot find a parking space. He said when someone is picking up someone who has been arrested, they have no idea where to go. He said the building does not work when it comes to functionality to the public. He said there are regular issues with parking just because of the employees.

Ms. Wallach said they spoke of short term and long term deficiencies, and she said she was trying to see where they were separated. Mr. Myers said in the first facility report, each was described in great detail. He said he did not go through those specifically for this meeting.

Mr. Kuhar asked Mr. Ruller his recommendation at this time. Mr. Ruller said they did not want to make any assumptions. He said when they were talking about a joint facility, they were talking about a joint facility with shared costs. He said there have been a number of discussions, adding they have had a hard time to try and make this a priority financially. He said they did their due diligence in interim steps. Mr. Ruller said they know there are development projects on the horizon that should help their tax base. He said they were looking to buying themselves some time, but it appeared that renovations were as expensive as a new building. He said this is something they cannot ignore, adding they have been pushing it off. He said it has been on the books.

Mr. Ruller said they have a woefully small jail, which is regulated by state standards, and they are not in compliance. He said if their violations become a concern to the State, they could have to do some different handling of someone who needs to be incarcerated. He said that something could go wrong in the facility that we do not want to see happen, and with the current situation, that can happen. Mr. Ruller said he realized they have bad finances as they try to resolve the problem. He suggested they go forward with the new building concept, adding they could come up with better numbers to put something together that is doable financially. Mr. Ruller said it all comes down to the dollars, and how they can afford to do it with the resources and the political climate. Mr. Ruller said the County has a dedicated stream for a new courthouse. He said that even with that designated stream, they can see the push back in the community. Mr. Ruller said they are sensitive, adding they have stretched it as far as they can. He said they wanted to prove there was not a cheaper interim step, adding they did not confer on a recommendation.

Mr. Lillich said the building of a new facility is the recommendation that presents itself. He said they assume the Committee would want some funding alternatives as well. Chair Kuhar suggested they look at several locations also. Mr. Lillich said they have to be more definitive, adding it gets into a lot more analysis, investigation, and expense, as part of the further examination. He said they are following planning documents from four years earlier, which are part of the recommendation. He said they can provide more detail at other locations, if they wish. He said when they began years ago, they had six or seven locations they reviewed. He said to do the level of analysis they are talking about at this time would cost more.

Ms. Shaffer asked where they would house them if something happened to the building now, adding she wanted to know how they would create a temporary place to ride out the hard times, while planning for the building they really want. Mr. Lillich said that could be considered. He said it is not like moving a store downtown that has a broken water line. He said these are special types of facilities, and when an architect does an estimate, it is done by the use of specific areas, not square feet. He said it gets more complex.

Mr. Lillich said to do a temporary relocation is a dynamic cost. He deferred to the Police Chief at this time.

Chief Peach said they are really cognizant of the financial issues, adding they were aware of them in 1995 and in 2000. He said they have found some revealing and scary things taking place. He said they have concerns that the rusted ventilation system on the roof, which is their major air supply, goes into the air intake. He said they have lead pipes in some restrooms, built in 1922, that are rusting through. He said when they look at the ceiling, they can see the metal decking rusting through. He said it was brought to his attention the previous week, that the rusting was through the floor into the Detective Bureau's foyer. Chief Peach said when the dropped ceiling fell, they could see that the retaining wire rusted through. He said they are seeing things that are a health hazard and are progressing. He said they are looking at two to three years before they actualize a facility. He said if they stay, they have to take off the roof, and everyone on the second floor would have to vacate, including the administration and the entire patrol division.

Chief Peach said he has spoke with some other departments previously, who had the same dilemma. He said they hired out trailers and other items on interim basis, for about 2.5 years. He said none had Kent's dynamics, including the arrests, problems, and volatile environment. He said about fifteen years ago, other departments spent approximately \$250,000 annually for temporary facilities. He said it is an option, but questioned if they want to do that. He said it looks good on the surface, but in terms of practicality, the problems are insurmountable. Chief Peach said they need to know what plan so it takes no longer than four years. He said they need direction.

Mr. Ferrara said he did not think there was a question about the need for a new building. He said the question is if they spend short term money to be sure it is the best possible option. He said they need to know the main project was the best one. Mr. Ferrara said about eight years ago, they heard about a joint facility for fire and police. He said he is not placing any blame, but they do not have the option with the way they built the fire department. Mr. Ferrara said he would rather spend monies on a temporary location so they know what is the best method.

Chief Peach said they need to know the option so they have some sense of direction. He said they do not want to wait more than four years. Mr. Ferrara said they do not want to be put into the position to say it is the best position to find out that is not true in four years. He said the Crain Avenue bridge was to cost \$4 million, and that became \$16 million. He said if they hear it is \$12 million, then it will end up being \$20 million. Mr. Ferrara said the planning process and research is critical.

Chief Peach agreed with Mr. Ferrara. He said it is always about what is best for the community in the long term.

Mr. Myers said they spent a lot of hours in the matrix, and looked at other sites. He said the cost is a big issue, adding there are other attributes that point in that direction. He said if it were just about the cost, they could do minimal renovation. He said they can either spend \$12 million to renovate or to build a new one. He said they could spend another year analyzing the options, but this would be the best option, and that was proven through the Bicentennial Plan.

Mr. Ferrara said the question is where, not why or if, adding the next step is the location. He said he sees no merit to go one mile north or south. He said they need to prove that, though, so they can tell people they have explored all of their options. Mr. Ferrara said he was not disagreeing, but they need to be able to say the location they pick is the right one.

Mr. Lillich said their apprehension was understood and anticipated. He said they are trying to simplify things to make the decision easier. He said if they want them to analyze four to six more remote locations, it can be done.

Mr. Ruller suggested they have more detail on remote locations or the civic center location for a new building. Mr. Ferrara agreed, adding that any renovation would be good dollars after bad. He said the question is the location, adding they need to prove their decision is the best for all for the right reasons.

He said they have to keep their options open so they can say they looked at everything. He said then they can say why they know it is the best option.

Mr. Lillich asked how much detailed cost analysis he would want associated with each option. He said they need to know how long it would take to develop the materials, and the cost to them in term of the experts' time and energy to develop the input. Mr. Ferrara said he does not have that answer, adding he did not want them to chase their tail. He said, as an example, some mentioned the Topps building. He said they need to know why that does not work. Mr. Ruller said they had seven preliminary locations, including Topps. He said some were complex, like Topps, with owner/occupancy issues and it might take time. He said they were not anxious to talk previously.

Mr. Ferrara said he did not want to speak for Council, but would like them to substantiate their reasons without spending a lot of resources. He said he would like to see the options and why they were included or excluded.

Mr. Fiala said they are all sensitive to the cost of the taxpayers, and asks what happens if they have a catastrophe or if the roof falls in. Mr. Ferrara said he knows money is tight, but they have to make a decision. He said if they nickel and dime the building, they will still have nothing. He said the decision is what they can do for the resident of Kent. He said the longer they let it go, the tighter the money will become.

Mr. Kuhar asked if they looked at property north of this facility, as well as the vacant land at the intersection of SR 261 and SR 43, and Mr. Lillich said they have looked at both of them.

Mr. Wilson said he has heard about this for fifteen years, adding the building is falling to the group. He said they have no option but to build a new building, adding he was sure everyone would agree. Mr. Wilson said they are spending a ton of time, energy, and money revitalizing the downtown. He said to say they do not want it downtown makes him unhappy. He said they need to stay in the Kent Civic Center area, adding he considers that downtown. He said he can think of a few locations where it could be. Mr. Wilson said the police would have quick, easy access for transporting prisoners. He said they need to be downtown.

Mr. Kuhar said they are back to the "where" part of the discussion.

Mr. Valenta said he agreed with Mr. Wilson's comments. He said if they move it away from its current location, response times for accidents and problems are limited. He said their downtown is centrally located to all areas of the community. Mr. Valenta said he did not want to see them increase the wait times. He said he would hate to have the police on the south end of town, adding it is not fair to the constituents to put it on one side or the other.

Ms. Wallach said that no one is disagreeing with the downtown, but want the reasons why it will not go in another location. She said they need it in writing so they can tell their constituents. She said they need facts, such as certain locations limiting the response time. Ms. Wallach said they just want to find out the problems with the other location. Ms. Wallach said they have done the studies, and now they just want the information.

Mr. Lillich said if they do not want the financial information, but just want the positive or negative to each location, he could bring that back the following month. Mr. Myers said they could do something similar to the matrix, and used response time as one of the attributes. Ms. Wallach commented that it is a "big thing" for their residents.

Mayor Fiala asked if studies were done on the location of the new fire department, and Mr. Lillich said there was some analysis. Mayor Fiala asked if this was any different, and Mr. Lillich said it was a little bit different. He said that a majority of the fire calls are responses generated from the station. He said in the case of the police, they try to minimize the amount of time they respond from the station. He said they hope to have them on the street. Mr. Lillich said because of their activity level, it does not happen as long

as they like. He said that some of them have heard him talk about the allocation of work assignments to personnel. He said they would like to have their patrol personnel doing nothing for 35% to 45% of the time. He said when they are bogged down doing reports, processing and other administrative duties, they are not protecting the citizens. Mr. Lillich said they want the police driving around, waving to people, being public, adding that is what they strive for. He said the location of a police department is not quite as critical, adding it is a convenience.

Mr. Wilson commented that one negative about the old Topps store is that people do not want to live next to a twenty-four hour operation. He said it is situated closely to a neighborhood.

Ms. Shaffer asked if a new building would be about the same square footage or larger, and Mr. Lillich said it is larger. He said the square footage is inadequate in the current facility. He said the size is driven by architectural standards.

Mr. Sommers said the current square footage is 20,000, and the new one would be about 31,000 square feet.

Mr. Ruller said his understanding is they are talking about a new building, and they need to come back with any analysis already done on various sites related to relocating this new building. He said he would be happy to share that, and bring it forward. He said if they want further analysis, he would be happy to do that. He said they are looking at progressing to a point. Mr. Ruller said they know this is a challenging issue, and they wanted to get the conversation going. He said he has enough to work with them, and return in May. He said they hoped Council will be able to give them another step or two so they can put together a scope of work. He said they did not talk about the current funding stream they are using for the architectural services, and Mr. Lillich said it is sufficient to go the next few steps. He said the allocation was \$300,000 for planning in 2008, and some of that has gone to substantial maintenance to keep it functioning.

Mr. Ruller said they have enough to get them through May and to come back with minor refinements. He said if they proceed, they will have to revisit the issue of the allocation of funds.

Mr. Lillich said he understands that the renovation options are off the table. He said they are interested in locating a new facility, and the issue is the options for a new facility, and what will each take to be viable.

Mr. Kuhar said he mentioned the area to the north of them, as there are residential properties that could be purchased cheaper. He said they would be able to face the building toward the new development. Mr. Lillich said a few other options are closely associated to this building.

There was no audience comment at this time.

MOTION TO PROCEED WITH FURTHER DISCUSSION ON THE REMOTE LOCATIONS OR THE KENT CIVIC CENTER LOCATION FOR A NEW BUILDING.

Motion made by Mr. Valenta, seconded by Mr. Wilson.

Mr. Ferrara said they would have more support if they focus on the issues instead of the jail. He said that 99% of their citizens could care less about the jail.

The motion carried by a voice vote of 8-0.

Hearing no further business before this Committee, Chair Kuhar adjourned this meeting at 9:43 p.m.

ACTION RECOMMENDED:

- 1) **TO PROCEED WITH FURTHER DISCUSSION ON THE REMOTE LOCATIONS OR THE KENT CIVIC CENTER LOCATION FOR A NEW BUILDING.**