

**THE CITY OF KENT, OHIO  
HEALTH & SAFETY COMMITTEE  
WED., MAY 16, 2007**

This meeting of the Health & Safety Committee of Kent City Council was called to order by Carrie Gavrilloff, Chair, on Wed., May 16, 2007 at 7:41 p.m.

**PRESENT: MR. BARGERSTOCK, MR. DELEONE, MR. FERRARA, MS. GAVRILOFF, MR. HAWKSLEY, MR. KUCHAR, MS. OSWITCH, MR. SCHULTZ, AND MR. WILSON**

**ALSO PRESENT: D. RULLER, CITY MANAGER; J. FENDER, MAYOR; J. SILVER, LAW DIRECTOR; W. LILLICH, SAFETY DIRECTOR; G. ROBERTS, SERVICE DIRECTOR; AND L. COPLEY, CLERK OF COUNCIL**

Ms. Gavrilloff said they would be discussing parking on the Main Street bridge, and the issue of parking on Main Street, between Gougler and Mantua Streets.

**DAVE RULLER, CITY MANAGER**, explained the parking was done on an experimental basis, adding this was in process prior to his arrival in Kent. He said that he shared with them, in his packet, the minutes of how they got to where they are at this time. He said it had to do with requests from the business community to expand parking opportunities. He said there was also a good discussion in the minutes on the safety and aesthetic issues, adding they have made modifications as to how things worked or did not work. He said that between Mr. Lillich, Mr. Roberts, and himself, they can discuss some of the issues. At this time, he asked **Gene Roberts, Service Director**, to discuss whether they are having safety issues. He said that Mr. Roberts has reviewed that information. He said to him, the bottom line for him is that this is a business economic development issue. He said that from their own discussions, he knows that economic development is their top priority. He said that similar to what they did to help Toyota, the staff recommendation is to keep this in place, giving staff the permission to do it right. He said they would like to improve its appearance, when the County does maintenance on the bridge. He said they wished to design something that keeps with the aesthetic appearance and consistent with the corridor.

Mr. Roberts said they looked at the crash rate relative to their improvement on the Main Street bridge. He said in the area from the railroad tracks to Gougler Avenue, there were seven accidents that were reported. He said that four of them struck the island. He said two were rear end collisions outside of the parking area. He said the third accident was when the crossing gate dropped down, inappropriately, and hit a truck, which is unrelated to anything roadway wise. Mr. Roberts said of the four accidents involved the fixed structure of the raised islands, three occurred between 3:00 a.m. to 4:30 a.m. He suggested there may have been some distraction for that to happen. He said the fourth accident was at 7:10 a.m., adding it hit the first and second island. He said that not all accidents were reported, adding he can venture a guess why some were not reported.

Mr. Roberts said they analyzed, relative to the previous data available from AMATS, for the period of 2003 through 2005. He said there were twelve accidents from the Mantua Street intersection, down to Water Street. He said it is a bigger area than they discussed with their seven accident data figures. He said they did have one accident that was not reported, adding it was a pedestrian accident at the intersection of Water Street and Main Street. He said that their analysis showed eight accidents, while AMATS reported 12 accidents. He said they are looking at about four accidents per year in that section, adding they are not seeing a gross increase relative to the parking. He said, however, that four of those accidents had to do with striking the island. He asked if there was another curb, parked car, or pedestrian, if they would be hit, adding he could not venture to guess.

Mr. Roberts said they also reviewed traffic counts on the bridge. He said in an AMATS report from 2003 through 2005, they reported 5900 cars used that section of pavement. He said, however, on another report, they listed 10,390 cars that use that stretch on a daily basis. He said they had their consultant who is doing the citywide signal study do a count, and they came up with 10,360. Mr. Roberts said he felt

it was fair to say that approximately 10,000 cars use that area daily.

Ms. Oswitch asked how many different items have been placed on the bridge, since this experiment began, and their cost. She said she knew there was time spent collecting the items from the river also. She asked if they are using the items elsewhere at this time.

Mr. Roberts said he did not have the dollar amounts, adding in the first year, with angle parking, they put up cones. He said they spent a great deal of time retrieving them from the river. He said they went to smaller barricades, which also ended up in the river. He said they used larger barricades filled with water. Mr. Roberts said he compared the actual cost of the labor and lost cones, and found it was actually a few cents cheaper putting down the asphalt. He said when they painted it was when the accidents began. Mr. Roberts said they put shorter traffic barrels that were in the driver's line of sight. He said that for whatever reason, regardless of the amount of epoxy used, the items were thrown in the river. He said the only alternative was not as aesthetically pleasing, and they put in the arrow reflector. He said he would defer to Mr. Lillich on the number of accidents since that time, and **William Lillich, Safety Director**, said they had one in January.

Ms. Oswitch said that since all of those experiments, they parked a city vehicle next to the barrier. Mr. Roberts said when the glued-down barrels were pulled off, they were concerned that there would be no way to see it, and parked the car. Ms. Oswitch said there is now a sign that says "Road Construction Ahead," and Mr. Hawksley commented there is construction in front of the library. Ms. Oswitch asked if they are using any of the other items that had been purchased, and Mr. Roberts said they will be used during the construction season. He said those items were purchased as a long term investment, so they did not lose anything.

Mr. Fender noted that every accident is bad, but eight accidents out of 10,000 cars seems fairly safe. Mr. Roberts said it is actually eight accidents out of 20,000 cars, or 3.5 accidents per year. Mr. Fender asked if there any negative comments from the safety forces, and Mr. Roberts said he had not heard any. He said they had some concerns when the cones were pulled up and no one could see the island. Mr. Fender asked if they had jaywalking problems, and Mr. Roberts said he was unaware of any. Mr. Fender asked about backup problems, and Mr. Roberts said in terms of cars traveling eastbound, there is no difference. He said with the westbound traffic, with three cars wanting to continue up the hill, the fourth car is prevented from making a right turn. He said that decreases the efficiency. Mr. Fender suggested people may use state routes to avoid backups, and Mr. Roberts said that was a good possibility.

Mr. Fender asked if Mr. Roberts is those fifteen spaces have encouraged economic development, and Mr. Roberts said he could not answer that question. He said that there are certain times in the day where cars are always parked in those spaces. He said it has become primary parking for people who walk along the Cuyahoga River, especially on the weekend.

Mr. Wilson asked where the water goes that runs off the bridge, and Mr. Roberts said it travels to the catch basins on each end of the bridge, into the Cuyahoga River. Mr. Wilson said a car leaking gas or oil could cause gas or oil to go into the catch basin, and Mr. Roberts said that could also happen on Water and/or Main Streets.

Ms. Oswitch said there is often a backup all the way up to Willow Street for the westbound lane. She asked when the traffic signalization will be complete, adding that events like DICE and the Folk Festival cause a lot of traffic. Mr. Roberts said it would be 2009 or 2010. He said there is a remote possibility they can stretch the dollars on the Crain Avenue bridge to pick up that intersection. Mr. Roberts said when the Triangle Project was built, conduits were already installed, adding that is the expensive part.

Ms. Oswitch said it was mentioned that the County will do maintenance in the next few years, and they can change the aesthetics. Mr. Ruller said they do not know when they are coming to do the work, but as they finish it, the Administration will return with a better design that is more aesthetically pleasing.

Mr. Ruller said with respect to questions on traffic flow, there are a few things to keep in mind. He said

whether it is good or bad, Haymaker Parkway functions as a bypass around the downtown. He said that the concern of the traffic flow would be greater if they did not have the Haymaker Parkway. Mr. Ruller said they want an environment that is pedestrian friendly. He said with Haymaker, there is a reasonable option for those people not wishing to stop.

Mr. Ruller said that during the evening rush hour, as things get tight downtown, people approach him and say that they cannot turn right anymore as quickly as they used to. He said it may be true in the off-peak, but during the peak, people are constrained to make the turn because of traffic "hung up" because of the lights on SR 43.

Mr. Ruller said the whole design of the Fairchild Avenue bridge project was intended to capture traffic coming into town, diverting it up Water Street. He said he anticipated that bridge would reroute a number of the people who have concerns.

Mr. Ruller said the Clerk received letters from business owners about keeping the parking, adding he hoped they received all of those letters. He said the question as to whether or not this has assisted their economic development should be answered in the affirmative.

Mr. Schultz said at the current time, the first floor of the old Bissler Building is full, and the upstairs is empty. He asked if there was any parking capacity, other than the bridge. Mr. Ruller said recently, he received a letter from the tenants who have said they have a deficit of approximately fifty spaces. He said the Administration has worked with the Library Board with respect to renting spaces. He said they have also talked about some spaces around the Masonic Temple. He said that Gary Locke, who is out of town, is their lead staff person on the parking issues, but specifically had a conversation about parking. He said if they take away the Masonic Temple parking, they would further constrain the parking issue. He said one of the people who wrote the letter about their parking frustration is present. Mr. Schultz asked if he felt that parking on the bridge is essential, and Mr. Ruller said that is how it is expressed to him.

Mr. Bargerstock asked if the Administration is recommending they keep the parking "as is," and Mr. Ruller asked if that is their recommendation. Mr. Bargerstock asked if the KentFest Committee was involved in this in anyway, adding that was the only question that might change the vote.

Mr. Wilson said he received a letter from **James Williams, 1087 Gardenview Street**. He said this was sent while Mayor Fender was out of town in February. He gave the letter to the Clerk at this time, adding that Mr. Williams is against parking on the bridge.

**Doug Fuller:** Mr. Fuller submitted letters from three of the tenants in the West River Place aa the old Bissler building. He said they took on the building as a project many yeas ago, knowing that parking would be a problem. He said he is not present to tell them something they did not already know. He said he was asking for their help, however, with the creation of parking in downtown Kent. He said this facilitates business growth.

Mr. Fuller said that they have 40% of their space still available. He said that Butler Wick, Wachovia, and the Center for Healthy Aging all sent letters supporting the current parking. He said the Marine Corp. is also in the building, but where not available when he went to the building looking for support. He said that the major space users in the building sent letters. He said they have lost a number of clients because they did not have enough parking. He said the good news was that there are a lot of companies that want to be in Kent. He said they are looking for quality space in Kent, adding he would like to think their building is quality. Mr. Fuller said he did not know where they went, but did not think they were in Kent.

Mr. Fuller said the City has done a good job trying to assist, and secured parking behind the Township hall, the First Christian Church, and the Masonic Temple. He said they live in Small Town America, and people want to park at the front door of a building, unlike Akron or Cleveland where people will walk one-half mile from their car to their job. He said that anything the City can do to help would be appreciated.

He said he wished to lend his own personal feelings that the current work is not aesthetic. He suggested a more permanent arrangement could be better looking and safer. He said there are four concrete planters in front of the old Bissler Building, and no one has thrown them in the river. He said they need something more aesthetic and of more substance that will look good and allow for parking in the area for businesses and recreation.

**Shawn Martin, member, Chamber of Commerce:** Mr. Martin said he is very interested in seeing the parking continue, adding that parking has always been a challenge in the central business district. He said that the fourteen or fifteen spaces on the bridge have caught a lot of attention, adding his business is just around the corner and he got a good feeling for how it is working. He said the Chamber would like to see it stay in place. He said the aesthetics can be improved when permanent.

Mr. Martin said they can put up aesthetic barriers that prevent accidents, but will also add to the historical nature of the downtown. He said Mr. Smith submitted a letter, where he queried ten or fifteen businesses, adding there were positive comments about retaining the spaces as it is difficult to find permanent parking in the district. He asked that they keep the spaces in place.

**Carl Picelle:** Mr. Picelle said he would not take much time, as they know what to do. He said proximity parking is needed. He said several of his clientele park on the bridge, and find it easier than to park behind Woodsy's when there is a lot of snow. He supported retaining the parking, and urged the City to come up with a solution for the aesthetics. He said if it is done right, it will look right and function properly.

**John Bard, 435 Francis St:** Mr. Bard said there is no one that does not know how he feels. He said it is a historical downtown, adding he grew up in it and loved it. Mr. Bard said he has watched the John Brown Tannery be leveled, and the Kent's family home leveled the previous year for the library. He said the Christian Science Church was leveled, despite efforts to preserve it. He said Council members say the lot is full, but when he leaves on Wednesday nights, the parking spaces on Depeyster Street are totally empty from Haymaker to Main. He said the bridge is full on Wednesday nights, but when the bars are closed the bridge is mostly empty.

Mr. Bard said he was present when they wanted to do this. He said a physical therapist wanted his offices in that area, and they needed space. He said the physical therapist did not materialize in Kent. He said he watched snow removal the previous year, adding they cannot push it on the sidewalk, and end up using a bobcat to dig it out and put it on the trucks. He said it is costing more for snow removal, adding that some costs are not being mentioned. He said they may need some different parking, but this "grand old lady of a bridge" does not need to be abused.

Mr. Bard said in the last twenty years, a car jumped the curb, killed a man, and a baby was knocked into the dam pool. He said there is no dam pool now, so they would have had two deaths. He said there were a lot of things that have changed. He said with "bigger architectural things," it will be harder to clean out the snow. He said if someone is making a left on Franklin, the other cars cannot get around and traffic is backing up. He said it may be alleviated with "No Left Turn" on Franklin, but he is sure someone wants a left turn. He said Kent will always have a parking problem. He said the out of town people do not know where to park, adding they are also worried about convenience. Mr. Bard suggested the Home Savings park could be used for parking, but the bridge should not be a parking deck. He asked if they plan on having parking on the Fairchild Bridge, and suggested a seven-lane bridge, instead of five lanes.

Hearing no further audience comment, Chair Gavrilloff returned to the Committee at this time.

**MOTION TO APPROVE THE ADMINISTRATION'S RECOMMENDATIONS, TO KEEP PARKING ON THE BRIDGE, WITH A GOOD DESIGN THAT IS AESTHETICALLY PLEASING FOR THE BARRIERS.**

Motion made by Mr. Hawksley, seconded by Mr. Ferrara.

Mr. Bargerstock said he has listened to the comments, and has some of his own opinions. He said he would not discount the aesthetic issues, adding he was sure it was emotional for some. He said this is good for the

community. Mr. Bargerstock said he was not enamored with what was done in the West River neighborhood, but felt this was good for the community of the whole. He said there are no safety issues.

Mr. Bargerstock said there were some problems, adding that the Engineer has done a wonderful job alleviating them. He said he hoped the permanent solution would look better. Mr. Bargerstock said this would irritate the people, but they would be punishing people if they remove the parking. He said the downtown businesses have found it useful, and it is used on the weekends.

Mr. Kuhar said he felt the parking was one of the most ridiculous things. He said it was terrible and dangerous, and felt it had progressively gotten better. He said it is ugly, slows up the traffic, and is a nightmare. He said it does not matter what he thinks. He said he sees people going to the park by the river, while others go to the bars. He said he does not go to the bars, but they are a big part of Kent's economy. He said he cannot disallow why people parking on the bridge.

Mr. Kuhar said he received an overwhelming number of emails over the last week, supporting the parking. He said he thought the Chamber offered to help beautify the bridge. He said it would not cost the City money. Mr. Kuhar said he did not receive an email speaking against parking on the bridge, and will support the motion. He said their purpose is serving people and protecting their interest.

Ms. Oswitch said she cannot support the motion. She said she never has a problem finding a place to park in downtown Kent, adding it is not big enough to have that problem. She said she has never parked on the bridge, as she thinks it is wrong. She said she does not understand how people cannot find parking spaces, adding there is always parking available.

Ms. Oswitch said they do not want people to drink and drive, but are giving them the opportunity to park just outside of the bars. She said it is a safety issue, and all it takes is one car. Ms. Oswitch said the traffic has to move, adding time is valuable. She said she could not support it.

Mr. Wilson said he still was not going to support parking on the bridge. He said if Kent had a parking problem, the First Federal lot would be packed. He said it is never packed, even during the day, adding they may not be advertising it right. He said they do not need to park on the bridge. Mr. Wilson said he has had the chance to broadside people on the bridge twice, adding one wrote a letter they received supporting the parking. He said if he had broadsided that individual, he is sure he would have changed his mind. Mr. Wilson said they are going to run out of options. He said if they do not have enough parking now, they do not have a chance if they get a complex to develop. Mr. Wilson said they would be better served with a ten story parking deck, if we cannot handle the parking now.

Mayor Fender asked to speak, and Chair Gavrilloff told him he was unable to speak at that time. He said he remembered changes made to the rules to allow him to speak. The Clerk said the Standing Rules were changed, allowing him to speak prior to a motion, during Committee meetings. She noted that the Mayor missed that opportunity to speak, and with a motion on the floor, he was unable to speak.

The motion carried by a voice vote of 6-2-1, with Mr. Wilson and Ms. Oswitch dissenting. Ms. Gavrilloff abstained.

Ms. Gavrilloff said the next issue on their agenda dealt with discussion on the old hotel.

Mr. Ferrara said they have been asked to move into Executive Session for this discussion, but the owner of the hotel, Greg Vilks, is present. He cannot come into Executive Session, but wanted to make comments in terms of an update.

**MOTION TO ALLOW Mr. VILKS TO SPEAK TO COMMITTEE AT THIS TIME.**

Motion made by Mr. Ferrara, seconded by Mr. Bargerstock, and carried by a voice vote of 8-0-1, with Ms. Gavrilloff abstaining.

Mr. Wilson asked if they were going to speak about parking on Main Street, between Water and Gougler, or if

they handled it with the last discussion. Ms. Gavriloff said no one spoke about it.

**Mr. Vilk:** Mr. Vilk said he wanted to speak personally with each Council representative while doing his building demolition so they could do their own evaluation. He said the last time he was present, he made some promises to them. He acknowledged that the building's roof had been removed and replaced with a new roofing system. He said the facade was in question of potential hazards, and has been repaired. He said it was a simple repair, lasting about forty-five minutes. He said he just finished the interior demo on every floor from the basement up. He said the only materials left in the building are nonhazardous materials to be recycled, to be removed in next few weeks. He said they are trying to deal with a scrap dealer.

Mr. Vilk extended an open invitation to everyone, adding he would be happy to make arrangements for them to view the building, if they want to see it with their own eyes. He said it has been written a number of times, but he wanted to stress that the building is not for sale. He said that once he made the decision to go forward with the renovation and redevelopment of the project, he has stood with that decision. He said he has disclosed his options for the property with Mr. Ruller, adding it was either a total redevelopment project or a partial redevelopment. He said he would prefer the total redevelopment.

Mr. Vilk said he is currently at a standstill, adding it is not for financial reasons. He said he had a meeting with an architect that was arranged through the Main Street program, adding the architect was amazing. He said that unfortunately, he cannot be the architect of this project, as it is too small for him. He said the insight, support, advice, and suggestions would be great if there is anyway he can be involved with downtown redevelopment. He said he told Mr. Vilk to stop doing any additional work on the building, as it could harm it for historical redevelopment assistance. He said if he continues, he would be disqualified from any benefits from the federal or state government. Mr. Ferrara asked if he meant funding, and he said that was correct.

Mr. Vilk said he was a little disappointed, as he did not want to see the project stop. He said he did not want them to think he was just sitting on his hands. He said he has hired an agency to put together his entire packet for the state and federal. He said applications must be submitted by Oct. 31, with their acceptance done by the end of the year. He said that he can move forward once that occurs. Mr. Vilk said he is unsure of the process, adding he is learning it also. He said he did not realize it is that far out. Mr. Vilk said his main purpose for being present is to tell them he is not going to stop, and that the project is not stagnant. He said it is just paperwork. Mr. Vilk said he would be happy to answer their questions, comments, or concerns at this time.

Mr. Hawksley asked when they can have the sidewalk back, and Mr. Vilk said they could have it back at that time, adding he did not close the sidewalk. Mr. Hawksley said the barricades are because of his project. Mr. Vilk deferred to the administration.

Mr. Ruller said as a result of the engineering analysis that was performed, the Engineer gave Mr. Silver and Mr. Roberts enough concern about the stability of the exterior facade. He said that Mr. Vilk spoke of some repair, but there was generalized concern with the integrity of the mortar between the bricks. He said they came to him and said the pedestrians must be protected. Mr. Ruller said there was a concern that the City had some liability if they over looked it. He said that Mr. Vilk pointed out, accurately, that nothing has yet fallen. He said Mr. Vilk suggested it was unnecessary, and the Administration disagreed. He said in the end, Mr. Vilk agreed to the barricades. He asked Mr. Roberts if he wished to speak to that discussion from the engineering perspective, adding that from the City's end, they felt there would be additional progressive beyond the facade work. He noted that Mr. Kuhar had pointed out he would rather see some exterior work being done previously. He said they anticipated the mortar work would be done in the spring. He noted he was glad Mr. Vilk was present explaining the process at this time.

Mr. Roberts said that Mr. Ruller was correct that the engineering study did indicate there were concerns regarding mortar. He said the reason for the barricades is that they were coming out of the freeze/thaw cycle, and if the mortar is in failure, moisture will go deeper. He said when the thaw occurs, pieces fall off. He said it has not happened at this point, but does not eliminate the potential problem described in the report.

Ms. Oswitch asked if they are saying they are still concerned that there is a safety issue and will keep the

barricades up, and Mr. Ruller said that was correct.

Mr. Bargerstock said that since they are out of the freeze/thaw cycle, they may not have to concern themselves with this until the next freeze/thaw cycle. He suggested they could take down the barricades now. Mr. Roberts said if they had another study that said it was stable, they could remove them. He said as it moves, it becomes unstable from the freeze/thaw cycle. He said if the building was heated, it would not be an issue on the veneer Mr. Roberts said his concern is the water behind the brick, building up moisture during the freeze, adding they do not know without another study if it has progressed.

Mr. Kuhar said he has spoken with Mr. Vilks's consulting firm, and is quite convinced he is taking the steps to do what he said he would do, with respect to the federal grant monies. He said Mr. Vilks talks about not wanting to change the aesthetics or the historical value. He asked if the historical value would be damaged if they put in flat panels that look like windows, and whether Mr. Vilks would be willing to consider, and Mr. Vilks said he would consider it. He said it was also mentioned by others. He said there was a material that will be pre-cut and installed from the inside, which would be more efficient for protection purposes. He said that the Main Street program offered to paint over the "Y2K", but they were worried about the liability issue, so they hired it out to the company that did the demo. Mr. Vilks told Mr. Kuhar his answer was "yes". Mr. Kuhar commented that a little clean up and paint goes a long way, and Mr. Vilks said he believed the windows would make a huge difference.

Mr. Fender said they are saying the facade is not done, without another study, and Mr. Ruller said that when Mr. Vilks replied, he spoke of the loose parts identified in the evaluation, as being completed. He said the next step is the general condition of the rest of the structure and some symptoms that caused the consulting engineer some concern, and they have yet to be addressed.

Mr. Roberts said that the individual items, not general face items, have been repaired. He said they have not addressed the general condition of the mortar in the brick. He said they have not addressed the tuck pointing that needs to be done where they removed the loose mortar. He said that has created concern. Mr. Roberts said the major point-by-point issues are repaired, but the general envelope of the building has not been addressed relative to the mortar.

Mr. Fender said he has been frustrated, and would like Mr. Vilks, as the owner, to tell him how to respond to people who are frustrated over the lack of progress and/or movement. He said he did not know how to answer them, adding when he gives them the same answers Mr. Vilks gave him, but the question the number of years it has been in disrepair.

Mr. Vilks said he has owned the building for two years, but it has been a city problem for forty or fifty years, so he cannot answer about the last thirty-eight years. He said he chose to allow the Record Courier to do a walk through, because the public has not seen the inside for twenty years. He said he cannot allow people to walk through, but wanted them to see what is happening.

Mr. Vilks said it does not happen overnight, but the building is out of harm's way. He said there is no more ice/water building up in the interior, adding he is to allow any doubts to be reevaluated. He said the pictures prove it, adding that was the intention to get the images in the Record Courier.

Mr. Vilks said the only other thing they can do is for the Council and the Administration to come out with a positive attitude. He said he is asking that everyone take the opportunity to look for themselves, so they can better answer questions.

Mr. Fender asked if Oct. 31 was the deadline for paperwork, and Mr. Vilks said his understanding is that the applications are due before Oct. 31, with decisions made just prior to or just after January 1. He said the initial evaluation of the building as it relates to the historical aspect, its condition, impact on the city and the county, and the overall project is being done by one consulting firm. He said they felt this was a slam dunk, and did not want to take anything marginal. He said there was a program that had an earlier application, but did not fit the uses for this project, and they would have been bound by that use.

Mr. Fender asked if he would have a plan by January, and Mr. Vilks said that by October he should and will be able to do whatever presentations are necessary. He said that it is premature at this time, as he does not have an architect selected nor in place.

Mr. Wilson said Mr. Vilks did not do the tuck pointing, and asked if he would do it, and Mr. Vilks said that all of the facades, including the sandstone and the tuck pointing, would be part of one proposal or bid, done in the aspect of redevelopment. Mr. Wilson asked if he planned to do it later on, and Mr. Vilks said it will not be at this time. He said if Council absolutely wants it done now, and does not care, they will do it this year. He assured them that the upper floors would never be occupied, adding they cannot put a business in below, while trying to develop the upper floors.

Mr. Ruller said what Mr. Vilks is saying is that with the historical designation, it ups the ante on the historical tax credits up to about 40%. Mr. Vilks said it is 45% combined. Mr. Ruller said there is a definite benefit to Mr. Vilks to go that route, but they must wait six to nine months, depending on the process.

Mr. Wilson asked Mr. Silver if Mr. Vilks gets his historical designation, does that throw out everything and they cannot touch anything. He asked if they could raze the building if it was on the historical register, and Mr. Silver said that was correct, if it was not safe. He said an old building, falling apart, cannot be ignored. Mr. Wilson asked if this has any effect on the City's claim against the building if it got a historical designation, and Mr. Silver said it has no effect.

Mr. Ferrara said he did not understand Mr. Vilks's answer. He asked how tuck pointing now would prevent later occupancy, if it is a safety issue. Mr. Vilks said it would have to be done before any occupancy for personal liability purposes. He said it can be done now, but there would be no grant participation. He said everything up to now would have qualified, but they have taken no participation through grants or historical preservation. He said the promise was made to do it right away.

Mr. Ferrara asked if he has worked with the Main Street program, and Mr. Vilks said they have not had a lot of interaction. He said they were already in the process of redevelopment, adding their contact is not as frequent. He said as they move forward, their contact will be constant. He said he has disclosed his time frames, adding that Mary Gilbert is well aware of the architect's suggestions, as she was present. He said that all of the suggestions are what they plan to do. Mr. Vilks said that everything is falling into place, adding it is the waiting game.

Mr. Ferrara asked how the scope of the project has changed since he found out about the state and federal credits, along with the historic aspect. Mr. Vilks said there are a lot of guidelines with historical preservation, but that is their intention. He said he was not going to do the upper floors, and just planned to address the roof, mortar and demo. He noted that the windows were part of that. He said there are additional federal programs, outside of the federal tax credits that they are going after. He said they are looking to do residential, and not college. Mr. Ferrara commented that is how the scope changed, in that it is a complete project, instead of a ground floor business. Mr. Vilks said in September or October, it was strictly dealing with the commercial space. He said he threw his ideas to the architect, who did a strong evaluation on the building and their intentions.

Mr. Wilson asked where the tenants would park, as there are no more bridges, and Mr. Vilks agreed, adding that parking is a concern. He said that is one reason they cannot put in offices. Mr. Vilks said he has space for twenty-four to twenty-eight cars in the back lot, and Mr. Wilson commented that would be tight. He said the space would have to be dedicated to the residential side, adding they cannot dedicate open parking space to the merchants. He said their primary focus tenant is not requiring any parking space, and just wants one for the manager, which can be accommodated. He said if that does not happen, he would be coming back with some of the others asking what can be done. He said there is ample parking behind the building, along with a lot of open public parking, such as Erie Street. He said it would be a free for all, adding that every vibrant downtown has this problem. He said that Chagrin Falls has fought it for twenty-five years. Mr. Wilson commented when Mr. Vilks goes to the Community Development Department and says this is what he wants, the code will make them have parking.

**MOTION TO RECESS THIS MEETING INTO EXECUTIVE SESSION FOR PENDING LITIGATION.**

Motion made by Mr .Ferrara, seconded by Ms. Oswitch.

Roll call was taken on the motion. Voting aye: Mr. Bargerstock, Mr .DeLeone, Mr. Ferrara, Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, and Mr. Wilson. The motion carried by a voice vote of 9-0.

Chair Gavriloff recessed this meeting into Executive Session at 8:50 p.m. Following Executive Session, Chair Gavriloff reconvened this meeting at 9:30 p.m.

Hearing no further business before this Committee, Chair Gavriloff adjourned this meeting at 9:31 p.m.

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Linda M. Copley, Clerk of Council

**ACTION RECOMMENDED:**

- 1) **TO RECOMMEND APPROVAL OF THE ADMINISTRATION'S RECOMMENDATIONS, TO KEEP PARKING ON THE MAIN STREET BRIDGE, WITH A GOOD DESIGN THAT IS AESTHETICALLY PLEASING FOR THE BARRIERS.**