

MINUTES
WADSWORTH CITY COUNCIL MEETING
April 11, 2023

The special meeting of Wadsworth City Council, Thursday, April 11, 2023 at 5:30 p.m., was held in-person at City Council Chambers.

PRESIDING: Bob Thurber, *President of Council*

MEMBERS PRESENT: Ralph Copley, Jeanne Hines, Dan Rospert, Tom Stugmyer, Jon Yurchiak, Bruce Darlington, David Williams

OFFICIALS PRESENT: Mayor Robin Laubaugh, Assistant Public Service Director Mike Testa, Law Director Tom Morris, Economic Development Director Matt Springer, Director of Public Safety Matthew Hiscock, Public Service Director Robert Patrick

PRESS REPRESENTATIVES: *Mason Savoia, Medina Gazette*

CALL TO ORDER: Mr. Thurber called the meeting to order at approximately 5:30 p.m.

ROLL CALL: Mr. Stugmyer moved to appoint Law Director Tom Morris as temporary Clerk of Council for the special meeting of April 11, 2023. Mr. Copley seconded. An all in favor vote was taken and all Council members present were in favor. **MOTION PASSED.**

Mr. Morris called the roll. Yurchiak, Darlington, Williams, Stugmyer, Rospert, Copley, Hines were present.

The Clerk read the legislation.

LEGISLATION:

The following legislation was read for the third time, having been previously read at different meetings on different days, and acted upon as follows:

ORDINANCE NO. 23-035 (3rd RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DO ALL THINGS NECESSARY AND PROPER TO ACCOMPLISH THE PURCHASE OF A PARCEL NUMBERS 055-34C-14-004, 055-34C-26-004, 055-34C-26-001, 055-34C-26-003, 055-34C-26-002, 055-34C-24-001, 055-34C-27-001, IN THE CITY OF WADSWORTH AND TO DECLARE AN EMERGENCY.

Mr. Thurber opened discussion among City Council. He asked Robert if the engineer was present.

Mr. Patrick said that gentleman was approximately one minute away, he believed. Mr. Thurber said they could have discussion first. Mr. Patrick said the individual from Brownfield Restoration Group that did the phase I and phase II study Council had (Jim Smith) and environmental work was going to arrive in a minute or so. Mr. Patrick knew there were a couple of questions from Council sent today; he appreciated that. They had forwarded that to Mr. Smith and he said he would be able to answer those to the best of his ability.

Mr. Thurber said for the folks present, he noted at a Special Council Meeting they did not have comments. He apologized if they were under the impression they did.

Mr. Thurber asked City Council for any thoughts or comments. **Mr. Rospert** said he did not have time today to send his questions in, but he was definitely in favor of a sports complex but had some concerns. He said having been with baseball all these years and most people knew that was his sport of choice, and he thought it was a great idea; his concern was did the need lacrosse fields. He knew they just had conceptual drawings currently. He wondered about youth football fields, maybe another swimming pool. That was one concern he had.

Mr. Rospert also asked if this was the right property for this complex. He said he was just “throwing those things out there.”

Another big concern, Mr. Rospert said, was the efficiency in getting this moving and along and getting it completed. Sometimes he thought they (City Council) budgeted money and wanted to do projects and sometimes they did not get done in an effective, timely matter and those were his biggest concerns with the project currently.

Mr. Patrick said Mr. Rospert raised a good point about lacrosse and other activities there. Mr. Patrick said, he would say, every activity was in play at this point. Mr. Rospert mentioned those were conceptual drawings and Mr. Patrick said that was what they were; part of their due-diligence process in the five and a half months that they had to do that, they did the phase I environmental, phase II environmental that followed that, a property appraisal, Mr. Springer got quotes for how much it would cost to get the site ready for construction (taking away the building still there, the concrete still there, the brick still there) and it came back that that should be able to be ground and used on the site, recycled. Mr. Patrick noted they talked to some of the neighboring property owners. They had their consultant that did the Parks Master Plan take a look at it and based on one of the systematic recommendations that they needed to centralize ballfields and create additional complex for ballfields, look at the site and see if that was a good fit; was it enough space. Mr. Patrick said those conceptual drawings were based on him doing that and those different phases were based on him doing that.

Mr. Patrick said the process that they would take upon approval of this (and he would talk about some of the environmental things they would do moving forward) but they would plan to, this summer, start with more public engagement like they had done with the Master Plan and have the consultant come back and talk to all the groups Mr. Rospert mentioned, other groups in the community, talk to them about what the needs were. Mr. Patrick thought the consultant had a pretty good understanding of what the needs were from the Master Plan because that was a big component of doing that but making sure that before they set out on this course, they were doing what was right for that space for the long-term. Mr. Patrick said that could probably include other things; that was one person taking a look at that. He said it could stay, maybe, the exact same as it was, but they had to go through that process.

Mr. Patrick noted there were folks that asked about other groups and he knew in the Master Plan, a lot of those groups were being looked at in other areas and being addressed. For instance, lacrosse was a special interest group that the consultant sat down with and talked to them and really wanted to understand what their needs were, what their uses were and what their wants were. Mr. Patrick said there was a lot of information compiled for that and he knew there was some consideration in the plan for that in the future. Mr. Patrick said as far as moving that here, they had to figure out and find out what the needs were; the concepts had a different phases and a lodge was even listed in the future. Mr. Patrick questioned if that was something they would do; he was unsure, as they had to go through that process first. Mr. Patrick said there was a lot of engagement that needed to happen. That was a conceptual idea. It was quick to see what they could do there and what the estimated costs were so they could present that to Council.

Mr. Rospert asked if there was any discussion with St. Ed's to see if they could get an easement on that roadway because he was very concerned about having one traffic pattern coming off of Seville Road. He thought it would be helpful to know that too. Mr. Patrick said they had and they had a good, longstanding partnership with St. Ed's. Mr. Patrick said they talked occasionally throughout the year to see what was going on, to discuss properties as they were interested in what was going to be moving forward in the past; as different prospects had come, they had heard things and asked them about those. Mr. Patrick said they made a commitment that when they heard things, they would talk to them about it. Mr. Patrick said they sat down with them, unveiled the "news," and they were very excited for them. Mr. Patrick said they showed them the conceptual plans they had at the time period; they were supportive. Mr. Patrick knew the new President and CEO came and spoke a couple of meetings ago and showed support for it. Mr. Patrick said they had talked to them about the possibility of some access through there and they said they wanted to have some conversations about that. Mr. Patrick thought it was too premature to get a defined "yes or no" because they (the City) did not exactly know where everything was going to be laid out in the property and they did not know what their plans were in the future because they had plenty of plans for some of their property to the north. Mr. Patrick said the good thing was, they were willing to sit down and talk to the City about some type of access, whether it was there or a little north of there and that was good to know. Mr. Patrick said it was not a "no" and he thought they were willing to work with them and if something could work out, he thought they would be willing to do that.

Mrs. Hines wanted to say that growing up in ward 3 was the Steiner Youth Center in her literal backyard. It was a loss to their community when they lost that, although they gained the Y; she said that was comparing apples to oranges. Mrs. Hines said the Steiner was very unique and she knew for the people of Wadsworth and especially the people in that area, that was a loss for a lot of people.

Mrs. Hines said she also shared some of the concerns that Mr. Rospert had shared about the other organizations that may want another youth football field, lacrosse as he mentioned because she had had people comment to her about those needs as well. Mrs. Hines was also unsure about the removal of those chemicals, like Mr. Darlington stated, asking how they would remove the chemicals from the soil, was it safe. That was her biggest concern. Mrs. Hines said she had yet to see the property.

Mr. Patrick said he would let the experts speak on the chemical removal, but he had heard from the expert was phase II showed a lot of information and said things (as Bruce mentioned) that there was additional work that could be done. Mr. Patrick thought the next step, upon approval, was to move forward with another application to the EPA (Environmental Protection Agency) for further assessment grant and hopefully they would do well (they had been supportive thus far) and with that, move forward with some applications for grant funding to help with removal of those chemicals and items. Mr. Patrick knew Mr. Smith would speak on this more, but there were other things they could do; they could not touch those areas, cap those areas with asphalt or concrete and then those contaminants could not impact anybody. Mr. Patrick said there was cleanup that could happen; with the construction and demo, they would remove the concrete and bricks and there would be land cleaning that happened and maybe some of those contaminants could be taken away during that process. Mr. Patrick noted there was a lot of work that had to be done after they secured the property that put them in line for a lot of funding that a private person did not have because it would be a public property.

Mrs. Hines asked the probability of getting those grants. Mr. Patrick said he left his crystal ball at home. Mrs. Hines asked how much; an estimated percentage of what would be paid for via a grant and what the taxpayers would pay. She said there were a lot of "what-ifs." Mr. Patrick said there were, as with any large property or purchase of this nature, there were. Mr. Patrick said they had done everything they could in the timeframe they had to present the information that they thought would be beneficial to Council. He said

they presented all the information that was asked of them; those further costs had not been asked so they did not go down that step to do so. Mr. Patrick was not sure if they were able to do that or not as there was a lot of variability in how many grants received and that depended on how well their application scored, their relationship with them. Mr. Patrick said thus far, they had been supportive of the process; probably approximately \$75,000 was the cost granted so far for the first two phases. Mr. Patrick said from his experience, projects like this were looked upon favorably when a community wanted to do something that could be looked at as positive as far as taking a site and giving it new life; transforming it, restoring it and getting use out of it and taking an old industrial site with contaminants, cleaning it up. Mr. Patrick said typically, that was something looked upon favorably.

Mr. Thurber thanked Mr. Patrick and said now might be a good time to bring forward Jim Smith from Brownfield Restorations.

Mr. Copley and Mr. Darlington noted they had submitted lists and asked if he had received them. **Mr. Smith** said he had received those approximately an hour or so ago. He said he had them and went through them. He asked if that was where they wanted him to start, to walk through those questions and answers. Mr. Thurber asked if he could read the question first before answering it.

Mr. Smith said the first question was “Will the person at the meeting tonight be able to address the potential cost to remediate arsenic and asbestos that was identified in our report?” Mr. Smith said to answer that question, he needed to back up a little bit and expound on what Robert had said so Council understood what had been done and what needed to be done in order to take a site completely through assessment and into remedial action planning and cleanup. It was a very iterative process and they were in the early stages of assessment. Mr. Smith said it was difficult to answer that question until one was fully assessed and knew the full extent of the asbestos and the arsenic in the soil. Mr. Smith what they knew now was “one heck of a lot more” than they knew three months ago about the site, but they did not know everything that needed to be known in order to start developing accurate costs for cleanup. For example, they knew there were some pockets of asbestos and arsenic in the soil (they did not know that before). Mr. Smith said it was frankly on the plus side, as he expected a lot more contamination other than just arsenic and a little bit of asbestos. He understood immediately, the question was how much was there and how much would that cost. He said those were excellent questions but the frank truth was, right now, they did not have enough information to really answer that question.

Mr. Smith said another piece they did not know that would go into how much it would cost; they needed to know exactly what was going to be done with the property. The standards that the property had to be cleaned up to were dependent on land use. Mr. Smith said for example, their study was focused on the Brickyard, the industrial use of that property. There were tens and tens of acres out there that were agricultural, wooded, not used for industrial purposes and based on their assessment, those were fine and the City could do what they wanted with those. The Brickyard, where the focus was, understandably, was the industrial site, was to be reused, the tens of acres out there that were unimpacted for recreational use or whatever they wanted it for, it was “good to go.” Mr. Smith said the Brickyard, however, from what they found, the arsenic levels, for example, met commercial / industrial standards now. If they were to reuse that portion of the site for commercial or industrial activities, the arsenic did not need to be cleaned up. However, if they wanted to put recreational fields at the Brickyard portion, recreational standards were based on (Mr. Smith said he did not want to get “too far into the weeds”) essentially residential standards with some modifications about how deep one had to go to meet that standard. Mr. Smith said he would be glad to delve into that if it was of any interest, but his point was, to meet recreational standards, i.e. ballfields, it was a much more stringent level of cleanup; it would have to meet the residential standard for arsenic, which the site does not meet currently. Mr. Smith asked if that answered the question.

Mr. Copley said he asked the question and he noticed in the maps he had provided, concentration was in the industrial area, but there were some areas of sampling that were far and few between and that was why he had asked about cost because going to the next level, that was what he wanted to know because the next level would tell them how much they needed to clean up. Mr. Copley noted they were not to that point yet. Mr. Smith said that was correct. They knew a lot more than they knew a couple of months ago, but how much it would cost and the extent of contamination, he did not know. The assessment had not progressed to that level. Mr. Copley noted they had hit one spot “here” but that spot could be “this big” and they did not know yet. Mr. Smith said that was correct, the size was unknown. Mr. Copley said that was the point he was trying to get to, what it would cost to get to that point, to go to the next step. Mr. Smith said that would be the next round of assessment. Mr. Smith said the assessment was a very iterative process. As Mr. Copley had said, they had found chemical in a spot and wondered what the extent was, the next round of assessment focused in on the spots with “hits” and stepped out to try to essentially delineate and answer that question, how much there was. Mr. Smith said once they knew how much there was, and then they could put a cost on what it would take to clean it up. Mr. Copley said those costs could be expensive when it came to cleaning up a site. Mr. Smith said that was correct; the “nature of the beast” they dealt with.

Mr. Darlington asked if Mr. Smith was familiar with a study he had run across as made back in 2014 by Ohio State and the Ohio Geological Society when they analyzed arsenic all over the state and found that hot spots of arsenic and one was southeast Medina County and the natural concentration raised up to 46 parts per million. Mr. Darlington wondered if (and knew Mr. Smith probably had not done this yet) he took residual samples in remote areas around there and see what the natural arsenic level was and how much that was affecting the Brickyard and whether a lot of it came from natural arsenic or whether it actually came from contamination in the Brickyard. Mr. Smith said that was an excellent point and was one of the questions, and he would address that now.

Mr. Smith said the Ohio EPA had done very detailed studies about background concentrations of metals county by county. They had not gotten to all of the counties just yet; Mr. Smith knew they had done state-wide evaluations (and he thought that was the one Mr. Darlington referred to) but they had now done a detailed background study of metals in Summit County, Stark County and Cuyahoga County (those were obviously pretty close). Mr. Smith said he would “rattle off” what they found for arsenic in those three counties: Stark County they considered background to be 16.6 parts per million or less (naturally occurring background), Summit County 13.5, Cuyahoga County a little higher at 24. Mr. Smith said they were all in a range 13.5 and 24, considered background level in surrounding counties and it was unlikely that Medina was significantly different than that. Mr. Smith said where it would fall exactly, he did not know. They could do a background study and this was done on projects of this nature where they went to surrounding areas and took a requisite number of samples from essentially fields and unimpacted areas. For example, they could not do a study in the City as there was too much impact but this site was in a very rural area so one could, as part of a next round assessment work; include background studies to understand what a naturally occurring level of a metal would be for that site. Mr. Smith said they could definitely do that.

His sense of it was the levels at the Brickyard were elevated; they were higher than what they were likely to find as background but by the same token, one could see that the levels found, while maybe elevated above background, exceeded residential standards but did not exceed commercial / industrial standard and were not “screaming high” levels of arsenic. Mr. Smith said in putting that in perspective, if he went out on a tree lawn outside the building they were in and tested for arsenic and found levels every bit as high as found at the Brickyard, that would not be a problem because this was a commercial / industrial area and would not be all that surprising to find arsenic right there in the lawn around the City comparable to what they found

there and nobody cared; it was not a big deal because it was in a commercial / industrial setting (in this case not industrial so much as commercial).

Mr. Smith asked if that put things into perspective a little bit. Mr. Darlington said except that, what they planned one doing with that area was recreational. Mr. Smith said that was what his point was; they could still do recreational (Mr. Smith noted he was not trying to be a planner; that was not his role here) but he looked at the data and the site and saw tens of acres of unimpacted land; they could use that for recreational. Mr. Smith said there was the Brickyard that was used for commercial / industrial, obviously impacted (in his opinion, not grossly impacted and he expected worse) but everything was relative. Mr. Smith said it was not “squeaky clean” but it was certainly no Superfund site and was not at that end of the spectrum. Mr. Smith said it seemed to him (and again said he was not playing planner) they could have it all; just put the recreational area in the area that already met recreational standards, carve a spot off and use it for commercial / industrial and they were in pretty good shape.

Mr. Copley asked Matt if the planner the City hired to do the conceptual drawing say that the other areas, because of the hilliness, was not conducive to baseball fields and tennis courts, etc. or was he just “dreaming” that. **Mr. Williams** asked to add to that; he said originally this was brought to Council as a hybrid; part industrial, part recreational and sounded like the perfect match and the gentleman from Brownfield, that was what he was saying, that part of that should still be industrial and part should be recreational.

Mr. Springer said he thought they could always go back and revisit those conversations and concepts since it was in draft form, but to answer Mr. Copley’s question first, as one traveled further to the south, there were some topographic challenges where ballfields would not go, but as one went north, directly east of where the Brickyard operated, there were some agricultural fields that were flat and had never been disturbed and had no hits of arsenic or any other metals on that area of the site. Mr. Copley asked how many acres were there; if they did not touch the industrial site, was that enough room to do what was being proposed. Mr. Springer said they were certainly able to put in some fields. Mr. Copley said some, but not all; one conceptual drawing showed 12. Mr. Williams said he thought it was two acres per ballfield if he remembered correctly. Mr. Patrick said based on the plan and the former industrial part of that (the 15 acres), basically all the fields were outside of that, roughly. The athletic courts, the tennis and pickle ball courts were located on that area, the lodge was located on that area, and the playground area was located next to the pond on this site and parking and driveways.

Mr. Patrick said that was not to say they could not shift everything over and not use that site. Mr. Patrick said one of the things he had said was that they did not need to use this site; they could leave that alone and go up to the southern area on the other side of the pond with a big, flat open space and that could also be ballfields or something else. Mr. Patrick said that was an option. He noted they could carve out a section along the railroad and make that industrial if they wanted to mix the industrial and athletic complex and the natural park. Mr. Patrick said to keep in mind that 70 acres or so of the northern parcel was the area for all of that recreational area; the southern 130 acres was looked at to be some type of a passive park with mountain biking trails, hiking trails, running trails, ponds, fishing, meadows, prairies; it was not just the athletic portion, it was basically a 200 acre park that probably was not around this region in this area. Mr. Patrick said the point was there were a lot of possibilities and opportunities and they would go through that process as they had more time, got everyone’s feedback and input and be the deciders on what that final product would be.

Mr. Darlington asked the acreage of just the industrial area. Mr. Patrick thought it was approximately 15 – 20 acres from memory, but could be a little different.

Mr. Williams asked Mr. Smith if he was saying if they left the industrial area alone, there was very little, if any, risk to build the complexes to the south on undisturbed land. Mr. Smith asked if Mr. Williams was asking if they left the Brickyard footprint alone, would there be any risk to the adjacent recreational fields. Mr. Smith said that was correct; there was no risk as there were not fumes coming off. Mr. Smith said if they were not touching it, there was no impact. Mr. Smith said this was so difficult to talk about because that made it sound like what it someone stepped over the line and stepped onto the old industrial park and now they had been “impacted;” it did not work that way. Mr. Smith said these were not toxic chemicals that if they were touched, one had to get treatment. Mr. Smith said these, and all, the standards were based on based on chronic exposure over a lifetime and was there any accumulative risk over a lifetime of contact with the soil, for example. Mr. Smith said he was trying to make the distinction between somebody stepping on the other property and needing to see a doctor; he said it was not like that, not even close.

Mr. Stugmyer said in going back to some of the cost (and he understand the level Mr. Smith was at currently with what he had found), granted there would be more dirt than room to put it, but at this level, if any of the dirt needed removed, could it be put under the parking lot safely and capped. Mr. Stugmyer said there was probably way more dirt than there would be parking lot, and he understood that, but for any ball diamond they could not use the dirt there and dirt had to be brought in regardless because it was fills dirt. Mr. Stugmyer asked if there were potential cost savings in moving the dirt and being able to cap it under the parking lots or was that not done. Mr. Smith said that was done and thanked Mr. Stugmyer for bringing that up. He said he was just going to touch on that; it was an excellent point. Mr. Smith said in addressing the comment about having the fields outside of the footprint of the Brickyard and there was discussion about there being enough room, the more one knew about the future objective was for the land use, the better the remediation planned to get them where they wanted to go. Mr. Smith said for example and to Mr. Stugmyer’s point, if there were ballfields adjacent to the Brickyard, very close but outside the footprint of the Brickyard, for planning purposes, it would be great to have the tennis courts on the edge of where the Brickyard was and then there were parking lots; the pavement for a parking lot, tennis court or pickle ball court all could be considered engineered controls that would create a barrier that prevented direct contact with the impacted soil below. Mr. Smith said that was a part of the program that could be worked into the remedial action. Mr. Smith said he could not emphasize enough that there needed to be, for the best outcome, coordination between the assessment, cleanup and end use that the City wanted to achieve. He said it was understandable but not the best way to do it, that some people wanted a clean site first and then they would do what they wanted; it was so much better to integrate them. Mr. Smith said it was so much more effective, cost effective and got one where they wanted to go in a much better way.

Mr. Rospert said maybe he was simplifying this too much, but asked Mr. Smith if he were a grandfather and they developed this site and put fields on it, would he have a problem with his grandchildren playing on those fields. Mr. Smith said that was an excellent question and not simplifying it too much. To answer that, Mr. Smith said he was a grandfather, he lived in the area and had a Wadsworth address and joked he was not saying it was fine for “you people” but he would not step foot over there. Mr. Smith said he lived here, his grandkids lived here and he had absolutely no qualms whatsoever letting them play on those fields, obviously if done in accordance with everything they discussed.

Mr. Smith asked if Council wanted him to continue on the questions and answers. Mr. Yurchiak said he thought Mr. Smith should finish Bruce’s questions. Mr. Darlington said they had “jumped all over his questions;” he could ask some, get them in some semblance of order and simplify to move forward quickly. Mr. Darlington said Mr. Smith had mentioned chromium but had not distinguished between hexavalent and trivalent chromium so he was wondering why they did not do that because the hexavalent was the toxic one. Mr. Smith said that was correct. He said typically total chrom was run and that went back to the whole

iterative process that he had talked about. Mr. Smith said they ran total chromium and that was not a problem. Occasionally, if it was a little elevated, then they did the speciation to distinguish between hex chrom and trivalent chrom. Mr. Smith said they had not because if they had the information they had now, after having done the preliminary assessment, he would have done the preliminary assessment very differently because they knew they had contamination. Mr. Smith said it was just part of the process. He said if total chrom was slightly elevated during the next phase, they would run hex chrom and chances were extremely high that it would go away as an issue. Mr. Smith said hex chrom had to be tested and they had had sites occasionally where hex chrom “tripped” but he would be very surprised but it had to be done; that would be part of the next assessment.

Mr. Darlington noticed in the pond water, it had only been analyzed for barium and aluminum. He wondered why they did not assess for other things. Mr. Smith said Mr. Darlington had not looked at the map correctly, which he understood because that was the way it looked. Mr. Smith said barium and chromium were found, not what they analyzed. Mr. Darlington clarified that they had analyzed for most everything else. Mr. Smith said that was correct; those were the only two chemicals that were detected. Mr. Smith said otherwise the map was cluttered with everything they had tested so they wanted to focus on what was found so he was only seeing the two chemicals found. Mr. Darlington joked he missed that in the other fifty pages.

Mr. Darlington said there was a paragraph of the recommendations for further investigation and asked if that would be in the next phase of the study. Mr. Smith said that was exactly correct, what he had been trying to get across that this was the preliminary assessment and yes, there was a recommendation for subsequent work to address the items listed. Mr. Smith said this was the way the process worked; it could be frustrating, he understood. He said it was an iterative process and they built on what they found and kept going.

Mr. Darlington said those were all his questions. Mr. Williams asked if that satisfied Mr. Darlington and he said it had. Mr. Thurber asked for any other questions. Mr. Copley said his questions had been answered.

Mr. Thurber thanked Mr. Smith.

LEGISLATION (CONTINUED): Mr. Stugmyer called the question on Ordinance No. 23-035. Mr. Thurber heard no objection to the call to question and asked the Clerk for a roll call vote. A roll call vote was taken. Ayes: Stugmyer, Rospert, Yurchiak, Darlington, Williams, Copley. Abstaining: Hines. Nays: none. **Ordinance No. 23-035 declared to have been adopted April 11, 2023.**

That concluded the legislation for the evening.

OTHER BUSINESS: *None*

ADJOURNMENT: Mr. Rospert made a motion to adjourn. Mr. Williams seconded. The meeting adjourned at approximately 6:12 p.m. All were in favor.

Clerk of Council

President of Council