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IN RE: 11/12/2016

TAPE RECORDING OF **SPECIAL**  
CAUCUS MEETING

CITY OF BROOK PARK

TRANSCRIBED BY: LISA M. WRIGHT

**REVISED BY THE CLERK OF COUNCIL AS INSTRUCTED  
BY CITY COUNCIL**

1 Appearances:

2 COUNCIL PRESIDENT - MR. ASTORINO

3 COUNCILMAN TROYER

4 COUNCILMAN MENCINI

5 COUNCILWOMAN POWERS

6 COUNCILMAN SCOTT

7 COUNCILMAN BURGIO

8 COUNCILWOMAN MCCORMICK

9 COUNCILMAN SALVATORE

10 CLERK - MICHELLE BLAZAK

11 MAYOR COYNE

12 FINANCE DIRECTOR - MR. CINGLE

13 ECONOMIC DEVELOPMENT COMMISSIONER - MR. DOLAN

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1 P R O C E E D I N G S

2 CLERK: Testing, testing. Testing, testing.  
3 Today is Saturday, November 12th. We've a Special  
4 Caucus meeting at 9 a.m., that sounds pretty good.

5 COUNCIL PRESIDENT: Good morning, everyone.  
6 Welcome to the Special Caucus meeting for the City of  
7 Brook Park for November 12th. Notices were sent to  
8 Councilmembers Troyer, Mencini, Powers, Scott, Burgio,  
9 McCormick, Salvatore, Mayor Coyne, Law Director Horvath  
10 and Finance Director Cingle for such meeting to be  
11 held on Saturday the 12th of November. I would ask the  
12 clerk to please call the roll.

13 CLERK: Scott?

14 MR. SCOTT: Here.

15 CLERK: Burgio?

16 BURGIO: Here.

17 CLERK: Salvatore?

18 Mr. SALVATORE: Here.

19 CLERK: Troyer?

20 MR. TROYER: Here.

21 CLERK: Powers?

22 MRS. POWERS: Here.

23 CLERK: McCormick?

24 MS. MCCORMICK: Here.

25 CLERK: Mencini?

1 project, and I believe we're going to give you all the  
2 details of what's occurred.

3 As a brief history of how we got to here,  
4 needless to say I think it was 1995, 1996, we did some  
5 major improvements to the recreation center. At that  
6 time, it was great debate as to whether we should tear  
7 it down and build a new one or rehab the one that we  
8 had. I didn't prevail in building a new one. So,  
9 therefore, we had some inherent problems that had to  
10 be, some improvements had to be made, and when you go  
11 through the pictures; there is some great pictures  
12 here. A lot of these going through, combing through are  
13 archives I guess you would say, you see a more detailed  
14 picture of what the roof's like, what the units look  
15 like, and if you go through there, most of the units  
16 are 25 years old. A lot of the controls are older than  
17 that and I think we all know in our homes the  
18 difficulty we have in replacing things and cost of  
19 energy and improving those.

20 The Council President has sent me several  
21 memorandums requesting information that is pertinent to  
22 the project. I believe we have submitted all of those  
23 to you, and the one goes back to June, 2001 and this was  
24 prepared by Brewer-Garret. So you know  
25 Brewer-Garrett has been, has been serving our city

1 I'm just going over this outlining each issue, Mr.  
2 Chairman, then we'll have questions as we move along.

3 But I wanted to give Council an overview of what  
4 the building really looks like. Because when you walk  
5 in there you go it's not so bad; put a little paint,  
6 put some carpeting in there but that's not the problem  
7 with building; all right?

8 So you go through some of these photos that  
9 Louie Cayet, the service director had done in 2015, and  
10 you can see the failings on the roof. I mean, this one  
11 here from Tremco, I don't believe we had at the rec.  
12 You can really see the potential failures in the roof to  
13 even support the units if we had new ones. So that's a  
14 dilemma there. And again, this project doesn't take  
15 into the consideration, the roof over the pool which is  
16 a whole other issue. But you can see in some of these  
17 on page eight of the Tremco report, if you will look at,  
18 we actually have vegetation growing on the roof. We  
19 have, you can see a core sample on the roof in section  
20 five that you have **several inches of** deterioration of  
21 the roof itself in those pictures. You can see the  
22 world's famous garden hoses on there. But just a  
23 general decline in the roof that has to be, it has to  
24 be dealt  
25

1 have failures. I don't think we're going to get it  
2 done, and there's huge capital costs to the city every  
3 year. In other words, this money would be competing  
4 with other projects every single year. There would be  
5 no, if we piece-meal like we're doing it now there  
6 would be no guaranteed saving to cover the cost. It  
7 will clearly be increased in utility costs, and again,  
8 operational and maintenance and replacement of the units  
9 and that's, this building as well. I think just the  
10 unit out here was \$80,000 to bring it up to, you know,  
11 compliance with what we need to do with this building.  
12 And if you look at the Congress Conservation Project  
13 it's about \$100,000 less on the conservative side and  
14 when we get to the numbers we can talk about that. But  
15 just to give you a general overview of why it makes  
16 sense to go in and redo one building that will handle  
17 all of our needs as opposed to maintaining operations  
18 that we have right now and, why it's more effective.

19 Okay. So there's kind of where we're at  
20 today, why we're here. If you go back when we came in,  
21 talking to Brewer-Garrett when we first came in and they  
22 did some preliminary analysis, saying hey, look, we  
23 think you should take advantage of House Bill 420, they  
24 expanded it to cities. You can use the savings as a  
25 means of paying for the project cost, and we said okay.

1           MAYOR COYNE: Well, that's going to be the  
2 next step. I wanted to let Council know how we came  
3 over here. What we're proposing to do under the House  
4 Bill 420. It's a design build but we would contract  
5 with Brewer-Garrett and we would have a fixed cost and  
6 why, I'm glad, that was a good question. Because why is  
7 this better than the traditional contract. Our last  
8 experience in the center and most public agencies when  
9 they deal with buildings what happens is they get an  
10 estimate. They go out and bid all of the different  
11 aspects of the job.           You have an architect, you  
12 have an engineer, you have contractors, you might have  
13 an owner's representative. You might have all of these  
14 entities that look at what a project costs and what it  
15 should be and then at the end of the day they all point  
16 at one another and say, well, architect you said this  
17 was going to cost this, and engineer you didn't have it  
18 in the contract. And the contractor will say no, this  
19 wasn't part of the bid package. And what ends up  
20 happening is this city ends up with a change order.

21           Change orders that you have to pay. So the  
22 project is delayed. There are issues. There is  
23 compliance of whether it be EEO or everything else. When  
24 we do this, if we move forward with the finalization of  
25 this process, Brewer-Garrett would be

1 notice in the paper and you will see in your package  
2 that the legal notice was placed in Advance Ohio, which  
3 is the Plain Dealer. And the legal notices direct  
4 anybody who is an energy conservation company, who is  
5 interested in doing the work of, as identified in the  
6 legal notice, to come forward, get an RFQ from the city  
7 and prepare a response to the RFQ and submit it by a  
8 specified time, and then that response would be  
9 evaluated according to the criteria that's identified in  
10 the RFQ.

11 It's a pretty standard process on a request  
12 for qualifications for technical services, it's done in  
13 many areas and we followed the procedures; we took the  
14 necessary legal notices out. Four companies picked up  
15 the RFQs and submitted response: Brewer-Garrett, Tremco  
16 Honeywell, and Gardner and all four are very experienced  
17 companies in the area that we're seeking here, which is  
18 revitalizing that building and using the State Program  
19 and Energy Conservation Programs to basically fund the  
20 project.

21 So the panel consisted of myself, Lou Cayet,  
22 Service Director, Ed Piatak, City Engineer and Art  
23 Sheppard who is a resident of the City of Brook Park  
24 and he is a registered architect. We met and everybody  
25 was given a copy of the responses for each responding

1 then you're left with a system that doesn't work and  
2 then you have to replace the whole thing sooner than  
3 later.

4           The Brewer-Garrett approach used, assembled  
5 the systems from a variety of sources and they're able  
6 to actually supplement and use multiple sources for the  
7 component systems instead of just one product, and it  
8 gives a longer life to the system, has a greater  
9 versatility and lower cost of repair. And that's  
10 basically ended up being the biggest benefit that we saw  
11 outside of, you know, Brewer-Garrett obviously had  
12 experience with the city's current system. And they  
13 have great experience in these types of systems and  
14 these programs in general.

15           Honeywell does too, but the big benefit was  
16 the dynamic implementation that was offered by  
17 Brewer-Garrett instead of what I'll call a statistic  
18 Honeywell system that kind of locked the city into, I  
19 felt and I think other members of the community felt  
20 what would be longer costs in the long-term of the  
21 system.

22           So the evaluation is in the package, your  
23 u can see the notes. I acted as the secretary and  
24 convened everybody. I notified the vendors and there  
25 were no objections to the process.

1 there.

2 And that's it. These things are -- this  
3 process is followed rather routinely in these situations  
4 where you're involved with professional services such as  
5 engineering, of the nature here. Any questions from the  
6 council (inaudible).

7 COUNCIL PRESIDENT: Mr. Dolan, why they're  
8 sorting through, the question I would have for you is;  
9 you're describing an RFQ process. When does it convert  
10 to an RFP (**Request for Proposals**) or does it -- does  
11 an RFQ automatically become an RFP?

12 MR. DOLAN: No, whenever you're dealing  
13 with soft services such as engineering services and  
14 implementation, it's always considered qualifications.  
15 A request for proposal is when you're bidding for  
16 commodity equipment and things of that nature. Whenever  
17 you have the professional service or say law or  
18 accounting, or financial services or engineering  
19 services where it requires the implementation of  
20 professional services in order to complete the project.  
21 It's always considered to be a request for  
22 qualifications. Because you're buying equipment and  
23 there is a proposal for equipment in this, it's really  
24 kind of a hybrid on that. But the thing that  
25 drives this is not necessarily the equipment in and of

1 in your packet that outlines how it works under HB420  
2 and I had her analyze this because before we can get  
3 financing; we would have to comply to the law to make  
4 sure that's the case. So that's the way it works  
5 qualifications, intent and then contract.

6 COUNCIL PRESIDENT: Council, any questions to Mr. Dolan?  
7 Councilman Mencini.

8 MR. MENCINI: Thank you, Mr. Chairman.  
9 Mike, like everybody else, thanks for coming. The  
10 Honeywell, is that nationally known. Honeywell, the one  
11 out of Keystone Brooklyn Heights, are they affiliated  
12 with --

13 MR. DOLAN: From the chair to the Council  
14 person, yeah, it's Honeywell Corporation. I believe  
15 their headquarters are up in Minneapolis, St. Paul.,  
16 and they're a good company no doubt about it. But  
17 they do have drawbacks by selling a turnkey system  
18 that's exclusively Honeywell, and that's not  
19 necessarily the most dynamic system. If they take  
20 something out of service, or discontinue a  
21 component, what your left with is a system that is  
22 dependent completely on Honeywell products and you  
23 may have to replace the whole system.

24 I don't think the committee felt, and I  
25 certainly didn't feel as a member of the committee that

1 this; okay?

2 MR. DOLAN: Fair enough.

3 COUNCIL PRESIDENT: Just for the ease of the  
4 meeting.

5 MR. DOLAN: Thank you, Mr. Chairman.

6 COUNCILMAN: Thank you.

7 MR. DOLAN: Mr. Mencini, why would that be?  
8 Because Honeywell wants you to spend more money with  
9 Honeywell. It's purely a, you know, if they have a  
10 turnkey system, and they can lock you in and make you  
11 spend more money in the long term to maintain that  
12 system, then that's how they make their money, it's a  
13 proprietary system. Honeywell will tell you it's a  
14 better system than anything else on the market and that  
15 you should have a completely integrated Honeywell system  
16 with all Honeywell parts but, you know, the experience  
17 has been that if you discontinue something that gives  
18 them leverage on you to spend more money because you now  
19 have a huge Honeywell system.

20 And I experienced this before with other  
21 systems and other jobs and I think the, having the more  
22 dynamic system and dynamic components that are  
23 inter-changeable and using multiple vendors  
24 is preferable to having one vendor provide everything.

25 MR. MENCINI: Okay. Thanks a lot, Mike.

1 in both the print and cleveland.com. And, you know,  
2 companies routinely read the legal news and the legal  
3 notices and they'll see the City of Brook Park is  
4 interested in receiving qualifications. So the response  
5 is completely dependent upon the responding company if  
6 they're interested and want to go for the work. They  
7 come pick up the RFQ, they see what we're looking to try  
8 to do, they prepare their own response, they submit it  
9 sealed and when we, you know, the deadline for receipt  
10 of the response passes, then we take those. They came  
11 to me in my office, and were sealed and then I opened  
12 them, copied them, gave them to Director Cayet and Mr.  
13 Piatak, and got a copy down to Mr. Johnson, and then I  
14 gave them time to review it and then we met and went  
15 through it.

16 MR. BURGIO: Okay, I have a follow-up to  
17 that. My understanding is HB420 does not require a  
18 minimum of three bids; is that correct?

19 MR. DOLAN: Yeah, I don't specifically  
20 know.

21 BURGIO: Okay, that's what I thought I  
22 read.

23 MAYOR COYNE: Mr. Chairman, legal counsel  
24 is going to explain that to us.

25 MR. DOLAN: I mean, I don't think you want

1 MR. BURGIO: Okay. Thank you.

2 COUNCIL PRESIDENT: Any other questions?

3 Councilwoman Powers.

4 MRS. POWERS: I noticed going through your  
5 handwritten notes that everyone agrees with everything  
6 all the way through that Brewer-Garrett is the best. My  
7 question is that how many years have we had Brewer  
8 Garrett, how much money have we spent annually on  
9 Brewer-Garrett for maintenance, and then you tell us  
10 everything is fall apart even though it's been  
11 constantly maintained through all of these years. And so  
12 we're going to go with the same person who maintained  
13 it who allowed all of this to happen, this does not make  
14 sense to me. And I would like to have seen some  
15 independent opinions here instead of not to disparage  
16 the people who did this, but if you want a more  
17 objective response then perhaps we should have gone  
18 outside the city because everyone who has worked with  
19 Brewer-Garrett is saying yes Brewer-Garrett is the  
20 best. Would an outside independent person have seen this  
21 in the same light?

22 MAYOR COYNE: Mr. Chairman, if I may.

23 COUNCIL PRESIDENT: Go ahead, Mayor.

24 MAYOR COYNE: The fact of the matter is, if  
25 you go back into your packet and again Brewer-Garrett

1 the windows, not the boilers; okay? So if you will look  
2 in these reports consistently, what their  
3 recommendations were as our maintenance person this  
4 year, again, you held up legislation for quite some time  
5 for us to entertain the contract to do maintenance while  
6 the bid was lower for just doing routine maintenance,  
7 changing filters or whatever. The cost of replacing  
8 these things has not changed.

9 So again, Council will see by review of this  
10 legally that we met all the requirements legally to move  
11 this, to move this forward. So your alternative is if  
12 you stay the same you will be appropriating substantial  
13 dollars every year and you will be sticking a plug in  
14 it. And the other thing that I can say to you, to  
15 Councilmembers, everything in your house is older --  
16 you probably don't have the same roof that you had when  
17 you bought your house, do you?

18 MRS. POWERS: Of course not.

19 MAYOR COYNE: Of course not, all right, so  
20 we're in the same position. So if you look at their  
21 recommendations, from 2001 none of those things have  
22 been done, we've been going along the way we are right  
23 now. And it's not substantial, and the reasons we're  
24 able to operate that, if you look through your  
25 appropriations, you see the difference in how our bills

1 way they changed them was to make it more cost effective  
2 and more protected for cities in getting involved in  
3 these things. So the cost, the cost of what contact  
4 said they were going to be turned out to be what they  
5 were, and then just a national movement to make things  
6 more energy efficient so we use less energy. So that's  
7 how we approached this.

8 MR. DOLAN: Just to follow-up on the Mayor,  
9 Councilwoman Powers, if you think of the building and  
10 its components like you think of your car, you would be  
11 driving a 1993 car. If you use it every day, and it  
12 has wear and tear and it's exposed to the elements, it  
13 gives out. That's what you're dealing with your rec  
14 building, the components are worn out. You saw the  
15 sprinkler on the roof to cool the cooling units. It  
16 just, you know, it's a rare car that's going to last for  
17 30 years. You use it every day, it's not in a garage,  
18 it wears out. Mechanical systems in buildings wear out  
19 and that's why you have to fix them. That's the best  
20 analogy I think you can contemplate and at some point  
21 you can't fix it anymore, it's not worth it. That's  
22 where you are with this system it's not worth it and  
23 you can't get components. I think Brewer-Garrett and  
24 the Mayor pointed it out. There are  
25 components that you can't get parts for anymore here.

1 fingers or pointing blame. I think it's a valid  
2 question to ask. If we had -- using the analogy, if I  
3 had a mechanic that was working on my car for 15 years  
4 and it was falling apart, and I wanted to get something  
5 new I think it's valid to ask, well, why should I trust  
6 the mechanic that I have, it's a valid question to ask.  
7 It needs to be answered but it doesn't need to be  
8 answered in a way that is confrontational. Just more in  
9 -- I think it should be more informational and  
10 confrontational. We're not looking to place the blame  
11 on anybody. We're looking to see what we can do to fix  
12 the situation in front of us so...

13 MAYOR COYNE: Mr. Chairman

14 COUNCIL PRESIDENT: I would appreciate

15 MAYOR COYNE: Go ahead. Are you done?

16 COUNCIL PRESIDENT: Yes, sir.

17 MAYOR COYNE: Well, the fact of the matter  
18 is you're assuming that I'm answering a question, and  
19 the fact of the matter is when we get into the process,  
20 you're right. In my view there is no reason once a  
21 Councilman gets a piece of legislation, and unless they  
22 need more information, shouldn't be on the next agenda.  
23 And I talked to Councilman Powers for many months, and  
24 so did the Service Director about moving  
25 Legislation, this has nothing to do with the other.

1 condensing core, evaporator core, that goes in front of  
2 your radiator in a car, with age it can get damaged by  
3 rocks, stones, it can, acquire, can get dirty, need  
4 cleaning, and some of that is part of maintenance.

5 There also are fins, you know, this is your outdoor  
6 unit. If you're looking to find your radiator in a car  
7 it has little fins on it, they actually have fin  
8 straighteners. So there is maintenance, and this,  
9 and--I'm getting to the point that you have the roof  
10 units with the sprinkler on it. What's happening there,  
11 it's not cooling properly because the air. It's not  
12 getting the airflow across it. So what was determined  
13 to do to keep it lasting longer was to put the  
14 sprinklers on it so now it was water cooled rather than  
15 air cooled. That's all that was happening there, that's  
16 what the sprinklers are about. So there is  
17 maintenance that can happen with those fins, and I  
18 believe it's the, that's the condenser on that, the  
19 condenser core on the front of the -- the evaporator  
20 core, I believe, is on the inside of the car. That's  
21 what takes the humidity out and cools.

22 So, you know, you could say with that  
23 analogy you can say, yeah, okay, you have your mechanic  
24 that's fixing your car. At some point the thought is  
25 not if it can it be fixed but what's the cost. Is

1 MAYOR COYNE: Mr. Chairman --

2 MR. TROYER: One part of the packet.

3 MAYOR COYNE: Mr. Chairman, if I may.

4 COUNCIL PRESIDENT: Councilman Troyer, can  
5 you hold on one second, please?

6 MAYOR COYNE: Thank you. Does anybody have  
7 any questions about the evaluation process? We'll get  
8 into this other part later when he have the contractor  
9 here. And the report I talked to you about, that  
10 particular report did that page numbers. That's why I  
11 referred to them.

12 Mr. Chairman, all due respect we're talking  
13 about the evaluation process. If Council has no other  
14 questions on that, then we'll move to the legal analysis  
15 of the process and as when the contractors come here I  
16 think that's the appropriate point for you to raise the  
17 issues you just talked about.

18 COUNCIL PRESIDENT: I would ask the  
19 gentleman from Brewer-Garrett to make a note of that so  
20 that the Councilman doesn't have to repeat his question.  
21 But the questions to Mr. Dolan should be about, he is  
22 talk about the RFQ selection process. So let's keep our  
23 comments or questions directed towards him so that he  
24 can then sit down and give it up to the legal advisor so  
25

1 process. So you get a request for qualifications, both  
2 parties talk about who is ever the highest qualified or  
3 determined would be the intent to move forward and then  
4 there is a contract that's entered into as a result of  
5 that process. So we've done the first two, we're at the  
6 third point right now. The issue, the other question  
7 that you asked again, I think we should get into that  
8 when we go forward. So request for qualifications kind  
9 of the same thing but I'll let the lawyer speak; but I  
10 believe under the state provisions that's how they term  
11 it. There is really not much difference between  
12 qualifications and proposals, other than when we get a  
13 normal proposal let's just say to pick up our rubbish.  
14 We kind of set the specifications for that. The  
15 qualifications under the state law are set by the state  
16 so that the provisions of the energy efficiency  
17 qualifications are met according to the code, and that's  
18 how I understand it. So again, the evaluation process,  
19 the process that we followed based on the resolution  
20 that was passed. How do we conform to state law, what  
21 occurs, what qualifies under the project, what does not,  
22 because when we get further down the line we'll talk  
23 about why do we have some things excluded out of this  
24 proposal, because it may or may not fall under the  
25 qualifications

1 evaluation you have a memorandum from Jen and there  
2 are two outlines that I believe are a part of the  
3 slide presentation, and they're dealing with HB420.

4 Are we  
5 everybody on the same page?

6 **MR. TROYER:** On the presentation?

7 **MAYOR COYNE:** That's correct, the one I  
8 handed out. Not the big one. Not this one.

9 **COUNCIL PRESIDENT:** The one that had the big  
10 clip on it.

11 **MAYOR COYNE:** Not the slide presentation, the  
12 one that had the big clip.

13 **MS. ROTH:** So it looks like this.

14 **MAYOR COYNE:** It's a confidential memorandum  
15 in there and then there is two attachments that are on  
16 there. Right after Mr. Dolan's evaluations. In the big  
17 packet with the clip.

18 **MR. TROYER:** I got it.

19 **MAYOR COYNE:** Just keep flipping through it.

20 **MR. TROYER:** It's right after the  
21 handwritten stuff.

22 **MAYOR COYNE:** Right there. All right.  
23 Everybody got it?

24 **MR. TROYER:** And, Mayor, these blank  
25 pages were intentional; right?

**MAYOR COYNE:** It was a test for you to see

1           So if, does anyone else have any other  
2 questions about the RFP process?

3           COUNCIL PRESIDENT: I guess the question you  
4 can clear up, when you say we got the request for  
5 proposals from the three vendors, what we passed was an  
6 ordinance that said we're requesting for qualifications  
7 from vendors. The question is, well, how does it  
8 convert to a request for -- when we're getting requests  
9 for qualifications, you're saying now we've gotten  
10 request for proposals from three vendors. That's I  
11 think the question you need to clear up is how does it  
12 convert to a request for proposals?

13           MS. ROTH: I think at the end of the day the  
14 request for qualifications is the language that you  
15 normally would use; but it's just that the revised code  
16 provides a different description of what that is. But  
17 if you look at the process that you followed, I don't  
18 think whether you called it qualifications or proposals.  
19 If you look at what you actually did you followed what  
20 was in here, just using a different word. The revised  
21 code word is proposals and that's what you've received.

22           I think the normal process is like we were  
23 talking about before, with professional services it  
24 would be your, a request for qualifications just where  
25 revised code didn't follow what you would normally call

1 complies with what the revised code requires. One of  
2 the other questions was whether the -- so most of these  
3 projects were originally done for schools as was  
4 mentioned before. The process was then codified for  
5 cities in 717.02, and made a lot more flexible, so  
6 schools are limited to 15-year financing. In 717.02 you  
7 are not limited to 15 years, even though, you know, a  
8 lot of the projects that you would have seen done this  
9 way were done, as a 15-year financing. 717.02 says that  
10 you can finance it for as the life of the project, or 30  
11 years, whichever is less.

12           The third question was whether the  
13 Brewer-Garrett proposal met the useful life requirements  
14 of the revised code. Actually, for 717.02 it does not  
15 limit the city to the normal useful life requirements.  
16 The revised code actually provides for most public  
17 projects that set useful life for certain kinds of  
18 improvements, you're not limited to those. So you can  
19 look at the Brewer-Garrett proposal rather than the  
20 limits that are otherwise in the revised code.

21           The other question was what qualifies for  
22 this exemption, again, for cities the list is very,  
23 very broad, and gives you a lot of flexibility. So it  
24 provides I think ten different specific kinds of  
25 improvements that you can do, but then at the, it also

1 think there's any question about that. But will we make  
2 it separate rather than make it part of the borrowed,  
3 but we just do it separately as a capital project for  
4 the recreation department and our appropriation next  
5 year. So when Matt Stuczynski gets in there and explains  
6 to you the numbers which is really probably the most  
7 important part of this, those are decisions that are  
8 left to be made. We can do it one way or another, and  
9 that's what she's talking about.

10 COUNCIL PRESIDENT: Can you identify the  
11 section of the law that talks about what he just, you  
12 know, what you and him just talked about?

13 MS. ROTH: Yeah, so 717.02 (A1) defines an  
14 energy conservation measure, and that's where it  
15 includes insulation, storm windows, energy control  
16 systems, heating, ventilating, caulking, weather  
17 stripping, lighting fixtures, energy recovery systems,  
18 heating systems and utility systems, meter replacement.  
19 So those are all the specific things that are listed  
20 out, and it also says anything else that the legislative  
21 authority determines is an energy conservation measure.  
22 Again that's 717.02 --

23 COUNCIL PRESIDENT: Yeah. under letter K,  
24 any other construction; right?

25 MS. ROTH: Yes, correct.

1 done, areas of roof, but we're not doing it over the  
2 area where the pool is. And, you know, I believe  
3 insulation and insulating, and if you can do a roof on  
4 the other place, that would be something that we could  
5 do. Would insulating the roof over the pool, and doing  
6 that roof, could that be considered part of this, would  
7 that qualify?

8 MS. ROTH: I would think it could be, and  
9 then that's where it goes back to that report that you  
10 get from whoever the provider is. So the vendor has to  
11 provide you with a report that goes through all of the  
12 measures, how much they cost, what the life is, what  
13 kind of savings you're going to get from that, both in  
14 energy savings and then in, converted to dollars. So it  
15 should all be in that report. If there are any  
16 improvements that are not in that report that you wanted  
17 to add you would go back to that vendor and say, you  
18 know, how does this fit into what, you know, the report  
19 that you've already given, can you add that into the  
20 report. But it should all be set out in that report  
21 because that is required.

22 MR. TROYER: Okay. Thanks.

23 COUNCIL PRESIDENT: Ms. Roth, have there  
24 been any legal challenges to communities that have done  
25 this?

1 COUNCIL PRESIDENT: Council, any other  
2 questions? Okay. Seeing none, thank you.

3 MS. ROTH: Thank you.

4 MAYOR COYNE: Now we get into the meat of  
5 the project. We have Mr. James Wilbanks --Matt; I  
6 don't see him there. Mr. Wilbanks is with  
7 Brewer-Garrett and you also have a principal with  
8 Marous, who would be your partner. You have to  
9 introduce him at the appropriate time? But as the chair  
10 says we need your name and address for the record.

11 MR. WILBANKS: Sure. It's James Wilbanks.  
12 I'm with Brewer-Garrett. And the street address is 6800  
13 Eastland Road in Middleburg Heights.

14 COUNCIL PRESIDENT: Thank you.

15 MR. WILBANKS: Good morning.

16 MAYOR COYNE: For Council's clarification,  
17 we're now getting to this portion youof it; you can  
18 refer to either of these because they're kind of the  
19 same.

20 **MAYOR COYNE:** Take it away.

21  
22 MR. WILBANKS: Good morning everyone.  
23 Thanks for the opportunity to come and present what we  
24 feel is a very good way, a very good program to improve  
25 the city's infrastructure while controlling costs at the

1 spaces, but it's beginning to deteriorate to the point  
2 where it is costing you dollars. And so you while you  
3 can simply go in and replace units like for like,  
4 replace components like for like, there are always ways  
5 to repair almost anything. But are you getting into a  
6 scenario where that repair is actually futile, a futile  
7 investment when it comes to extending the life of the  
8 product. And I will tell you that in my professional  
9 opinion, in my company's professional opinion, you have  
10 reached that level with the majority of these systems.

11           And so, you know, I can certainly go through  
12 each component that we're talking about, but the bottom  
13 line is you have conditioning systems and controlling  
14 systems that are responsible for conditioning your  
15 spaces that are antiquated, they are older, and they are  
16 in a state of condition that is not going to condition  
17 to provide the service that you need. And so our  
18 approach, when we look at any situation like this, we  
19 want to take a holistic approach, and that's really the  
20 nature of our proposal. And so what we found is that  
21 there is either not utilized or under-utilized spaces  
22 throughout the various facilities, this building being  
23 one of those. In looking at the recreation center, we  
24 found that there were areas of the recreation center  
25 that could be better

1 proprietary and that's across the board. We do have  
2 alliances or allegiances with any product line,  
3 equipment line, even lamp manufacturer. And why do we  
4 do that? I will tell you that we are approached on a  
5 regular basis to become a proprietary distributor for  
6 all sorts of product lines. We certainly would reap  
7 financial benefit by doing so because a lot of these  
8 folks would pay us to push their product. The reason we  
9 don't take advantage of those opportunities is very  
10 simple. There is no one size fits all product line for  
11 every project that we do. And by staying nonproprietary  
12 that gives us the ability to provide whatever the best  
13 solution is for that particular project at that time.  
14 And that's the approach that we've taken with the  
15 program that we've put in place and put before you  
16 today. To be able to really provide what is best for  
17 each individual situation as we're going through the  
18 project. And so when it comes to the controls system,  
19 there's a term called it's not proprietary or open  
20 protocol and without getting overly technical.  
21 Essentially what that means is this is an open protocol  
22 system that has the ability to communicate to any  
23 digital device out there, be it old, new, what have you.  
24 As new technologies are brought onboard five years from  
25 now, this system, this control system, the language was

1 Brewer-Garrett, we are experts with mechanical,  
2 electrical and plumbing systems, that is our core  
3 expertise. Marous has that same level of core expertise  
4 with general trades work. So for the reprogramming of  
5 the spaces, reallocation of spaces that are going to  
6 allow us to move the City Hall and Council functionality  
7 over to the rec center, they would be our partner in  
8 handling that. Brewer-Garrett will be the overall prime  
9 contractor, but as far as the general trades work they  
10 are our partner and we've executed numerous projects  
11 with Marous over the years. Most recently we did the  
12 complete renovation of the Weston Hotel as a team. So  
13 he has a lot of experience in working together.

14           Once all of that work is done we're going to  
15 go through basically refreshing the entire rec center.  
16 That's paint, that's carpet, ceiling tiles, and really  
17 brighten the place up and really the intent of this, I  
18 believe is to give Brook Park rather than just a rec  
19 center as we're all referring to it, our idea in this is  
20 to provide a community exterior. City hall is there;  
21 City Council is there; along with all of the rec  
22 problems that you're experiencing today. And so in the  
23 process of doing this, getting an overall refresh to the  
24 all of the square footage in the space to make this look  
25 and feel like a new community center is going to be

1 These are all improvements that you're going to need to  
2 make at some point. What we're doing is we're doing an  
3 efficient way that's going to bring energy savings to  
4 the table and pay for it. These are monies that you are  
5 currently spending on energy operational dollars that  
6 are documented. Our report gives essentially a utility  
7 analysis that defines based on your utility bills. It's  
8 not back of the napkin made up information. This is  
9 something we do on a day-to-day basis for numerous  
10 clients. And at the end of the day we're going to  
11 contractually guarantee those savings.

12 COUNCIL PRESIDENT: If you could interrupt.

13 MR. WILBANKS: Absolutely.

14 COUNCIL PRESIDENT: Which report when you  
15 just said

16 MR. DOLAN: Our proposal.

17 COUNCIL PRESIDENT: The one, the RFQ you  
18 submitted has all that information?

19 MR. WILBANKS: Yes, sir, you know, that's  
20 really in my mind one of the other benefits to this  
21 process.

22 In my previous life I was a consulting  
23 engineer. Part of those processes that the Mayor spoke  
24 about, you know, where one engineer is doing the  
25 drawings and you take those out and you give the to a

1 James, thanks for coming again.

2 MR. WILBANKS: Sure.

3 MR. MENCINI: Okay. My question is going to  
4 be for a minute here, I want to go back to when we did  
5 that project before back, I believe it was like 1996, I  
6 think, 1997, good company then and everything. I didn't  
7 think personally the things that were supposed to get  
8 done for the cost that we had, I was there every day.

9 I'm there every day now. You can ask **Maryann** to  
10 your right. I didn't think back then things got done at  
11 all the way they should have got done, I have good faith  
12 in Brewer-Garrett. My colleague Mrs. Powers brought up  
13 a good point up when she brought up, what about  
14 everybody else. So a lot of things you say, a lot of  
15 companies could come in here and say what you said.

16 There is no doubt about it at the end of the day.

17 Matt said that over at the rec center in that  
18 speech for a long time.

19 I guess my point being, I like one of the  
20 things you said about the proprietary was you guys, when  
21 you need parts, things of sort, you guys could go  
22 anywhere, get parts that we need. Mike said that with  
23 Honeywell we have to get Honeywell parts. To me that's  
24 big because that, down the road we're going to  
25 need parts, all type, okay?

1 Playhouse Square, Tri-C. These are heavy hitting  
2 powerhouse type entities that can get, they have people  
3 knocking on their door every single day that want to  
4 provide them service but they stick with Brewer-Garrett.  
5 Playhouse Square has been with Brewer-Garret for 25  
6 years; that to me says more than I can ever tell you  
7 today. The clients that currently utilize  
8 Brewer-Garrett that have continually utilized  
9 Brewer-Garrett -- Kent State University. We've done  
10 this energy conservation process for them, not once but  
11 four different independent phases, all of which were  
12 awarded to Brewer-Garrett.

13 To your point, you can sell anybody on  
14 something one time. If they ask you back to the dance,  
15 to me that says something for you as a company. You're  
16 obviously doing something right to have them continually  
17 ask you back to reiterate and other phases of work for  
18 that same entity. That to me says, why Brewer-Garrett,  
19 that to me answer that question. You know, one of the  
20 other advantages I think Brewer-Garrett has, we talked  
21 about the Honeywell, Gardner and Tremco, these are  
22 larger, national entity type companies; a lot of them  
23 are publically traded. They have shareholders that they  
24 have to answer to. They have bottom line things that  
25 are dictated by those

1 again, being in a position to tell you anything that I  
2 want. When we go out and we procure work for larger  
3 entities, for instance, we did \$20 million dollars' worth of  
4 work at **Aultman** Hospital in Canton. We've done \$80  
5 million dollars' worth of work for Kent State over  
6 those various four phases.

7 In order to qualify to do that scale of  
8 work, your financial condition is looked at. Because  
9 when you've got a major state-run institution that's  
10 looking to spend \$80 million dollars they need to know  
11 that your company is sound and solid and is going to be  
12 around to support that. I would say the fact that we  
13 have qualified and secured that level of work, speaks  
14 volumes for our financial stability because the state  
15 looks at it and grades us on it.

16 The other point to that is our bonding  
17 capacity is about \$60 million dollars and in order to  
18 have that bonding capacity is all based on the financial  
19 stability of the company. I think you would be hard  
20 pressed to find any company of our type that has that  
21 level of bonding capacity. So those facts I believe  
22 answer your question rather than me telling you that  
23 we're sound. But we're pretty financially sound.

24 MR. MENCINI: And again, I thank you very  
25

1 maybe just some lack of direction with what the future  
2 intent was for that space. So rather than throw  
3 dollars at it now, we decided okay, we'll hold back on  
4 that and not propose it at this time. So that a  
5 final plan, a future plan, could be developed and  
6 then appropriate those dollars when it makes the most  
7 sense. We didn't feel like, that was primary reason  
8 that we did not include that as part of our scope.

9           MAYOR COYNE: If I may, Mr. Chairman, along  
10 the lines that Julie just talked about. Again, the  
11 history of that building, it was built without the pool  
12 in it; the whole structure was built. And going back  
13 to that, the roofing system problems there are more  
14 profound, I don't think we really know what they are. I  
15 put a big mud flap over it and I was told that that  
16 was going to address the problem, we'd never have any  
17 problems again. I believe the Elliott administration  
18 put some kind of metal composite cover over that and  
19 the problems still exist.

20           So in long-term planning, what was the  
21 biggest cost in operating the recreation center? It was  
22 the pool in terms of personnel you're required by state  
23 law for a pool that size. It was built, we built the  
24 first one and we were looking at having all kind of  
25 competitions. How many municipal facilities have diving

1 When we have a real handle on it. So, Julie, your  
2 question is right on. What do we do about that, what is  
3 it going to cost, what is the real remedy with that  
4 roof. Because the last thing we want to do is do  
5 another application that someone is telling us maybe  
6 you should tear the whole roof out, and in the original  
7 plans when we did water park it was my intention to  
8 make that an indoor, outdoor facility and a lazy river  
9 was supposed to be Incorporated into the water park at  
10 that time. Again that was decided, well, we weren't  
11 going to do that now. It's something in the future.

12 So I think there is too many questions about  
13 the roof. What do we want to do? We want to get  
14 families in the recreation center, our memberships are  
15 up. I understand we're having problems now doing  
16 possible opening statement on equipment; which is a good  
17 thing. We didn't have that in the past. So I think right  
18 now to attack the immediate needs, get that going to  
19 make it a good community center. We're aware of the  
20 conditions that we can correct and the direct that we  
21 can enjoy with the scope of the project we have now. I  
22 think the other thing is too uncertain to move forward  
23 at this time and what the cost would be. So that's kind  
24 of how we made that determination.

25 MS. MCCORMICK: Okay. And then my next

1 at night. The control system will allow for that even  
2 in the larger spaces. It will just start its recovery  
3 time.

4 MS. MCCORMICK: Okay, thank you. Then my  
5 next question is about the LED lighting. You said that  
6 would provide a brighter, whiter light. Outside I think  
7 that sounds great but inside is there any specific  
8 lighting that was more natural, like a specific kind of  
9 LED? Because I know LED is more of the blue spectrum and  
10 it has some effects.

11 MR. WILBANKS: Well, and so - did you study  
12 for this before

13 MS. MCCORMICK: No, I just read a lot of  
14 stuff.

15 MR. WILBANKS: You're asking some really  
16 good questions.

17 So interior LED has really come to favor,  
18 say over the last two years, two to three years. One of  
19 its primary inhibitors of interior LED is exactly what  
20 you're describing, the color spectrum that its able to  
21 achieve. So what they've done and one of the reasons  
22 you're seeing such a surge of interior LEDs, the energy  
23 savings benefits have always been there. So I would tell  
24 you every major lighting company right now,  
25 all of their R&D is in LED light because that is the

1 interior LED system that we will be putting in to the  
2 rec center in the various areas, will be the color  
3 temperature, the appropriate color temperature to hold  
4 with what is aesthetic pleasing and expected from the  
5 human eye today.

6 MS. MCCORMICK: Thank you, that's good to  
7 hear. One last question, if we do go ahead and pass  
8 legislation to allow this project to go forward, what  
9 is the actual timeline from when it could start, how  
10 long would the whole process be, would there be  
11 downtime for certain parts of the building, and that's  
12 is all I have.

13 MR. WILBANKS: Okay, the short answer is we  
14 could start as soon as you guys are ready to start. Our  
15 engineering, our project implementation team is pretty  
16 expansive and so we're pretty manageable when it comes  
17 to schedules and when we start and how we start and how  
18 quickly we execute work. I will tell you that, to lay  
19 this project out on a scheduled timeframe, I would tell  
20 you that you're probably looking at a schedule somewhere  
21 in the eight totwelve-month range. But I will also tell  
22 you that is extremely manageable. We have, you know, we  
23 do a lot of work in healthcare. Certainly scheduling  
24 this type of work in healthcare facilities is  
25 far more challenging than what we might experience at

1 sitting downtime; we really have no, from an HVAC  
2 standpoint. We have no intent of shutting half of  
3 the recreation center down to make it to where it's  
4 uncomfortable; we use seasonality as a way to handle  
5 that. Also, proper staging, making sure that one  
6 component is ready to go before the existing  
7 component is taken offline. Again, to go back to the  
8 healthcare reference. We replaced 18 air handling  
9 units for **Aultman** Hospital. Being a hospital they  
10 can't just send people home or tell people not to stay  
11 in a patient room; so we did that work without any  
12 downtime. I think the largest temperature shift they  
13 had was about two degrees over a two-hour period. So  
14 there are absolutely ways to execute this  
15 construction where it's not really overly impactful  
16 to the facility. Does that answer your question?

17 MS. MCCORMICK: Yes. Thank you.

18 COUNCIL PRESIDENT: Councilman Burgio.

19 MR. BURGIO: Thank you, Mr. Chairman. First  
20 of all, we received a lot of information from everybody  
21 today so I'm grateful for that. My question to you is,  
22 you mentioned Playhouse Square and Cleveland State.  
23 Were those under the guidelines of House Bill 420?

24 MR. WILBANKS: It was a similar process.  
25

1           Our contract is written such that when, if  
2 there is a savings shortfall, over the course of any  
3 given here, we come to you, there are a few options that  
4 we have, that you have; you actually drive the bus on  
5 this. We can come in and cut you a check for the  
6 difference, whatever that difference is. If we fall  
7 short we owe you that money, and we have had to cut that  
8 check before.

9           You can carry that shortfall over to the  
10 next year, you know, if it's \$300 that we come up  
11 short, we still owe you that money, but is it worth  
12 sitting here finagling over \$300 bucks we just carry  
13 that over to the following year. Then if we come up  
14 short again -- you can request that payment at any time  
15 and that is completely up to you. When we do have a  
16 savings shortfall -- so rather than tell you what the  
17 contract says I will give you an example. At **Timken**  
18 Steel we did a major, major energy conservation program  
19 for them. The savings expectations were to the tune of  
20 over \$1 million dollars a year that we were going to  
21 save them. Well, there were some things that happened  
22 that transpired with the efficiency of the boiler  
23 plants that we put if that did not go the way we  
24 expected it to go. There was a whole host of reasons.

25           You can make all the excuses in the

1 The end use device is really where that current gets  
2 met and consumed, and that's what we would be  
3 affecting. So it will not require extensive  
4 demolition to access wiring or anything of that  
5 nature.

6 MR. BURGIO: Good, thank you, that's all  
7 I have, Mr. Chairman.

8 COUNCIL PRESIDENT: Councilman Troyer.

9 MR. TROYER: Thank you, Mr. Chairman. Some  
10 of my questions are off of other questions, to clarify  
11 them a little bit. You just talked, well, you talked  
12 about the wiring just now and you would be obviously if  
13 you needed an upgrade you would be replacing that.

14 On the guarantee and the question earlier  
15 about what happens if you go away. So I want to get  
16 into a little bit about the guarantee you mentioned a  
17 \$60-million-dollar bond. So first of all, what happens,  
18 whatever, tornado, fire, you're gone. You know, your  
19 employees move on because there is no place to go to  
20 work and where as other companies, the bigger companies  
21 that have different locations would be able to bring  
22 somebody from out of state or out of the area to come in  
23 and handle it. How would that be handled at that point  
24 if there was an issue?

25 MR. WILBANKS: If Brewer-Garrett went away,

1 guarantee is probably going to be in the \$30 to  
2 \$35,000 range. I would be shocked -- I mean, that  
3 would mean that we were missing your savings guarantee  
4 by a significant percentage just to compensate for that  
5 \$35,000 spent.

6 So that is essentially the way the state-run  
7 institutions, that are mandated that they have to have a  
8 three-year energy guarantee bond. You are not, you  
9 don't have to have it but you certainly have that  
10 option. So if that were a concern there are bonding  
11 capabilities in place that would essentially ensure that  
12 should Brewer-Garrett go out of business, and should  
13 the guarantee not materialize they would step in and  
14 make up the difference.

15 MR. TROYER: Okay, so you have no insurance  
16 policy or anything that you pull on each job or anything  
17 like that to cover if you were to go away somehow?

18 MR. WILBANKS: No, sir.

19 MR. TROYER: Okay.

20 MR. WILBANKS: No.

21 MR. TROYER: And then if you're still in  
22 business and we have a problem, can you elaborate a  
23 little more on -- you said it was our choice. So  
24 whether -- let's take \$1,000--\$1,000, first year it  
25 didn't happen you pay us \$1,000. Now who makes that

1 that those savings do materialize, or do we want to keep  
2 paying. The outcome for you is the same; you're going  
3 to get your money.

4 MR. TROYER: Right.

5 MR. WILBANKS: It's really Brewer-Garrett's  
6 decision on whether or not do we want to go in and spend  
7 that money today, or do we want to keep paying you. I  
8 would tell you that of the three times we've missed, we  
9 walk in the door and make -- we improve the system to  
10 make sure that those savings materialize.

11 MR. TROYER: Okay, then the question about  
12 the thermostats and I understand and did ask one of  
13 your former employees about this the other day.  
14 Because, you know, doing setbacks on a big area like the  
15 gym it's not going to recovery that fast. But it  
16 actually even, in the winter in the heating months you  
17 heat the room, but the bleachers are going to be awful  
18 cold and areas like that. In the summer you may get it  
19 cool but you're going to take forever to get the  
20 humidity back out of there, but you addressed that.

21 My question is on the thermostats you said  
22 they're in lockboxes. Now everybody, most people now  
23 have **programmable** thermostats in their home. So you  
24 could program them on the spot each room like they are  
25 now and put them in that lockbox. But my understanding

1 device on the wall. It's whether or not that device  
2 actually has set point capability, or whether that set  
3 point capability is housed within the computer.

4 MR. TROYER: Okay.

5 MR. WILBANKS: And really, for our purposes  
6 it's really six of one, half dozen of another. It  
7 doesn't really matter to us if you have a preference one  
8 way or the other. But I will tell you the advantage in  
9 my mind especially in public places where multiple  
10 users -- funny thing about temperature. You take ten  
11 people and you put them in a room, you'll get ten  
12 different opinions on where the temperature needs to be.  
13 And so if you give a public -- a transient space the  
14 ability to affect set point, it's going to go up and  
15 down, up and down, and nobody is going to be happy. The  
16 easiest thing to do in our mind is have the temperature  
17 sensors so though the temperature is regulated but those  
18 settings are housed within the control system, that's  
19 our opinion.

20 MR. TROYER: Okay, and can you give us the  
21 definition of **Ashrae**, because you mentioned it's  
22 earlier.

23 MR. WILBANKS: It's the American Society of  
24 Heating Air Conditioning and Refrigerator Engineers.

25 MR. TROYER: Okay, great and I did have

1 roofing system, you do? Would it effect, you know, you  
2 can spend any--a wide range of dollars on different  
3 types of roofing systems. How significant that space  
4 becomes may affect do we invest \$500,000 or do we  
5 invest \$2 million dollars. So we felt like this city  
6 just wasn't necessarily in a position to make that  
7 decision today. I'll tell you this, if you want to do  
8 the roof, we're more than happy to do it.

9 MR. TROYER: But you feel that would qualify  
10 and everything?

11 MR. WILBANKS: Absolutely.

12 MR. TROYER: Can that be part of a different  
13 project, same process?

14 MR. WILBANKS: Same process, different  
15 project, absolutely. You know, a lot of this, you know,  
16 I talked about the multiple phases we did for Kent  
17 State. This is a very good example; the first phase we  
18 did for Kent State had no roofs in it at all. Phases  
19 two and three, significant amounts of roofs in them, and  
20 it was simply because that client made their decision on  
21 their timeframe. So that's, really our job in this is  
22 to educate, to offer information, and then execute the  
23 scope of work that you folks want to see executed.  
24 So we leave that decision more in the hands of you guys.  
25

1 attractive, the process is. And so you could still  
2 utilize that process as a standalone.

3 MAYOR COYNE: Mr. Chairman, if I may before  
4 we leave that roof.

5 COUNCIL PRESIDENT: Go ahead.

6 MAYOR COYNE: This is what we're going to  
7 use that for. As I said to you, and people don't  
8 realize this because most of them weren't around.  
9 There was just a dirt floor in that building and it was  
10 constructed without the swimming pool, okay. If we have  
11 a different use, let's just say we put in a community  
12 center and we put in another junior gym in there, we'll  
13 rip that roof right off the top of it. And you could  
14 argue there will be more energy savings because we would  
15 lower the ceilings, we don't need ceilings that high. So  
16 the question is, that whole design of that building, to  
17 give you history. The pool was held up because we had  
18 park pool in the parking lot that was built. And the  
19 **Coury** Family built the pool, leased it to the city with  
20 the agreement that any other municipal pools in the city  
21 would be built by them. And so what happened was there  
22 was a lawsuit because the city determined that they  
23 wanted someone else to build the pool in the rec center.  
24 It was for years that this went on, so I think from the  
25 very beginning, Councilman, that design of that roof was

1 something of that sort?

2 MR. WILBANKS: You mean the area of the  
3 pool?

4 MR. MENCINI: The whole building, I'll get  
5 to the pool in a minute, the whole, I'm just saying if  
6 we need.

7 MR. WILBANKS: Oh, absolutely.

8 MAYOR COYNE: Yeah, well the answer to that  
9 question is, I could answer that, it is now and it will  
10 be. That's our fallout shelter, that's our -- when we  
11 had the great tornado during home days we put  
12 thousands of people in the building; so it doesn't  
13 really change. You're not changing any of the use  
14 areas, you're just making them more efficient. So it  
15 will I don't think we still have the cots that we used  
16 to have for civil defense but other than that,  
17 everything is still intact.

18 MR. MENCINI: We hope we never have to use  
19 it that way.

20 MAYOR COYNE: I hope you're right.

21 MR. MENCINI: Back to you, when you guys do  
22 the work over there, will Brewer-Garrett will they hire?  
23 When you guys do the projects or any big project, do  
24 you hire-contract out at all on anything?

25 MR. WILBANKS: Oh sure. We have various

1 ways that we execute labor from various sources.  
2 Certainly being in business as long as we have, we have  
3 a lot of strategic partnerships, you know, not only with  
4 companies like Marous but also with other trade  
5 partners, other contractors. So, yeah, we essentially  
6 as part of, you know, there was some question about the  
7 qualification versus proposal. Our response in that,  
8 and I think the Mayor said we had those laid out at some  
9 point. If you look through that, yes, it's both  
10 qualifications and proposal. Our scope of work is  
11 defined price. As we're doing that we go out and engage  
12 product manufacturers, subcontractors, all of those  
13 things because at the end of the day we have to have a  
14 full understanding of what those prices are going to be  
15 because we're going to guarantee it. So anything that  
16 we don't include or that we get wrong from a pricing  
17 standpoint, is not your responsibility anymore. It's  
18 ours. And we take that responsibility pretty good.  
19 because we have to make money in order to stay in  
20 business. And we're were not able to make money if we  
21 don't have a good handle on how we're going to execute  
22 that from a labor standpoint.

23 So I would tell you that a lot of the work  
24 will be execute by Brewer-Garrett's in-staff personnel.  
25 Certainly all of the engineering, all of the project

1 my company's done work with Marous, we know they're a  
2 union company. What is the labor force going to be? Is  
3 it going to be union? All union contractors,  
4 subcontractors.

5 MR. WILBANKS: Yes, sir, it will all, we  
6 will execute this as a union job.

7 MR. SCOTT: It will be a union job.

8 MR. WILBANKS: Yes, sir.

9 MR. SCOTT: Okay, thank you.

10 MAYOR COYNE: That's been a clear message.

11 MR. SCOTT: I just want to make sure.

12 MR. WILBANKS: We get that question a lot.

13 MR. SCOTT: I have a union brother and I  
14 just want to make sure it is going through a union.

15 MR. WILBANKS: I'm Southern, I don't know  
16 understand the unions, but I do understand that they're  
17 important. We don't have the unions so much down south,  
18 but living in the area I've gained a firm understanding  
19 of how important that question can be from time to time.

20 MAYOR COYNE: Mr. Wilbanks, up here we  
21 believe that you have the right to work as long as  
22 you're a member of the union.

23 MR. WILBANKS: I completely understand.

24 MAYOR COYNE: Or somewhere along that line.

25 MR. WILBANKS: It's taken me 10 or 15 years

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24 MAYOR COYNE: Or somewhere along that line.

25 MR. WILBANKS: It's taken me 10 or 15 years

1 to get that understanding.

2           MAYOR COYNE: So everyone has a right to  
3 join the union, and they have a right work, that's our  
4 attitude.

5           MR. WILBANKS: Exactly understand.

6           COUNCIL PRESIDENT: Councilwoman Powers.

7           MRS. POWERS: I just had one question and  
8 don't really mean to throw the wrench in everything that  
9 happened today; but being from down south you know about  
10 metal roofs. Have we considered metal roofing here?  
11 Because, yes, I understand that it has to be built up so  
12 that there is drainage but a metal roof, we're talking  
13 about and investment today that will be there for 70 or  
14 80 years, and with good service. So is this something  
15 that we should maybe, should be looking at something  
16 different here? Thank you.

17           MAYOR COYNE: Okay, I think the area that  
18 we have to put the utilities on, I don't think you can  
19 do a metal roof. To answer the question on the other  
20 pool, it is a metal roof on the pool with holes in it.

21           So where the components are and Jim has more experience  
22 than me you can see, Jan, where you look at the  
23 pictures. Particularly, through the ones that we have  
24 found and provided to you, where the failings are in the  
25 roof that will not even support the systems. So

1 ordinarily looking at these, remember what I asked the  
2 school, what are you doing about the roof, all right,  
3 and in some cases you can't do it.

4           The other things eventually if we do  
5 something with an enhanced community center at the pool,  
6 we would like, and we've had preliminary discussions  
7 with Brewer-Garret about this. Could we engineer and  
8 put silver panels on the roof of what is now the pool.  
9 All right, but that's for another day. I would say, and  
10 I'll let Jim comment, I think the areas that we have  
11 right now to support the units, I think we'll have to  
12 primarily stay with the construction type that they are  
13 right now.

14           MR. WILBANKS: I think to kind of follow-up  
15 on the Mayor's statement. I think a lot of that's  
16 driven by, when it comes to roofs, maintaining the  
17 existing intent of the roof. If we were building a new  
18 building I think that would be another, a more relevant  
19 discussion. From a financial standpoint you're changing,  
20 you've got to change your roof drains, you've got the  
21 change the pitch of the roof, you essentially are  
22 tearing off the top of your building and rebuilding it.

23                           And in most cases, at least the  
24 ones that we've been involved with. It just doesn't  
25 make financial sense. It makes more sense to approach

1 it in putting a weather tight appropriate system for  
2 that roof rather than entertaining the idea of changing  
3 materials, if that answers your concern as best I can.

4 MRS. POWERS: How long--what is the life  
5 expectancy of the work that you're going to be doing now  
6 with the existing materials?

7 MR. WILBANKS: At least 25 years.

8 MRS. POWERS: Versus about 70 or 80  
9 years for metal roofing.

10 MR. WILBANKS: As far as the roofing goes?

11 MRS. POWERS: And it can be reconfigured  
12 so that it will support the equipment. You just have  
13 to maybe build something a little different to make  
14 it support.

15 MR. WILBANKS: Sure, I would agree.

16 MRS. POWERS: But I guess the bottom line  
17 is, if you're looking at a roof that is going to last 20  
18 years, versus a roof that's going to last 70 or 80, then  
19 maybe a little more investment now is the more prudent  
20 thing to do.

21 MAYOR COYNE: Okay, if I may comment on  
22 That; that's not a little bit more of investment. You  
23 literally have to take the roof -- I don't know if what  
24 we have right now would support that. So you're talking  
25 a major, major reconstruction of that building, which

1 I'm sure would make it cost-prohibitive for us to do it  
2 under this program, that would be my opinion.

3 MR. WILBANKS: I would concur with that.

4 MAYOR COYNE: So right now with the  
5 standards we believe that making the suggested  
6 improvements so that the units could be sustained on the  
7 roof and be functional, this is the base way to go.

8 Now when we get into the existing pool,  
9 that's a whole other argument there, all right? So,  
10 therefore, that one I believe clearly has to be totally  
11 changed because whatever is there has not worked, and  
12 the height of those ceilings is not necessary. Again,  
13 it was our hope when we get to that, hopefully we can  
14 get to that someday. That we would have the ability to  
15 put silver panels across that whole area as a source of  
16 energy for the building, but I believe, that again would  
17 constitute a total rebuilding of the roof and I think  
18 that's what has to happen here.

19 COUNCIL PRESIDENT: All right, I actually  
20 have one question for you.

21 MR. WILBANKS: Yes, sir.

22 COUNCIL PRESIDENT: With this project, I  
23 mean, you're looking at taking these two buildings and  
24 putting everything into the community center. Have you,  
25 in your report that you have, have you provided what we

1 lose in space? Will any of these, the Council office,  
2 will we be losing space out of the deal or is that part  
3 of the report?

4           MAYOR COYNE: Yeah, we had, I can answer  
5 that question. Bowen did a space planning thing for us  
6 and actually the City Hall operations will have more  
7 space, Council will have more space. If anyone is  
8 interested maybe we just take a walk through it, I  
9 think with some of you I did. Literally you will have a  
10 true Caucus room right behind your dais; where the  
11 various offices is right now. The kitchen will stay  
12 and those offices, the clerks will have bigger areas  
13 than they have right now. The Mayor's Court clerks will  
14 have a bigger operation; so the answer to the question  
15 is in space planning, you will have more space than you  
16 have right now.

17           COUNCIL PRESIDENT: Okay, thank you.  
18 Council, any other question? Councilman Troyer.

19           MR. TROYER: Thank you, Mr. Chairman. It  
20 appears that getting back to the roof over the pool and  
21 everything, it appears that there might be some  
22 discussion or some plans that some of us aren't privy to  
23 but you haven't--have no plans, it's not part of  
24 anything about any roof over the pool or changing it or  
25 anything like that; correct?

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MR. WILBANKS: No, sir.

MR. TROYER: Okay, thanks.

MR. WILBANKS: Yes, sir.

COUNCIL PRESIDENT: Council any questions?

MAYOR COYNE: Before we move on that Councilman's comments, there are no plans other than to reuse that portion of the pool for something else in the future to be determined. So has there been discussions, yes, but there are no plans. As I said at all the public meetings, the reopening of the pool and dealing with the pool roof area is not part of this project scope.

COUNCIL PRESIDENT: Okay, thank you.

MR. WILBANKS: Thank you.

MR. TROYER: Oh, I do have one more, I'm sorry.

MR. WILBANKS: I'm popular today, that's fine. I'm getting more attention than I'm get at home.

MR. TROYER: I had a star here, but this may be later on, the financial numbers and how that's, is somebody else going to present that?

MAYOR COYNE: Yes.

COUNCIL PRESIDENT: Yes.

MR. TROYER: Okay, so I'll wait for that.

1 MR. WILBANKS: Okay, thank you.

2 COUNCIL PRESIDENT: Council, I would like to  
3 take a five-minute recess so would someone please make a  
4 motion? I would entertain a motion.

5 MR. BURGIO: So made, Mr. Chairman.

6 MS. MCCORMICK: Support.

7 COUNCIL PRESIDENT: Call the roll, please.

8 CLERK: Burgio?

9 BURGIO: Yes.

10 CLERK: McCormick?

11 MS. MCCORMICK: Yes.

12 CLERK: Powers?

13 MRS. POWERS: Yes.

14 CLERK: Troyer?

15 MR. TROYER: Yes.

16 CLERK: Salvatore?

17 MR. SALVATORE: Yes.

18 CLERK: Scott?

19 MR. SCOTT: Yes.

20 CLERK: Mencini?

21 MR. MENCINI: Yes.

22 COUNCIL PRESIDENT: Okay, we'll take a  
23 short recess and be back at 11:10. Thanks.

24

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1 COUNCIL PRESIDENT: Council, please take  
2 your seats, all right. We'll get this meeting back to  
3 order at 11:10. So Mr. Mayor, if you want to go on with  
4 your presentation.

5 MAYOR COYNE: Thank you, Mr. Chairman. It  
6 is my hope that we can have this done by 12:00 because I  
7 know people have other things to do. Now we get into kind  
8 of the meat of the thing; how we're going to pay for it.  
9 You heard Brewer-Garrett expound their virtues about how  
10 they're going to do this project and Matt Stuczynski which  
11 is our municipal advisor. I can and Don **Hart**, who is the  
12 underwriter if we go forward and bond the project. They  
13 can explain to you, if they wish, about how the laws  
14 changed, why are there two entities exposed instead of  
15 one; they can explain that to you. Matt is the one that  
16 well over the years advised us on our **debt** capacity and  
17 bonding and borrowing and those kinds of things. So I  
18 had him do an analysis of the projection that Brewer-  
19 Garrett has proposed as part of their contract. I will let  
20 him use the criteria that he used in analyzing this and  
21 why he thinks that this will

1 work for the city. So Matt Stuczynski, we're going  
2 to need your name and address for the record.

3 MR. STUCZYNSKI: Good morning. Matt  
4 Stuczynski, MAS Financial Advisory Services, 17172  
5 Penny Pines Circle, Strongsville, Ohio. 44136.

6 COUNCIL PRESIDENT: Thank you.

7 MR. STUCZYNSKI: Good morning, so as Jen  
8 Roth from Tucker Ellis previously mentioned, House Bill  
9 420 has a number of requirements. One of the primary  
10 tests of House Bill 420 is that the savings that you  
11 gain from the projected project improvements. So the  
12 savings that are achieved by way of utility costs  
13 reductions, maintenance reductions and capital  
14 avoidance, that must exceed the cost of the  
15 improvements. If you finance the cost of the  
16 improvements, it must exceed the cost of the  
17 improvements plus the interest expense of the  
18 financing. My role as the Mayor mentioned was to  
19 provide evidence to the City Administration and City  
20 Council that we can achieve this objective. So, in doing  
21 so, I endeavored to proceed with completing a number of  
22 financing scenarios. One of the first financing  
23 scenarios that I started with is using the projected  
24 minimum guaranteed savings. Taking that minute  
25 guaranteed savings, and determining how much of the

1 project could be financed and still meet this test  
2 required by House Bill 420 and I'll remind Council that  
3 the minimum projected guaranteed savings was \$308,200  
4 I'm sorry -- \$692 per area. That was the combination of  
5 utility cost reduction and maintenance reductions and  
6 capital avoidance. I would share with you that the  
7 analysis that I performed is not dissimilar to the  
8 cash-flow analysis you do in your individual lives;  
9 when you're trying to make a determination of how to  
10 finance a car or how to finance your home. You're  
11 basically looking at a revenue constraint or setting  
12 aside a certain amount of money. In our cause we're  
13 setting aside \$308,000 annually seeing how much can I  
14 finance using \$308,000 over a given period of time; so  
15 that's basically the analysis. No different than you  
16 do it if you're trying to see how much home could I  
17 buy if you were to use a \$1,000 a month for the  
18 foreseeable future. In our case, it could be 15 years,  
19 it could be 20 years, it could be 30 years as Jen  
20 mentioned. The state law provides for 30 year  
21 financing. So the analysis that was -- a starting  
22 point for the analysis was using that \$308,000, and  
23 carrying that \$308,000 and change out in a static  
24 manner; meaning I use \$308,000 each year. Didn't grow  
25

1 it, didn't change it, and said how much can we finance  
2 over that period of time.

3 One of the other scenarios that I use that  
4 as part of Brewer-Garrett's analysis is they have a  
5 growth scenario. Whereby they subject because of  
6 inflation and we'll call it increased utility costs for  
7 electric and gas, there is a projected growth in  
8 savings; it's roughly two percent a year going forward.

9 In that scenario the projected savings or  
10 revenue constraint from my modeling purposes, went from  
11 \$308,000 to roughly \$400,000 in year 15, about \$459,000  
12 in year 20. So that would obviously achieve we'll call  
13 it a lower reduced amortization because we have more  
14 revenue to apply to the project. Keep in mind the  
15 project cost, as identified by the Mayor, and as  
16 identified by the folks at Brewer-Garrett, \$4,383,117  
17 that's what we're trying to pay for; those energy  
18 conservation and aesthetic improvements.

19 There is a page which is in your packets,  
20 which has a synopsis of the analysis. What I presented  
21 to both the Recreation Commission and at the public  
22 hearing was using the most conservative scenario. I've  
23 tried to stay true to the more conservative scenario  
24 suggesting that Council can always choose to do  
25 something more aggressive if they desire, but what I saw

1 -- I used the most conservative scenario because it  
2 shows no growth. Much like you when you do your  
3 analysis as I mentioned in your own cash flow, we're not  
4 presuming we're going to have two-percent more growth or  
5 two-percent more inflation, it's flat. We're using the  
6 most conservative revenue constraint and with that in  
7 mind I was able to determine that we can achieve a  
8 financing that finances \$4,383,117 of project  
9 improvements completed being financed over 20 years;  
10 which results in meeting the thresholds of House Bill  
11 420. That being the savings that we would achieve over  
12 20 years, which is \$6,172,000, and again I'm looking at  
13 the schedule here in your packets. \$6,172,638 is, in  
14 fact, greater than the cost of financing over 20 years;  
15 which is the cost being \$6,001,780; so we've achieved  
16 the goals of House Bill 420 using that financing  
17 scenario. Some of the other things that I would  
18 mention that are important to the assumptions is that I  
19 did use an assumption that we, the city would provide a  
20 general obligation pledge to the financing; that is  
21 available through the program. I do also presume that  
22 the 20-year financing does correlate with the useful  
23 life of the project. In order to achieve tax exemption,  
24 you cannot borrow for a project whereby the financing  
25 exceeds the useful life.

1 Same with anything you've done in the previous  
2 financings that the City of Brook Park achieved, you  
3 must finance at a correlation to the useful life of the  
4 project. You cannot finance a piece of fire equipment  
5 for 30 years that only has a useful life of ten. And I  
6 did the same correlation here, meaning that were are in  
7 compliance with the useful life and the financing.

8 And I should mention further that the debt  
9 by meeting the House Bill 420 test, is exempt from the  
10 city's general obligation debt capacity. The city  
11 currently the has exempt debt, that which is self  
12 supporting and that is which, as an example, a special  
13 assessment project or paid back by the sanitary sewer  
14 fund; so those are considered exempt from the city's  
15 debt test. So this meets that test and is therefore  
16 exempt from the debt capacity test.

17 I would tell you that finally, in my final  
18 comment here, that this all predicated on interest rates  
19 today. Interest rates have moved fairly substantially  
20 since Tuesday and we've gone higher. We know that the  
21 feds is projected to raise rates in December of this  
22 year, hard to suggest what might happen. When the feds  
23 raised rates in December of last year rates, in fact,  
24 went down. I don't know if that's going to happen  
25 again, but that may be well what happens if the feds

1 raises rates again in December of this year; but the  
2 short end of the yield curve did go up. Long-term rates  
3 went down and the yield curve flattened; that very well  
4 could happen again, but that may not be the case.

5 So, again, we're taking -- a financing  
6 that's based upon a snapshot of time that changes daily.  
7 Interest rates move daily based upon the appetite for  
8 treasuries, and the appetite for municipal bonds. So we  
9 do have to be cognizant of the fact that what I've  
10 suggested works today and we have to keep a close eye in  
11 terms of what it might look like going forward. With  
12 that I'll open the floor to questions.

13 COUNCIL PRESIDENT: Councilman Salvatore?

14 MR. SALVATORE: Thank you, Mr. Chairman.

15 All your projections on your proposal here, everything  
16 is based on a 20-year payback. Did you ever hook any  
17 numbers up with a 15 year?

18 MR. STUCZYNSKI: So it doesn't work under  
19 a 15-year scenario. Meaning, again, we have a  
20 constraint of \$308,000 and if you take \$4,382,000 and  
21 divide that by 15 years, about \$293,000 of it is just  
22 principal; there is very little room for the interest  
23 expense. So, yes, we did attempt to do that and it  
24 doesn't work in that scenario. Meaning the savings will  
25 not be in excess of the debt surface.

1 MR. SALVATORE: And what about the two  
2 percent increase per year that you talked about?

3 MR. STUCZYNSKI: So it gets close, we get  
4 closer, and by all means we would like to shorten the  
5 amortization as much as possible. And as I mentioned,  
6 when we have the growth scenario, that growth scenario  
7 is not, is not as solid as the minimum guaranteed  
8 scenario. That contemplates, increases in inflation  
9 which may or may not occur but it does lower the  
10 amortization from 20 to something closer to 17, 18,  
11 still doesn't get us to 15.

12 MR. SALVATORE: Have you worked the numbers?  
13 How short are we in order to achieve that 15 year?

14 MR. STUCZYNSKI: May I ask --

15 MR. SALVATORE: What would we have to do to  
16 get there?

17 MR. STUCZYNSKI: Well, you have two choices.  
18 You can lower the dollar amount of the project but that  
19 becomes circular. Every dollar you lower from the  
20 project you reduce your potential savings and these are  
21 energy savings projects. So to try to--  
22 that's really the only solution you have in order to try  
23 to meet, or carve out certain portions of the project  
24 that are not pure energy conservation. As the  
25 Mayor mentioned, most of this is energy conservation,

1 but there are some aesthetic related issues to the  
2 project. That being if you're going in to tear out a  
3 lavatory or something and, you know, paint the wall.  
4 Painting the wall doesn't necessarily add to the energy  
5 conservation but as you're in there doing that  
6 project, you wouldn't leave the wall unpainted.

7 MR. SALVATORE: Okay, thank you.

8 MAYOR COYNE: Mr. Chairman, if I may, the  
9 other point is this is a conservative analysis to the  
10 project; there are some years our savings maybe more  
11 in \$338.

12 MR. STUCZYNSKI: So correct, so again I'm  
13 using

14 MAYOR COYNE: Right, so not to interrupt you  
15 but I'm going to interrupt you right now. So we'll give  
16 you the model, the total model we use \$308 as the  
17 conservative constant. There will be some years where  
18 there will be more than that in terms of savings and  
19 again, it's how do we qualify under this project. In  
20 other words, what's the pools that we want to put in,  
21 the housing of those pools may or may not go in there;  
22 it might be to our advantage to do that in a separate  
23 capital improvement. So in this analysis, and we'll  
24 share it with the other model. I should have had  
25 it in this packet, to show what Matt did was the most

1 constant conservative bottom line \$308, but it could be  
2 more.

3 MR. STUCZYNSKI: It could very well be more and  
4 that's part of the performance contract with the  
5 provider. If there is potential for growth in energy  
6 savings, but we would likely establish a debt service  
7 schedule at the front end when the city decides, if it  
8 decides to do so, to borrow for this project. It  
9 establishes a debt service schedule.

10 MR. SALVATORE: Okay, thank you, thank  
11 you Mr. Chairman.

12 COUNCIL PRESIDENT: Councilman Mencini.

13 MR. MENCINI: Thank you, Mr. Chairman and  
14 again, thanks for coming also, too.

15 On this 20 year the cost of project  
16 financing would be \$6 million and you go all the way to  
17 the \$1,070 and then the total minimum savings guarantee  
18 would be \$6 172, are you with me?

19 MR. STUCZYNSKI: That's correct.

20 MR. MENCINI: Okay, with that \$171,000,  
21 could he, as the Mayor just said capital improvements.

22 Obviously if I'm not mistaken being tax  
23 exempt, we couldn't -- what could we do with that money?  
24 Because your saving \$171, what could we do with that?

25 MR. STUCZYNSKI: So if I'm understanding your

1 question correctly, after the debt is financed your  
2 excess savings now can be used for whatever purpose you  
3 choose.

4 MR. MENCINI: Would that be taxed? Because  
5 it's a tax exempt project.

6 MR. STUCZYNSKI: Well, the borrowing would  
7 be tax exempt, that's correct. But again, your paying  
8 back the debt service from projected savings from the  
9 improvements. So that's coming from reduction in  
10 utility bills, reduction in maintenance fees. Once the  
11 debt service is paid off, those excess savings are now  
12 available for you to do whatever you choose to.

13 MR. MENCINI: Okay. That's \$171,000, right?

14 MR. STUCZYNSKI: I'm not sure I'm following  
15 the \$171,000--oh, the excess savings?  
16 You're referring to the excess savings?

17 MR. MENCINI: Yes.

18 MR. STUCZYNSKI: I'm sorry, yes, forgive me.

19 MR. MENCINI: No, you're fine.

20 MR. STUCZYNSKI: You can do with those  
21 whatever you choose, that's correct.

22 MR. MENCINI: Okay, and again, probably  
23 capital improvements, what have you, whatever.

24 MR. STUCZYNSKI: Absolutely qualifies.

25 MR. MENCINI: Thank you, that's all I have,

1 Mr. Chairman.

2 COUNCIL PRESIDENT: Councilwoman McCormick.

3 MS. MCCORMICK: My question is, if this  
4 legislation is approved how--what is the timeline  
5 for actual getting the financing prepared and  
6 finalized?

7 MR. STUCZYNSKI: So the city, so the good  
8 news is that we think it can be completed 60 to 75 days  
9 from the point at which the legislation is passed. In  
10 exploring a couple of different options, the city has a  
11 couple in terms of how it would go about financing.  
12 There is a direct bank purchase option that may be  
13 explored, there is also a public offering option that  
14 may be explored. Whatever produces the lowest and best  
15 interest rate for the city is the one that we would  
16 choose. In the instance that it's 60 to 75 days,  
17 that's likely the longest scenario. The good news is  
18 that the city annually prepares what's referred to as  
19 an Annual Information Filing Statement. That is the  
20 city when they previously issue bonds they agreed to  
21 what is called a continuing disclosure agreement. The  
22 city updates through the investors of your existing  
23 bonds a document that has tax rates, and information  
24 about the city's collection of the revenues and  
25 expenses of the general fund and that being done just

1 September puts the city well positioned to complete the  
2 official statement. The official statement being the  
3 **prospectus** document that you used when you sell to  
4 third party investors; when you sell your municipal  
5 bonds to third party investors. So the city is in a  
6 good position to move that quickly. Again, we would  
7 have--one of the other pieces, parts of the equation is  
8 preparing a rating. You have to have conversations  
9 with the rating agency. You currently have a **AA-minus**  
10 stable outlook with fixed rating services, that was  
11 refreshed in 2015; so that's relevantly fresh as well.  
12 So the good news is that we can move this fairly  
13 quickly. Also good news is that typically first and  
14 second month of the year are good months to enter the  
15 market. January and February have historically been  
16 very accommodating months to go to the market with  
17 municipal bonds; that's two-fold. Primarily there are  
18 a lot of folks, and this year in particular, there was  
19 a rush to get volume to the market before the general  
20 election.

21 Secondly, typically in Ohio, bonds are  
22 redeemed on December 1st, and with that the folks who  
23 own bonds, they receive their money back because the  
24 bonds were paid off on December 1st; they're looking to  
25

1 reinvest those bond proceeds. So they're looking for an  
2 opportunity to buy additional bonds and those are the  
3 large funds for the most part. The federated, Fidelity,  
4 Vanguard, Black Box, they have a pool of existing Ohio  
5 bonds that they will have a redemption on December 1st.  
6 That means they're looking for new paper, new municipal  
7 bonds and that would position us well in January and  
8 February. Does that answer your question.

9 MS. MCCORMICK: Yes, thank you.

10 MR. STUCZYNSKI: Certainly.

11 COUNCIL PRESIDENT: Councilman Troyer. MR.

12 TROYER: Thank you, Mr. Chairman.

13 Excuse me one moment. Through the  
14 chair -- sorry. I want to ask our  
15 finance director if he knows where  
16 this is coming.

17 MAYOR COYNE: He is next.

18 MR. TROYER: What?

19 MAYOR COYNE: He has a portion in here; okay.

20 MR. TROYER: Well, as we're talking about  
21 being exempt -- well, let me ask you first and then I'll  
22 go to him for concurrence. Us floating bonds are  
23 exempt from our debt capacity. So basically what that's  
24 stating is if right now we can borrow, bond out \$10  
25 million dollars and then tomorrow we go in and bond out

1 this \$4 million dollars for the recreation center with  
2 interest \$6 million. If we do the day after that we  
3 still have that \$10 million dollars available that we  
4 had today.

5 MR. STUCZYNSKI: This answer is yes.

6 MR. TROYER: Okay, and Finance Director you  
7 concur with that? You checked into that?

8 MR. CINGLE: The answer is yes.

9 MR. TROYER: Okay, thank you, that's it.

10 COUNCIL PRESIDENT: I have a quick question for you, I  
11 noticed when reading through the law, ORC  
12 717,02. It talked about an installment  
13 payment contract and says something about  
14 the first two years there will be a  
15 specified percentage of the contract  
16 payments and something after, are you  
17 familiar with that at all?

18 MR. STUCZYNSKI: So I'm not sure what that is  
19 referencing specifically; that might be in reference to  
20 a lease obligation but can't say that for sure. I will  
21 say this the city can choose to perhaps there's a -- I  
22 can at least make a point of this. The city can choose  
23 to issue this without a general obligation pledge and  
24 based upon the savings alone, subject to annual  
25 appropriation, that is more expensive, that

1 generally costs you a higher interest rate. The general  
2 obligation pledge, security pledge behind the debt  
3 lowers the interest rate. With this not compromising  
4 any of your debt capacity, it is my recommendation to  
5 use the general obligation and achieve lower interest  
6 rate.

7 COUNCIL PRESIDENT: All right, thanks.

8 MAYOR COYNE: Mr. Chairman, if you would give me  
9 that specific question he'll refer to Bond Counsel  
10 and get you an answer.

11 MR. STUCZYNSKI: I'm not sure what that references.

12 MAYOR COYNE: That's a good question.

13 COUNCIL PRESIDENT: Council, any other questions,  
14 Councilman Troyer.

15 MR. TROYER: Thank you, Mr. Chairman, I have one  
16 actually from the first meeting I attended. I wrote  
17 down based on utilities for which buildings, and you  
18 have here a sheet on the projected costs and energy  
19 savings, actual gas and electricity. Which is this just  
20 the recreation center or is this including the Council  
21 Chambers here and including City Hall?

22 MR. STUCZYNSKI: So I will defer to James  
23 Wilbanks on his analysis but it's my understanding that  
24 the savings that were projected, the \$308,000 is the  
25 utility savings from all of the facilities that are

1 identified in the project improvements.

2 MAYOR COYNE: That's correct.

3 MR. WILBANKS: I concur.

4 MR. TROYER: Thank you, That's it. Oh,  
5 okay I'm sorry. I --

6 COUNCIL PRESIDENT: Are you done?

7 MR. TROYER: No, I do have one more, okay  
8 Now so are you taking because this was a question -- are  
9 you taking--how are you--including Council and Council  
10 Chambers. Are you including that in 20, over 20 years  
11 or just the first year? Because there was some comment  
12 made that that was just considered in the first year.

13 MR. STUCZYNSKI: So I if I understand the  
14 question correctly, all of the projects, the \$4 million  
15 383, are being financed over 20 years. So that includes  
16 the reconfiguration of the HVAC, the reconfiguration of  
17 the building; so it's all being financed as one pool  
18 over 20 years.

19 Now Bond Counsel does have to provide an  
20 opinion that suggests that the useful life of all of  
21 those improvement equals 20 years, and they've vetted  
22 that already. I think I'm answering your question, I  
23 hope I am, you are financing all of these,

24  
25 must like you're financing it you were --

1 MR. TROYER: So we're figuring the savings,  
2 the cost that we would have had to keep this building  
3 and City Hall open for the 20 years?

4 MAYOR COYNE: Yes.

5 MR. STUCZYNSKI: Correct.

6 MR. TROYER: So if these building stay here  
7 we're not realizing that savings.

8 MR. STUCZYNSKI: For anything you don't  
9 complete as part of the proposed project improvements,  
10 that's true, that would compromise the savings.

11 MR. TROYER: So as part of this legally or  
12 otherwise, do we need to **raze** these buildings in  
13 ordinance to qualify for this?

14 MR. STUCZYNSKI: So I don't know the scope of  
15 that.

16 MAYOR COYNE: Okay, let me answer that  
17 question, okay? If you go back to your analysis that we  
18 gave to you as to what it would cost to do this work and  
19 not have the energy savings, it's a reduction in cost  
20 but it makes sense. It's my intention that we would  
21 **raze** these buildings. And this would offer us the  
22 ability to expand the municipal campus; we're having an  
23 increased demand for our pavilions. We have the gazebo  
24 but don't have a bandstand. I'm just being, general  
25 thoughts about how we're doing this. If you remember I

1 spoke against a configuration of the library that should  
2 be orientated so Engle Road, we need more municipal  
3 parking here. We have people going to the library in  
4 the back getting whacked with softballs so we'd  
5 reconfigure that; we would have to expand the parking  
6 lot. Some of this would be part of this project, some  
7 of it would not, the **razing** of the buildings would not.

8 So it is my view there is no reason to keep these  
9 open that we would have a better use. What I would--  
10 the Councilman I think is referring to is when I  
11 talked about this, as you know, we have like the  
12 little rascals capability of making a presentation in  
13 this building. I've had Ted Hurst get me an estimate  
14 and we don't know if that will qualify. In my  
15 closing remarks I was going to talk about this, these  
16 are numbered -- they're not a final number yet.

17 Would the audio visual fit within the scope and  
18 fit within the savings and comply to the law, I  
19 don't know that yet? Will the pools and the enclosure  
20 that we want to do, will that fit in there, or does it  
21 make more sense for us to do Council's improvement  
22 under Council's capital improvement for next year?  
23 The pools under the Regular Capital Improvement  
24 Budget, next year does that make sense, that's what  
25 we will finalize going forward.



1           **MR. STUCZYNSKI:** Mayor, if I could just add  
2 just to be clear, the **razing** of, there is no, there is  
3 no cost included to raise the buildings.

4           MAYOR COYNE: Correct.

5           **MR. STUCZYNSKI:** They would just be shut down.

6           MAYOR COYNE: Correct.

7           **MR. STUCZYNSKI:** That's all, they would just be  
8 shut down, does that answer your question?

9           MR. TROYER: No, that wasn't something -- it  
10 was added, but yeah. My concern is that if the buildings  
11 are still here, we still have those costs.

12           **MR. STUCZYNSKI:** Not if they're shut down.

13           MR. TROYER: So they need, they need to go to qualify.

14           MAYOR COYNE: Correct.

15           MR. TROYER: Okay, that's fine. Thanks.

16           **MR. STUCZYNSKI:** I just confirmed with  
17 James that their analysis assumes the building, this  
18 building is shutdown.

19           MR. WILBANKS: We also have dollars in there  
20 to essentially shut them, not to tear them down to the  
21 ground but to basically **mothball**.

22           MR. TROYER: Okay, there's a good answer, great thanks.

23           COUNCIL PRESIDENT: Any other questions, Council, okay,  
24 thank you Matt.  
25

**MR. STUCZYNSKI:** Thank you.

MAYOR COYNE: Next, we have our esteemed Finance Director, Greg Cingle.

MR. CINGLE: Thank you Mayor, just a few comments today, I just want to reiterate the comment today made at the public hearing a couple of weeks ago; that I do believe this is a good project. The debt-service is manageable and again Brewer-Garrett is assuming the risk. So if the savings aren't achieved the city will be compensated for the shortfall in the projections. The other item I looked at is somewhere along the line the improvements are going to be made we just don't know when. It could be as early as tomorrow, or next week or next year or maybe a couple of years from now. But, almost on a weekly basis I see a Brewer-Garrett truck either over at the community center or here at one of the buildings. Either at the Council office or over at the Administrative office doing some type of work to the systems and I can say from experience. On any given day we probably change our thermostat two to

1 three times a day. Heats up-cools down, heats up-cools  
2 down-heats up. Right now I can feel a cold draft coming  
3 from the ceiling that I wish that, you know, that would  
4 have occurred during the summertime when this building  
5 was about 90 degrees. But again, somewhere along the  
6 lines these improvements are going to need to be made.

7 The other aspect, too, is by moving City  
8 Hall, the Administration and the Council office over to  
9 the community center it increases the functionality of  
10 the community center; I think that's a benefit to the  
11 community. The other aspect from the budgetary  
12 position is that it's very difficult to budget on a  
13 yearly basis for whether or not these improvements are  
14 going to need to be made.

15 For example, we know here in the Council  
16 Chambers that the air conditioning unit needs to be  
17 replaced. It's roughly \$90,000 to \$100,000 a year, or  
18 \$90,000 to \$100,000 cost to the city. Do we budget for  
19 that in 2016 or do we budget for it in 2017. If a unit  
20 goes bad at the recreation center, and we haven't  
21 budgeted for it, we have to go into the capital budget  
22 to take monies away from some project and allocate it  
23 to the to the improvements over at the recreation  
24 Center; so it makes it difficult from a budgetary  
25

1 perspective. So again, I believe this is a good project  
2 for the community. And then last but not least, I was  
3 here in late 1995 and into 1996 when the recreation  
4 center was being renovated; I'm not going to sugarcoat  
5 it. It was a disaster dealing with the architect and  
6 the general contractor. There were daily disputes  
7 between the two, finger-pointing as far as who was  
8 responsible for what. The assistant law director at the  
9 time had to get involved to mediate many of the issues.

10           There were numerous change orders, I  
11 don't know how many, but there were numerous change  
12 orders; so this is a much cleaner approach. Again, in  
13 1995, 1996 when those renovations were being completed  
14 it was a disaster working with those two parties.

15           So that's all the comments I really have,  
16 again, I believe it's a good project. Cost-wise its  
17 debt-service is manageable. Brewer-Garrett is assuming  
18 the risk so I think it's a good project and hopefully  
19 one that Council will pass here in the near future and  
20 we'll get moving on it. Any questions, Mr. Chairman, I  
21 would be happy to answer then.

22           COUNCIL PRESIDENT: Council, any questions  
23 to Mr. Cingle? Councilman Troyer.

24           MR. TROYER: Thank you, Mr. Chairman, Greg  
25 Greg,

1 you said about it being manageable. Will you  
2 elaborate on that on the debt-service and with the,  
3 budget?

4 MR. CINGLE: Yeah, certainly. The debt  
5 service of \$308,000, \$309,000 a year, again, the  
6 savings will pay for that. If, let's just say if Brewer-  
7 Garrett did go out of business, I don't believe they  
8 will, but if they did go out of business and there  
9 wasn't a guarantee in place. We would be able to  
10 budget the \$309,000 a year, given our current scenarios,  
11 and be able to pay down that debt service over the  
12 remaining life of the borrowing.

13 MR. TROYER: Okay, great, thank you.

14 COUNCIL PRESIDENT: Seeing no other  
15 questions from Council. Mayor?

16 MAYOR COYNE: Okay, well I want to thank  
17 Council for coming in on a Saturday. Mr. Chairman, you  
18 had one and any other Member of Council that has--a lot  
19 of these are technical questions. Send them to me in a  
20 memo and we'll get your answer to the questions. The  
21 bottom line, you go to your sheet where you look at a  
22 project comparison, I think Greg outlined it the right.  
23 Let's just say tomorrow, one of the units goes out at the  
24 rec center, \$200,000 to replace it where is that money  
25 going to come from?



1                   If you look at, these improvements have to  
2 be made whether we do them collectively or by disaster,  
3 I think it's much smarter the do them collectively. We  
4 have guaranteed savings, we can address increase in  
5 utility costs, and things of that nature and there's  
6 some outstanding issues. So where do we go forward  
7 now? Again, we'll have Bond Counsel prepare legislation  
8 for Council and it's my intention to recommend we enter  
9 into a contract with Brewer-Garrett; I want to hammer  
10 out the final real numbers. I walked through the  
11 recreation center on numerous occasions and I do want  
12 to thank Jimmy Mencini, who uses it more than any of us,  
13 who went with the walkthrough's and identified some of  
14 our problems. Even logistically the locker rooms and all  
15 of your health facilities now they have areas where  
16 people can sit and lounge a little bit when they're done  
17 doing a steam and sauna. I think these pools that we're  
18 proposing to put in will a better use, less costly for  
19 us to operate, more enjoyable for all ages of our  
20 people. I want to hammer that out, get the final  
21 numbers, get your questions answered by the technicians  
22 or Bond Counsel and move forward with this project and  
23 legislation put together for your action. You know, and  
24 I think that we entertain the legislation for this, like  
25

1 this, should be a single meeting about this particular  
2 issue so nobody feels rushed or anything like that.

3           So any question that you may have, please  
4 get it to me in writing so we can answer those questions  
5 for you. Our real choices here and I know some people  
6 have raised this; clearly we have other major issues.  
7 You're seeing for the first time in years several  
8 streets being improved, some years there were one, one  
9 year there was one. Those challenges still remain in  
10 presenting how those problems should be addressed to the  
11 community and are ones that we still are responsible  
12 for. As I said at the rec meeting, if a regular citizen  
13 came forward and says can you justify spending this  
14 money for the membership that you have at the rec.  
15 Unless I have 19,000 members, the answer to the question  
16 is no but I think you can see we are approaching  
17 increases in membership. A portion of our community that  
18 has a demand on these kind of services and I think when  
19 we offer a different kind of community center  
20 particularly in a transformation into a community spa.  
21 You will see more across the board usage of more women  
22 using it, it will be more women-friendly I believe.  
23 There will be additional seniors using I think  
24 particularly the pools as we proposed to put them in; so  
25 I think you will see and enhanced membership.

1           But most importantly, what always attracted  
2 families to Brook Park, okay, and while we would like to  
3 have our people here from the cradle to the grave;  
4 we're getting more people like me that are on the back  
5 nine. So as an amenity to a community for young  
6 families to bring young families into the city, which  
7 would provide more students, hopefully, if they're  
8 practicing Catholics, more students for the school  
9 systems. This is an amenity that has been part of our  
10 culture from the very beginning. Enhanced recreation  
11 programs has always been the reason why families came  
12 and stayed in our city. I think the investment and the  
13 way we can do it is something we don't have a real  
14 choice to make if we want to stay as a competitive  
15 suburban community in this country; that's why I think  
16 it's important. It's a little bit different way that  
17 we're used to doing things, it's a way other communities  
18 are solving their problems with challenge revenue  
19 sources and I think that once you examine it you will  
20 see it's a good sound plan for moving forward.

21           I also want to thank Ed **Orcutt** who is one of  
22 our citizens who I think is on vacation today, Eddy is  
23 in the field, and once was in involved with  
24 Brewer-Garrett. Once actually was part of, he probably  
25 knows the building than anyone else, Jeff Duke, again,

1 who held counsel me on this process because again,  
2 regional sewer uses these kind of design build things,  
3 this was something new. Finally Greg Cingle's analysis  
4 of what the reconstruction of the recreation center was  
5 like under the old way of procuring that improvements,  
6 he was kind in saying that it was a nightmare, it was  
7 beyond that. But we transformed the center as best we  
8 could and I don't want to make the mistake that we made  
9 the last time; we kind of left a lot of things the way  
10 they were. We probably, I probably should have been  
11 more convincing to the Council in **pursuing** that  
12 building be demolished and a new one being built. In  
13 the long term I think it would have been better for us.

14 But I think right now given what we have I  
15 think this is a remedy for the long short-term of  
16 addressing most of our problems and the ability to. As  
17 technology changes that the pool building itself will  
18 provide better opportunities for our city; multiple  
19 uses for our city rather than taking up all of that  
20 space for an entity that most people don't use.

21 I thank you, Mr. Chairman, I'll be working with you and  
22 how we process this forward and think that's our next  
23 steps.

24 COUNCIL PRESIDENT: Okay, Council, any questions to the  
25 Mayor? Councilwoman Powers?

1 MRS. POWERS: When you talked about  
2 demolishing these two buildings and reconfiguring the  
3 library, the library is Cuyahoga County library. They  
4 just refurbished that building last year and as your  
5 resident and environmentalist. The front, if you  
6 reconfigure it and put the opening of the building out  
7 front, then you would have to have the parking lot out  
8 there which would take away that nice space of green  
9 space, we need our green space. I don't think the  
10 county would be agreeable to reworking something they  
11 just worked last year. Also, every single building..

12 MAYOR COYNE: Before we leave that can we do  
13 one subject at a time? If I may can we do one subject  
14 at a time, okay. If you heard what I said I'm not  
15 asking, first of all, they're on our property. What I  
16 said was that they would orientate their building so the  
17 parking would be in front of the building, which I  
18 still think is safer for the people and will be more  
19 conducive how we redevelop these properties and we'll  
20 still have plenty of greenspace.

21 So I'm not advocating, first of all, I think  
22 their investment in the city compared to what they're  
23 doing in others was a shallow commitment in my view, we  
24 should have gotten a lot more. I'm not asking them to  
25

1 change the building. Middleburg is getting a brand new  
2 library; they are our tenant over there. So all I'm  
3 saying is its part of the plan of this, right now we're  
4 talking about the rec. In the future of planning this  
5 out so that we can make a truer community campus. So  
6 all I'll saying is we, the city, would probably have  
7 to build parking in the front of these buildings going  
8 down the street where we would have hopefully pavilions  
9 and a real band concert amenity there, so that's down  
10 the line. So I'm not suggesting they change the  
11 building, Councilwoman. Go ahead.

12 MRS. POWERS: You said that you would be  
13 demolishing these two buildings.

14 MAYOR COYNE: Correct.

15 MRS. POWERS: I would like to point out that  
16 every single city building belongs to the citizens of  
17 this community who bought and paid for and are still  
18 buying and paying for every building in the city.  
19 Therefore, if you're going to tear down the residents  
20 buildings, it should go to the ballot and let the  
21 residents decide what they want to happen to these  
22 buildings.

23 MAYOR COYNE: Okay well, let me say this to  
24 you if I may; that's all well and good. You're elected  
25 to make those decisions; there was a building

1 demolished behind the baseball field over there. You  
2 see, I'm steel-siding this building there was no  
3 authority from anybody to really do that; I would have  
4 improved that building. I expect the people of the city  
5 -- I'll tell you what they want, they want the rec  
6 center to be improved. Right now we have such--we  
7 don't have sufficient parking for the pavilions we have  
8 now. If I have two more pavilions they would use those  
9 pavilions more than they would use the Council Chamber  
10 or the City Hall, which is factual. Greater numbers of  
11 people want the ability to come to a municipal building  
12 and take care of everything. As you know I moved the  
13 building department up here and we made it work,  
14 everything is up here. It's one-stop shopping for people  
15 so the recreation center will facilitate everyone in the  
16 city. They can go work out if they want, take a steam if  
17 they want, sit and talk if they want, go to Mayor's  
18 Court if they unfortunately need to, they can get a  
19 building permit, pay their taxes. All in one location  
20 literally don't even have leave the parking spot. So,  
21 that's, again, our responsibility of moving to the  
22 future. So if you're suggesting that we should go to the  
23 people to have a vote on demolishing these  
24 buildings, then I would suggest what are they paying us  
25

1 for?

2 COUNCIL PRESIDENT: Okay, any other  
3 questions, Council? Councilwoman go ahead.

4 MRS. POWERS: What are they paying us for is  
5 to make decisions for them, and I would question how  
6 many of us are actually making decisions that are best  
7 for the community. That has not happened and that's a  
8 discussion for another day but back to the recreation  
9 center and one thing that I think is important most  
10 important about the recreation center is children.  
11 You say you want to attract new families, young  
12 families to our community, you just supported a bill  
13 that with the school levy that means they're going to  
14 consolidate our buildings and it's going to be more  
15 difficult to get your children to school; they're going  
16 to have to travel further. So that is not going to bring  
17 new families into our community and when you have this  
18 proposal for the new swimming facility. In the  
19 pictures I saw nothing that was for children to swim; it  
20 was adults to do activities and exercises. So I  
21 question your ability to think for the children or to  
22 provide for the children. Thank you, Mr. Chairman.

23 MAYOR COYNE: Are you done?

24 MRS. POWERS: I'm done.

25 MAYOR COYNE: I don't want to prolong this.

1 I think all of us have to look in the mirror and  
2 determine what we're doing for the city, I am a child  
3 myself and you're looking at different pictures. So,  
4 therefore, can we have a learn-to-swim program in those  
5 two pools? The answer to your question is yes and there  
6 are a lot of things that we can do; nobody is spending  
7 that kind of money to do that pool. So I'm glad your  
8 questioning me and I hope I'm giving you answers.  
9 There's not very many things that we're probably ever  
10 going to agree on but the fact of the matter is. You  
11 have an alternate remedy to the problem that faces the  
12 community in making this position, or any other, I would  
13 like to hear what it is.

14 MRS. POWERS: A learn-to-swim proposition is  
15 not a place to swim. What does a child do once they  
16 learn to swim, there is not enough space there for  
17 swimming.

18 MAYOR COYNE: Okay, again, I would  
19 challenge you that. I believe it's 16' by 8'; these  
20 are swim against the--they have the same thing. Will  
21 they have the ability to swim in an olympic size pool?  
22 No, they're not doing it now. There was nobody doing it  
23 before. There were more people there attending to the  
24 pool than they were  
25

1 swimming at the pool. And again, if you can show me  
2 where we can do that within our budget, I would like to  
3 see it.

4 COUNCIL PRESIDENT: Okay, let's move the  
5 agenda a little bit here, I think we heard enough about  
6 that one. Councilwoman McCormick.

7 MS. MCCORMICK: Question for the Mayor.  
8 When do you anticipate having the final legislation  
9 actually in our hands or introduced? That's the first  
10 part of my question.

11 MAYOR COYNE: Okay. Julie, you have some  
12 questions. Jim has raised a good question about House  
13 Bill 420 and I would like to have them answered. I'm  
14 going to sit down with Brewer-Garrett, finalize, take an  
15 another walkthrough there and do we have everything in  
16 there that can qualify; see how it effects the number  
17 from Matt. So the basic, I think we can have the  
18 Ordinance done pretty quickly the exhibits to the  
19 Ordinance is what we have to work on. So I'm on a  
20 fast track to get this done. It's imperative that we  
21 make the decision, I think, before we enact the budget  
22 because again, it will affect the Capital Improvement  
23 Budget, so as soon as I possibly can.

24 MS. MCCORMICK: So you should have it before  
25 the end of the year?

1           MAYOR COYNE: That is my wish, yes.

2           MS. MCCORMICK: Okay, and then also with  
3 that can we expect to get copies of all of the contracts  
4 and agreements so that we can--

5           MAYOR COYNE: Yes.

6           MS. MCCORMICK: Are fully informed.

7           MAYOR COYNE: Yes, that would be the  
8 exhibit, you know, the other thing that we haven't  
9 talked about today, too, is in this element we have to  
10 have an annual audit. And I think Greg's input to that  
11 is that going to be part of the contract and who is  
12 going to pay for that audit to make sure that they meet  
13 those things; he would probably have to contract with  
14 somebody to do that. So that's the only element that we  
15 have not worked out yet. So all of the contracts, all  
16 of the -- legislation is probably the easiest part.  
17 It's the exhibits, because I want to make sure that  
18 we're not leaving something out like we didn't have an  
19 electrical line for this or the issue is. One of the  
20 things I want to look at is should we cut holes and put  
21 these pools below level or we should keep them at floor  
22 level so they're easier to maintain and do whatever we  
23 need to do with them. That's still an issue that I want  
24 to deal with, costs. Look at the option, see what it is.  
25 If we put them below grade it's, you

1 know, it's a little bit better looking. You know, but  
2 is that our best, and what is the cost of that. So I  
3 want to nail down those costs; so we have them to get  
4 those exhibits and this will be our top priority going  
5 forward.

6 MS. MCCORMICK: Thank you.

7 MAYOR COYNE: Thank you.

8 COUNCIL PRESIDENT: Councilman Troyer.

9 MR. TROYER: Thank you, Mr. Chairman. Mr.  
10 Mayor, I know we've been talking about a lot, but at  
11 the first meeting I attended on this on October 6th,  
12 there were no pools included in that at that time. So  
13 these **Endless Pools** are included at this point?

14 MAYOR COYNE: They're not included in the  
15 project, Councilman, because I don't know if they can  
16 be. What I'm saying is we looked at this, this is a  
17 work in progress. We had to find out--there is a debate  
18 about--Matt is always the most conservative man in the  
19 room, okay and Greg appreciates that; now Don, Art and  
20 I are, Art and I are a little bit more liberal.

21 So the question is what would qualify we  
22 always wanted to address the pool issue. So are they  
23 included in what you have right now, no, and again  
24 these are--this is an estimate to give you an idea of  
25 what we're looking at, all right? So therefore, as I

1 said in the beginning we may determine that we're not  
2 going to put the pools in the enclosure. Because we  
3 have to build an enclosure because the old pool is not  
4 going to be operational. So we have to have something  
5 with a ceiling height and a wall that will contain the  
6 existing pools outside the locker rooms; that's going to  
7 cost \$60,000. The pools themselves maybe \$150,000 so do  
8 we put that as part of the borrow, or just make an  
9 appropriation for Capital Improvements, the same thing  
10 with Council's equipment; so that's what I want to nail  
11 down. So the fact of the matter, are they part of the  
12 project, yes. Are they part of the energy saving  
13 proposal right now, no. Could they be in the final  
14 product, maybe.

15 MR. TROYER: Okay, thanks. I have some  
16 other questions. I believe my interpreter came to you  
17 because I mentioned when I saw this, when I went to the  
18 first meeting on it, on October 6th. I said to these  
19 people that's the problem because most of the complaints  
20 that I get about the pool not being open. And I said  
21 that's going to be a problem, and I believe that's got  
22 back to you and then the next meeting I started hearing  
23 about --

24 MAYOR COYNE: Oh, you're taking  
25 responsibility for it?

1 MR. TROYER: No. Absolutely not.

2 MAYOR COYNE: Okay, that's fine, that's fine.

3 MR. TROYER: And also I remember having the  
4 conversation with Greg Cingle awhile back. Again, me  
5 being your conscious -- well, not to that point.

6 MAYOR COYNE: That scares me.

7 MR. TROYER: Greg Cingle it was his idea to  
8 move Council into the recreation center, I think that  
9 was stated at the last meeting; is that correct?

10 MAYOR COYNE: I beg your pardon?

11 MR. TROYER: It was Greg Cingle, came  
12 to you, our Finance Director.

13 MAYOR COYNE: No.

14 MR. TROYER: That was stated at the last  
15 meeting, the public meeting.

16 MAYOR COYNE: Okay, what difference does it  
17 make? At the end of the day--actually, you talked to me  
18 about this and Rick Salvatore talked to me about this  
19 way back when. About us going into the daycare and  
20 then Council going into that--so many -- listen I got to  
21 tell you what? How many more time you got? Jimmy  
22 Mencini gave me about 575,000 suggestions. So I listen  
23 to what you say, and when you're planning a project like  
24 this, there are a lot of things that come up by how.

1 How do you -- that's a good idea. All right.

2           When I went over and looked, I will tell you  
3 what really convinced me is Parma Heights City Hall.  
4 You ought to go over there because Julie has talked  
5 about the lighting, they had a fire. So they upgraded  
6 their whole--if you walk through the tax department,  
7 those people in their little cubicles and that lighting  
8 it's like an Untouchables movie, all they need is those  
9 armbands and a visor, okay. You go over to Parma  
10 Heights City Hall and you see that; so you pick up ideas  
11 from different folks as you go forward.

12           So in looking at it, okay, Council's--our  
13 problem here--the clerks, I mean. With the two clerks  
14 and the two Mayor's Court clerks have to work in is  
15 like a dungeon, all right. You look at the hoses and  
16 the heating units, we've never--our Caucus room is  
17 jammed where you can't really walk past one of your  
18 colleagues. So when you look at, you know, behind the  
19 stage, it makes sense, the dais won't even probably  
20 protrude into the existing area. The seniors can still  
21 have their events and it's becomes multi-purpose. So it  
22 wasn't by any design plan, it's just by common sense.  
23 I might walk with you tomorrow through the recreation  
24 center and you might say, hey, you know, you do this  
25 over here. Many of our silver sneaker people who

1 go to Lifeworks, where Greg and I go. They have an area  
2 where they sit there, you can't get them out of there in  
3 the locker room. They have a television, they sit  
4 around and talk about problems and it all works out.  
5 So now we're going to take a whole raft of lockers out  
6 of there that we haven't used for 25 years and create  
7 those areas in the women's locker room. You talked about  
8 boxing we have a room we're going to put boxing in now.  
9 One of the things we're hearing about people wanting to  
10 have a room where they can stretch. Can we take some of  
11 the rooms around the pool building that can be used to  
12 stretch? Maybe we can? I don't know.

13 So it's an ever emerging, you know, so  
14 whoever wants to take credit for the suggestion it's  
15 okay with me; it's doesn't really matter as long as it  
16 works and gets done.

17 MR. TROYER: Okay and to take that  
18 further, my concern was mixed Martial Arts, not  
19 necessarily Boxing but that would work together.

20 MAYOR COYNE: Which, we're trying  
21 Councilman; we're going to have one of those things in  
22 there to kick, too, that's coming.

23 MR. TROYER: Yeah, heavy bag.

24 MAYOR COYNE: Heavy bag and there's that cylindrical bag  
25 that you used use for kicking and stuff

1 like that. That's coming as well.

2 MR. TROYER: Excellent, and I remember, you  
3 know, mentioning something at a Council meeting I think  
4 2014. We did, there was a planning early on to basically  
5 put the Council and City Hall at the rec center but it  
6 was going to take out the snack bar area and take out  
7 the work areas.

8 MAYOR COYNE: Right.

9 MR. TROYER: And I stated through my  
10 translator that I'm not going to vote for anything that  
11 takes anything else away from that recreation center.  
12 And I also stated it seemed to me that, in that year  
13 that it seemed like we were closing the rec center one  
14 room at a time and you quoted me on that.

15 MAYOR COYNE: That's right, that's your  
16 quote and it wasn't true.

17 MR. TROYER: So I think -- it turns out not  
18 to be true.

19 MAYOR COYNE: No, it was not true.

20 MR. TROYER: So I think, I appreciate my  
21 conscious being -- your conscious, myself, being able to  
22 do that and at least get a few things done. Because  
23 generally these days you only talk to me here, so thank  
24 you.

25 MAYOR COYNE: Okay, just to close this out.

1 I don't know what this last part of the conversation  
2 really had to do with anything, but, I-- we'll all take  
3 care of our own problems in the future. All I'm asking  
4 is that you for listening to the presentation; I hope  
5 you appreciate the work that went into this. It was a  
6 lot of suggestions from a lot of people and a lot of  
7 citizens. Okay, this is a way of remedying this  
8 situation. Is it the most perfect way, just like you  
9 brought up the Berea schools, or Jan did. It's the most  
10 perfect way to do things. It was not, but it's the best  
11 we have and I have an understanding of what they face.  
12 We face the same thing. So it solves a lot of problems  
13 and it provides a lot of opportunities. So I will be  
14 moving forward, Mr. Chairman. If everyone will give any  
15 questions they have, please, in writing so I can get you  
16 the correct answers as timely as I can. Thank you.

17 MR. SALVATORE: Motion to adjourn.

18 MR. MENCINI: Support.

19 COUNCIL PRESIDENT: Okay, there has been a  
20 motion to adjourn properly supported. Clerk, please  
21 call the roll.

22 CLERK: Salvatore?

23 MR. SALVATORE: Yes.

24 CLERK: Mencini?  
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MR. MENCINI: Yes.

CLERK: McCormick?

MS. MCCORMICK: Yes.

CLERK: Powers?

MR. POWER: Yes.

CLERK: Troyer?

MR. TROYER: Yes.

CLERK: Burgio?

MR. BURGIO: Yes.

CLERK: Scott?

MR. SCOTT: Yes.

COUNCIL PRESIDENT: Okay. Meeting is  
adjourned at 12:04 p.m. Thank you.

(End or recording.)

**REVISED PAGES HAVE BEEN EDITER PER CITY  
COUNCIL'S INSTRUCTION TO INSERT NAME OF  
THE SPEAKER AND/OR A VOICE.**

RESPECTFULLY SUBMITTED

  
Michelle Blazak  
Clerk of Council \_\_\_\_\_

APPROVED  \_\_\_\_\_

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C E R T I F I C A T E

I, Lisa M. Wright, a Notary Public within and for the State of Ohio, do hereby certify that this is a true and accurate transcript of the tape-recorded proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office, at Cleveland, Ohio, this \_\_\_\_ day of \_\_\_\_\_ A.D. 20 \_\_\_\_\_

Lisa M. Wright, Notary Public, State of Ohio  
My commission expires September 18, 2020