

Sustainability Commission Meeting, March 3, 2025

Meeting Summary

SC Members in Attendance: Judy Nelson, Maryjayne Stone, Julie Grant, Tracy Wallach, Justine Gallo

Others in Attendance: Bill Wilen, Benjamin Tipton, Julie Morris, Bridget Susel

Judy Nelson called the meeting to order at 5:43pm and roll was taken. The delayed start was due to technical difficulties with the meeting recording equipment.

Judy opened the Good of the Order/Open Comments section of the meeting.

Bridget Susel provided background and information regarding property history of contaminants, clean-up efforts, and remediation status for the following brownfields in Kent:

- 301 W. Main Street (parking lot)
- 315 Gougler Ave (OnUs parking lot)
- 330 Gougler Ave (Triangle shaped parking lot at intersection of N. Mantua St and Gougler Ave.)
- 627 Lake Street (former Ametek and current Smithers Oasis property – City retains ownership of a small area that can only be used for an access drive or parking lot)
- 200 W. Williams St. (former Davey Drill property)
- 800 Mogadore Rd.
- 1002 Franklin Ave.

It was asked whether it is a requirement that known contamination on a property be reported. Bridget advised, per State law which governs these issues, if contaminants are not migrating off site, property owners are not required to report and/or remediate their properties. It was asked how potential buyers could become aware of contaminants if property owners aren't required to report the issues. Bridget advised most commercial property sale processes involve the provision of a history of property ownership by the sellers. If the property history reveals types of business (i.e. dry cleaners) or industrial use, it can be an indicator of potential contaminants, and questions about same can be asked by the buyers. Property owners at that point can choose to have assessments done to answer those questions (if previous assessments and/or remediation were never done or were not adequate to answer the questions). If those assessments reveal contamination issues, the property owners can choose to work with the Ohio Environmental Protection Agency (OEPA) to mitigate same, which improves the chances of being able to sell the property.

Bridget explained the processes property owners must go through with the OEPA, which involve obtaining Phase I and Phase II assessments from consultants or specialists. Phase I assessments help determine whether there are contaminants onsite and Phase II assessments provide more specifics about same if found. If property owners then decide to remediate the property, they can choose to work with the OEPA to create a Voluntary Action Plan-Memorandum of Agreement (referred to as a VAP MOA) that directs the remediation efforts to ensure alignment with federal and state EPA requirements. When the site has been remediated according to the standards set by the VAP MOA, No Further Action (NFA) and Covenant Not to Sue (CNS) certification letters can be obtained, allowing the property to be sold should the owner wish to do so. Bridget described some of the grant programs and funding mechanisms available through the OEPA to complete this assessment and mitigation work.

Brief discussion was had regarding the 200 W. Williams (former Davey Drill) and 800 Mogadore brownfield sites' capacity for solar. Bridget stated both properties are privately owned and that Hometown Bank, current owners of the former Davey Drill site, are looking to do what is needed to clean up the property so it can be marketed. Bridget advised Hometown Bank is looking to sell the property to see a return on its investment (ROI), which would not likely include purchase of the property for solar projects due to a probable lack of ROI.

Bridget advised that ABB Group, owner of the 800 Mogadore property, is still operating under its VAP MOA and must obtain the NFA and/or CNS certification letters before being able to sell or lease the land. Bridget noted she has worked closely with ABB's representative over the years as contaminants had migrated years ago onto

abutting City property requiring the City's involvement for access. Bridget noted there had been an additional incident about three years ago where some contamination migrated into the Cuyahoga River with an excessive rainfall runoff. Public notices were provided about this incident, and the remediation was included as part of the existing VAP MOA. That incident was resolved, and no further migration issues have occurred since. Bridget advised the property will never be able to be used for residential, commercial retail, or park/open space development uses. Bridget noted ABB's intention is to remediate the property and eventually sell or lease it once the NFA and/or CNS letter(s) are issued by the OEPA, leaving a possibility that the property could be considered for a solar project at some point in the future.

It was asked what people could do to report contamination if observed in the river or on properties in Kent. Bridget advised that the OEPA's office for Kent's region is in Twinsburg, and to call that office should any oil sheen or other contamination be seen in the River. Bridget noted that if ever asbestos is observed that issue is handled by the City and to call the City's Community Development Department to report same.

Discussion around the City's involvement in public and private development was had.

It was asked whether the City had a vision for its development. Bridget advised yes, and that along with the downtown redevelopment, over \$100 million has been invested in public-private development. She noted there has been more development in Kent during 2012 to 2022 than was seen in the previous 60 years. Bridget noted the City's Community Development Department facilitates private development all the time.

Brief discussion was had around the history of abutting property to the Davey Drill site/current Post Office turnaround where there had been plans for a hotel and it was noted those plans fell through.

It was asked whether the Lake Street property had ever been a school or an education facility for delinquent children. Bridget advised that at one point, prior to the purchase of the Lake Street property by Smithers Oasis (the current owner), Family & Community Services had considered the property for an onsite youth work program but that was never developed.

It was asked whether the City has done any assessments of properties that could be viable for on-site solar development. Brief review was given of the World Kinect solar assessments provided as part of in-kind services received from NOPEC, and Bridget noted Council had selected the Water Treatment Plant and the downtown Fire Station as sites to receive further on-site solar assessments. Bridget noted both of those City properties face challenges for on-site solar development, and confirmed the World Kinect reports are still under review by staff. Benjamin asked whether he could receive a copy of the solar assessments and Julie M. advised she would provide him with a copy.

It was asked whether the City would buy property, or whether it could get grants to buy property for solar development. Bridget advised generally, the City only purchases property when it serves a public good and/or is needed to house, access, or protect water wellfields or other utilities. Bridget noted there are always more needs in the City's capital budget than there are funds available, and decisions must be made around funding priorities, which include weighing decisions around solar projects in relation to those critical infrastructure capital needs.

It was asked whether a Go Fund Me could be set up by the City for residents or others to contribute to, whose funds could be used by the City to purchase property for solar development. Bridget advised that question would have to be answered by the City's Law Director as she didn't know, but did report it is unlikely it is an allowable endeavor.

Judy moved the discussion into the next point of order on the topic of Commission meeting frequency, which also incorporated discussion of the New Business agenda item related to events and engagement ideas.

Julie M. and Bridget outlined the staff's suggestions to consider holding Commission meetings every other month, or to meet as needed. Bridget noted no other advisory board under the CD Department's purview meets monthly or as frequently as the Sustainability Commission (excluding the quasi-judicial boards). Members discussed the suggestion and noted it could be further discussed as part of the by-laws review work currently being done during the meeting working sessions.

Members felt meeting monthly while completing the by-laws review work and organizing events would be important to complete the work in a timely manner. It was acknowledged the Commission is in a transition at this time but may get to a point after the by-laws review work that it doesn't need to meet as frequently in the future. It was suggested that monthly meetings alternate their focus such that one meeting is devoted to by-laws review and the next month's meeting is devoted to other Commission business.

Discussion was had about setting up ad hoc meetings or creating committees that meet outside of the regular monthly meeting to help accomplish the work the Commission is doing. Julie M. provided an example of this meeting's agenda being full and not having enough time to fully discuss members' event ideas.

Members briefly exchanged some of the event and engagement ideas they had been considering, upcoming tabling events were mentioned, and some discussion around event promotion capacity was had as well. It was suggested an event committee would be useful, and members discussed the possible structure, requirements and needs of same.

It was decided not to change the meeting structure at this time, to continue to hold the working sessions after the formal meetings adjourn and to set up committees as needed to tend to regular meeting agenda items as they arise.

A motion to set up an events committee to discuss the two upcoming tabling events in April (Kent State's Earth Fest and Who's Your Mama Festival) was made by Judy. The motion was seconded by Julie G and the vote was held. The motion passed unanimously. It was noted that Justine will Chair the Events committee, Judy will also be a member of the committee, and Julie M. will coordinate a meeting time as well as attend to take and provide meeting summary minutes.

Question was asked whether the regular Sustainability Commission meeting minutes should be approved during meetings. Bridget advised they do not have to be. Bridget explained as Council doesn't need to vote on what comes out of the Sustainability Commission meetings, the minutes from same should be summary minutes and do not need formal approval.

Judy noted it was Julie M.'s two-year job anniversary and members offered their congratulations.

Judy asked whether there were any other questions or comments for the Good of the Order or New Business. Hearing none, she moved the meeting to Old Business. Julie M. advised there were no new updates.

Judy referenced the information Julie M. had previously provided members regarding examples of sustainability commissions or green teams found in other cities and asked members to review the information ahead of the next meeting's working session. Judy suggested members could identify practices or items from same that they would like to recommend as part of the by-law review work.

Judy asked whether there were any further comments and hearing none, made a motion to adjourn. Mary Jayne seconded, discussion was offered and hearing none, the vote was held. The motion passed unanimously, and the meeting adjourned at 7:07pm.

The next Sustainability Commission meeting will be held Monday, April 7, 2025, starting at 5:30 p.m. at the Overholt building.