

## CITY OF BAY VILLAGE

### CAHOON MEMORIAL PARK TRUSTEES

January 23, 2012

Paul A. Koomar, President of Council, presiding

Present: Clark, Koomar, Lieske, Miller, Pohlkamp, Tadych, Young, Mayor Sutherland

Others

Present: Law Director Ebert, Finance Director Presley, Service Director Galli, Police Chief Wright, Fire Chief Lyons, Community Services Director Bock, Recreation Director Enovitch, Operations Manager Landers

### AUDIENCE

The following members of the audience signed in this evening: Kent Silverberg, Karen Dade, Denny Wendell, Patricia Gruber, Nancy Flowers, Gayle Fisher, Russell Thompson, Jim Potter, Pam DeFino, Dick Majewski

Mr. Koomar called the meeting to order at 7:53 p.m. in the conference room of Bay Village City Hall.

### **Demolition of the Cahoon Memorial Park Rental Property (Northeast corner of Cahoon/Wolf Roads)**

**Mr. Koomar** called upon Councilman Miller for an update on the review of the Cahoon Memorial Park rental property as discussed in the Planning, Zoning, Public Grounds and Buildings Committee meeting this evening. Mr. Koomar also noted that information regarding the dwelling has been received from Mayor Sutherland today via email.

**Mr. Miller** stated that the Planning and Zoning Committee discussed the motion that was tabled for thirty days on December 28, 2011, regarding the demolition of the Cahoon Memorial Park home. The home is not considered an historical structure by definition of Chapter 1167 of the codified ordinances of the City of Bay Village. The committee has been attempting to understand what the potential use of the land would be if the home were demolished. There has been some question about whether the Planning Commission should review the request to demolish the building, and Mr. Miller does not necessarily believe that there is a complete consensus in the committee but the overwhelming interest is for the matter to be put before the Planning Commission to further discuss and evaluate the removal of the structure and what would occur in its place. Mr. Miller asked if it is the will of the Council to forward the matter of what would be the best use of the structure to forward it to the Planning Commission and prior to requesting that this be done he asked that another week be permitted to discuss options of demolition. There has been interest to see what kinds of options are available. He asked if an RFP could be established that would relieve the city of doing any demolition, possibly putting it out to the public to see if someone would be interested in the structure, actually hauling it away

intact and moving it to their own property rather than just demolishing it for salvaging pieces and parts for donation to Habitat for Humanity because the windows are in such good shape, the furnace is in good condition and the fixtures in the home are in relatively good shape. "Why not evaluate the ability of the home to move to another spot and be utilized by someone who may have a need for it?" Mr. Miller stated that rather than going to motion on the matter, he would rather have it tabled again for two weeks so that the trustees can do some more due diligence before they elect to remove the home that cannot be replaced easily. "While it may not have, by definition, an historical value to the city or to the residents, we have heard enough from residents that they would like the trustees to continue the value of their property."

Mr. Koomar asked Mr. Miller if two weeks will be ample time to come to those conclusions.

Mr. Miller stated that if a draft RFP is at least put out to the public that if the financial wherewithal can be demonstrated to remove the home to private property at the cost of the person who would obtain it, it would be worth taking that additional two weeks to see if that is an option rather than making a motion for the demolition, having a stay of thirty days which is by ordinance required, and then trying to accomplish that within that period of time. If there is no request then the motion can be carried forward.

Mr. Miller stated that comments from the Planning Commission would be helpful if it were done formally, but not as a requirement, so that we can hear from them what is conceived potentially of that space and what would be useful. "Rather than extending the amount of lawn we have maybe it becomes that something that has been contemplated by other civic groups that we could listen to and see if they have interest. Maybe they have the ability to raise funds to do something effective that is good in the nature of the park."

Mr. Koomar stated that he personally does not have any problem with two weeks, and solicited the feelings of the rest of the trustees.

Mr. Pohlkamp stated that this has not been talked about in the last two weeks, and asked what has been learned from the last two weeks. "Has anyone reached out? Have we learned anything from Habitat for Humanity?"

Mr. Galli stated that Habitat for Humanity has walked through the house and are interested in the windows, doors, furnace, air conditioning, some of the trim, and the components that they can resell. They have a crew that is available mid-February and they would need some help from the city. Mr. Galli would be there to supervise the activity.

Mr. Koomar asked Mr. Galli that if the matter was tabled until the first meeting in February and no one came forward to move the property then in the 30 day period would Habitat come in to remove the items they are interested in acquiring. Mr. Galli stated that they would schedule them to come in to the property.

Mrs. Lieske stated that she supports the idea of waiting. It is a week ago Saturday that Cleve Miller, Bruce Geiselman, Dan Galli and she walked through the house and because of schedules it was today when the Mayor and Mr. Galli were able to provide the information regarding the

home. Mrs. Lieske stated that in order to be able to review the information the Mayor and Mr. Galli shared she would prefer waiting as well.

Mr. Pohlkamp asked for more information concerning the process of the RFP's. Mr. Miller stated that he would look to Mr. Ebert for guidance on the legal nature of a document. Basically, what would be said on an on-line venue or printed paper through a legal notice would be that this structure, at a certain location, of a certain age, of a certain size and scale, could be given to or sold to a private party for the removal of the structure in its entirety. It would have to be for re-use on their property; they couldn't just haul it away and donate it to a fire department to burn down or demolish. They would actually have to show intent and the financial wherewithal to be able to pull this off so that they aren't just thinking it's a great idea rather than getting into the project and halfway through deciding it cannot be done. Mr. Miller noted that it would not be a long window for advertising; probably a 30-day range at the most. Most construction projects allow three weeks to do the same thing. He suggested putting it out to public interest venues by advertising.

Mr. Young asked Mr. Galli if the cost for demolishing the structure is \$2500. Mr. Galli stated that \$2500 is the cost to hire a contractor to come in and tear the house down. The city would do all the utility disconnection.

Mr. Young asked what he would envision the cost to the city to do the RFP process. Mr. Miller stated that he would have to investigate what that cost is. Mr. Miller stated that while it may incur some expense to advertise it is at least a measure to present to the residents that we have offered that option and that we just haven't elected to remove the home because it hasn't been maintained. Mr. Miller stated that leads him to the next question as to why it hasn't been maintained. He asked why it was a useful rental property two years but hasn't been maintained. "We have ordinances and guidelines for rental properties throughout the rest of the city."

Mr. Young suggested looking at the actual cost involved in renovation. He stated that two of the primary ones are foundation which is not a lack of maintenance. It is a stone foundation; not a cement foundation. It is a matter of age. One of the others, electrically speaking, is not necessarily maintenance. The house is a 1910 house with bare wires as opposed to boxes, which was code at the time. They did not know that this was the case until January. The last time it was upgraded was to 1960's or 1970's standards and there is a big difference as to what we have to do now as far as the size, service and the type of electrical you have. These are the two primary costs and have nothing to do with maintenance; it just has to do with the age of the home.

Mr. Ebert stated that you also have to look at the fact that it was leased out to one individual for excess of thirty years. The city did go in and put in a new kitchen years ago. The Mayor stated that they received windows and a nice 1970's kitchen. There were decisions that were made decades ago. Mr. Ebert noted that part of the lease was that the renter would do the routine maintenance and come to the city when major maintenance was required, e.g., the chimney caving in on the inside. Mr. Ebert stated further that that between the kitchen and furnace that was all the trustees were going to put into the home because of the cost to maintain it. He stated that it is no

different than the Sage house that was on Memorial Park property. The city didn't have the money to put into that home and it was taken down.

Mr. Young stated that to answer the question more fully, not only this trustee board but former trustee boards have not been interested in maintaining rental property for income which is probably the major reason besides the two major costs being just a matter of how old that house is. The roof has to be done and certainly you could say that should have been done two years ago, but one of the maintenance items is just the nature of having owning almost a 100 year old house.

Mr. Pohlkamp commented that it was not maintained throughout the years as an historical structure. It was maintained as a rental property whose purpose was to generate income for the park. There were a number of structures; this was one of them. Because of that, Mr. Pohlkamp stated that he is speculating that the city did not put a lot of money into it but wanted to get as much out of as they could.

Mr. Young stated that the final point he would raise is that if you look at what the city should be up to as far as maintaining properties that is the least building in his mind he is concerned about. Mr. Young added that there is certainly a building not only 150 yards away from there that the city has been woefully inadequate in maintaining, not just because of the age, but that one is actually an historic structure and something that he would certainly say based on that alone we have been derelict in maintaining well beyond what we should have been spending time and money on.

Mr. Miller stated that he agrees that there are structures in the park and in the city that the city owns that we really need to be proactive in their future maintenance and as difficult as it might be to put money aside to keep these structures intact and sound from the bottom up we need to swallow that pill and just find some money and do the work. Mr. Miller noted that it is not something he swallows very easily of just saying he agrees that because it is not historically significant it should come down. There are other properties that the city owns that we need to take some time and put some financial effort behind to maintain them. The Community House is incredibly important to the city but even things like Bayway Cabin should not be just disregarded as a lost cause. There are things we can do, not just the first answer we want to hear, but there are things we can do to keep these structures intact and continue to provide the city services that we should be and not just elect to get rid of them.

Mr. Young stated that he would agree that certainly in regards to the Bayway Cabin at this particular time all it is being used for is recreation office although the city is looking at renting it out in the future. In that regard, since there is a future use and purpose for that building we should spend money in maintaining. He stated that there is no use for the city in that rental property other than renting it out for a home and the city is not interested in doing so.

Mr. Miller stated that he fully agrees that if the use of that structure were to be modified we are looking at an incredible amount of money, well over \$100,000, and then you would do all the accessibility things, bringing in restrooms, an elevator or a lift, and it is not even close to the same building it was before, and it would have been a waste of a lot of money. Mr. Miller stated

that he is having a hard time seeing it go. He hasn't lived here all his life but the time he has lived here he has driven by and questioned whether it is useful but he is not a fan of just destroying or demolishing things because it has not been doable for us to maintain.

Mr. Ebert stated that everyone talks about the community house which is where the money should be going but going back in time the city did try. The lift installed at the community house was in lieu of an elevator because the cost of changing the structure and putting an elevator in the community house was significant. The exterior of the maintenance of the lift caused it to be unworkable. There was discussion of a ramp which changed the whole look of the community house due to having to start it in the front of the building. There was an effort by prior Councils. The floor was redone. They had to find a gentleman from Dover, Ohio who did the hardwood floor. It took forever to have the floor redone because it is a specialized type of craft.

Mr. Miller stated that in no way does he want it to seem that he is disregarding any effort but he would like to see that we are being proactive that the structures that do remain we are taking very good care of. Mr. Miller stated that the energy audit has a lot of great points and a lot of things that need to be done and if the city can put together a proactive committee that is the first strong measure with the support of the building department to help go through that.

Mr. Young stated that if the trustees would like to wait he is always interested in listening to the Planning Commission's ideas, noting that he served on the Planning Commission for two years and respects them and their work. However, this is a trustee decision and not a Planning Commission decision. Mr. Young stated he does not see anywhere either in ordinance form or otherwise where the Planning Commission has any part in the decision of this property. It is not a city owned building; it is not on city owned property, it is a trustee issue. Mr. Young stated that he doesn't have a problem with the Planning Commission looking forward to what possible use could be had for that space, however that does not dictate whether the Planning Commission should decide whether the structure should come down or not come down or the timing thereof. Mr. Young stated that it is a matter of proper authority. It is the trustees' job; it is not the Planning Commission's job. He stated that while he would be interested in their opinion it has nothing to do with those who should make that decision. The trustees have been given that decision by ordinance and by the trust itself.

Mr. Tadych stated that he has no comments other than to say it looks like we have a plan and should go for it.

Mr. Pohlkamp stated that he is ok with that but he concurs with Mr. Young's comments. He mentioned in a previous meeting that he referenced the Planning Commission but was more interested in the Planning Commission working with the city administration to come up with a plan for the property long term.

Mr. Koomar asked if there is any problem with holding the matter until February 6 allowing the Planning Commission to talk about it informally and allowing Mr. Miller to work with Mr. Ebert to see if an RFP would be feasible or not. The matter could be voted on at the February 6 meeting.

Mr. Young stated that he would acquiesce to what seems to be a generalized opinion but he still feels that you are speaking about thirty days advance notice and he would not actually tag that thirty days to a Tuesday after a Council meeting going forward making it 34 or 36 days.

Mr. Clark stated that the finer points of due process could be argued as to whether it goes but ultimately whether it is the trustees' response or the Planning Commission the consensus is to wait that period of time. However, it is important that we set the deadlines and in this day and age we have had this librarian's house there for 2011 and nobody else has stepped forward. We did try to broker something with BAYarts and they pushed back. It is not as if people aren't aware that there might be alternative use. That is the logic against opening it up to an RFQ. Mr. Clark stated that he thinks "We run the string out and we set a deadline for February and see where the chips fall."

Mr. Tadych commented that he just noticed in the meeting notes of BAYarts that their board, just a week or week and a half ago, again mentioned an interest in the house. Mr. Tadych stated that he missed that meeting because of family problems but he does not understand how that came back up.

Mr. Clark stated that his last discussion with the board and the Executive Director was that there was no interest. Mr. Clark stated that his concern is just having it drag on.

Mayor Sutherland stated that she had a meeting with the Executive Director of BAYarts last week and she again concurred that they have no interest. The Mayor stated that there are some other things going on at BAYarts that are kind of exciting that they are looking to do that they may be acquiring some other property.

The motion to demolish the rental house at the northeast corner of Cahoon Road and Wolf Road will be placed on the agenda of the Cahoon Memorial Park Trustees meeting of February 6, 2012. If the vote is taken to demolish, there is still a thirty-day window. There would have been enough notice for interested parties to consider their option.

Terrie Viets stated that she is a Bay Village resident, has lived here since the eighth grade, graduating from Bay High in 1969. Mrs. Viets stated that she is confused as to why we don't think that we are not stewards of a 100 year old house built by the Cahoons on Cahoon property and why it would have absolutely no historic significance. Mrs. Viets stated that she agrees that it does not have to be a rental house anymore but she cannot imagine that we couldn't make it a repository for archival information. There is ability to put some fundraising into place which she has already done. Mrs. Viets stated that she spent 14 years on the Lake Erie Nature and Science Center Board so she is very familiar with raising funds. She was on the Planning Commission for building the facility at the Lake Erie Nature and Science Center. Mrs. Viets stated that she thinks that it is a situation where, if given a little bit of time, very little, we could show that we have some support in keeping the building going in our city as a gateway to our historic district, which, certainly, the skate board park doesn't need to be the primary gateway to the area. It is a nice looking building, as mentioned; there are so many great components about it. It was given a very rigorous going over with 2010 code standards which no building 101 years old has to be compared to those types of rigorous code violations. And, if it was not used as a residence you

could take away half of those violations. Mrs. Viets stated that she did have someone look at the electrical portion of it and the cost would be less than \$3500 to bring it completely up to code. Mrs. Viets stated that she does not believe that the foundation is an issue that is crumbling or is ready to cave in. The roof was put on in 1996 and with new windows if we could get together with the Historical Society and get some sort of a really tried and true effort to save this house and get some real funds together the city would be proud to do something like that versus just wiping it out with no plan in place for the use of an empty lot.

Mr. Young stated that if you do turn it into a storage repository for documents you would have to put in a fire suppression system. Mrs. Viets stated that if it is not a residence, half of the infractions such as washer and dryer hook up are not a concern. Certainly the building does not have to be held to the accountability that the outlets are too far spread apart and things such as that. Lots of houses in Bay Village that are over 100 years old are standing on their original foundation. If it is not being used as a residence there are plenty of other options.

Mr. Young stated that if you go to public use you have to go to a higher standard. Mrs. Viets stated that it doesn't have to be handicap accessible; there are lots of historic buildings that aren't handicap accessible. A ramp could be installed.

Mr. Koomar suggested that Mrs. Viets speak with Mr. Miller and Mayor Sutherland to further share her comments. Mrs. Viets stated that they have already put some things into place with pledges and the possibility of doing some lakefront house tours to raise funds. Julia Kou, the artist who does the 100 days in Cleveland blog, is willing to make a rendering of the home that could be sold as a fundraiser. A book signing with her new book that has just been published could be held. Mrs. Viets stated that they have already tried to make some effort.

There being no further business to come before the Cahoon Memorial Park Trustees, the meeting adjourned at 8:29 p.m.

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Paul A. Koomar, President of Council

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Joan Kemper, Clerk of Council