

Motion by Mr. Pallotta to remove Sub. Temp. Ord. A-78 (7/28/14) from the jurisdiction of the Public Affairs Committee. Seconded by Mr. Weinhardt. Motion adopted by acclamation.

Motion by Mr. Pallotta to amend Sub. Temp. Ord. A-78 (7/28/14) by substitution with Sub. Temp. Ord. A-78 (8/11/14). Seconded by Mr. Weinhardt. Mr. Pallotta called the question. Motion adopted by acclamation. The amendment was approved.

The Clerk read the following ordinance:

Sub. Temp. Ord. A-78 (8/11/14):

An ordinance authorizing the purchase of the Mill Pond Property owned by First Akron Development Corporation to assist in redevelopment by Menard, Inc. to create job and employment opportunities, to protect open space and to create recreational and storm water management opportunities; and declaring an emergency.

The President stated that Messrs. Pallotta, Colavecchio, Rubino and the President met with the administration and stated that she is in favor of the contract authorized by the ordinance.

The President recognized Mr. Pallotta, who asked the Law Director to review changes made to the contract. The Law Director stated that Section 8(c) regarding authorized uses of the parcel to be purchased by the City, contains temporary restrictions applicable to the parcel, which may be replaced by other restrictions developed by City Council through the Mud Brook Corridor Plan, as long as such restrictions are in place by February 1, 2016. The agreement has been provided to Menard's and they have approved it.

Mr. Pallotta asked the Planning Director what provision has been made for public access to the recreational portions of the City parcel. The Planning Director stated that there will be access from Bath and State Roads to various trailheads. The precise locations have not been established. A master plan will be started for both the greenway from Wyoga Lake Road and the pond property, which will make these access determinations.

The President stated that the City has sought to buy the pond property for many years. The Planning Director acknowledged this is the case. The City started assembling property in the area in the early 1990's for a greenway. The President asked the Law Director to explain the changes that have been made to the ordinance relative to incorporating the contract. The Law Director stated that the ordinance allows the administration to execute the contract substantially in the form on file with the Clerk. Minor changes such as correcting typos can be changed without Council approval. Any substantial change to the terms would require Council approval. The President asked the Finance Director where the additional funds above \$600,000 would come from. The Finance Director stated they could come from the CDBG dollars. The President asked the Community Development Director how much CDBG money was available for this

purpose. The Community Development Director stated that the CDBG Annual Plan has \$400,000 allotted to the redevelopment of the former Giant Eagle Graham Road site, and this would be an eligible expense as long as jobs are created.

The President recognized Mr. Weinhardt, who asked the Planning Director whether there will be parking available at the trailheads. The Planning Director stated there will be parking, but the location has not been determined. Mr. Weinhardt asked if there could be access from Menard's parking lot. The Planning Director stated there will be an extensive planning process associated with the Menard's project where this can be discussed.

The President recognized a member of the public, Tom O'Neil, 5101 Menard Drive, Eau Claire, Wisconsin, representing Menard's. Menard's has been working to assemble this project for quite some time. Menard's has approved the purchase and sale agreement. This site is a better fit than Portage Crossing because it will permit Menard's to screen its lumber yard. The survey process is just starting and there is no layout yet. Construction will start in mid-2015 and the store is planned to open in early spring 2016.

The President recognized Mr. Colavecchio, who stated that Menard's will drive business to Portage Crossing, while Portage Crossing will drive business to Menards. With the additional development in the area, it will be a great fit for the community. Mr. O'Neil stated that Menard's had been advised not to site its store this far from State Route 8. However, he believes the area will become a "destination" retail and entertainment site that will draw from the entire region.

The President recognized Mrs. Klinger, who thanked Mr. O'Neil and stated that Portage Crossing on its own is "lackluster" and that Menard's is the destination that will make Portage Crossing a success. Menard's is a perfect match for the community. Mrs. Klinger congratulated Mr. Hunter for "shedding a liability." The City is gaining a park, and Mr. Hunter will have a very developable piece of land for his residential development. This is a win for the community, Menard's and Mr. Hunter.

The President recognized the Mayor, who stated that there were four parties in this transaction, making the transaction more complex than usual, and thanked Mr. Hunter, the Council, and the City staff for their work on this project.

Motion by Mr. Pallotta to adopt Sub. Temp. Ord. A-78 (8/11/14). Seconded by Mr. Weinhardt. Mr. Pallotta called the question.

Motion adopted by acclamation, 11-0. The ordinance was passed.

7. Public Hearings.

There were no public hearings.

8. Reports of Special Council Committees.

There were no reports of special committees.

9. Reports of Council's Standing Committees

Planning & Zoning Committee:

(No report.)

Finance & Appropriations Committee:

(No report.)

Public Improvements Committee:

(No report.)

Public Affairs Committee:

(No report.)

Community Development Committee:

(No report.)

10. Announcement of Schedule of Council Committee meetings.

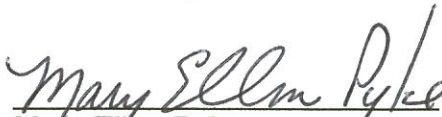

No further meetings were scheduled.

11. Miscellaneous Business

(None.)

12. Adjournment

Motion by Mr. James to adjourn. Seconded by Mr. Iula. Motion adopted by acclamation. The meeting was adjourned at 6:57 p.m.


Mary Ellen Pyke
Council President

Paul A. Janis

Clerk of Council