

**Cuyahoga Falls City Council  
Minutes of the Public Affairs Committee**

**November 14, 2022**

**Members:** Rachel Loza, Chair  
Michael Brill hart  
Adam Miller

Ms. Loza called the meeting to order at 6:35 p.m. All members were present.

**Legislation Discussed:**

Temp. Ord. A-130

**Discussion:**

**Temp. Ord. A-130**

An ordinance authorizing the mayor to accept an Environmental Protection Remediation Fund Grant from the Ohio Environmental Protection Agency in the amount of \$200,000.00 for environmental remediation of a pond area located in the Preserve at Salt Creek Run Development; authorizing the Mayor to enter into a contract or contracts with Patriot Engineering and Environmental, Inc. to complete the work associated with the Grant, and declaring an emergency.

Mr. Tony Demasi, City Engineer, presented Temporary Ordinance A-13 to Council. Pursuant to Ohio Revised Code (ORC) Chapter 3734, the City of Cuyahoga Falls is eligible for and has applied to the Ohio Environmental Protection Agency for program funding to implement an Environmental Protection Remediation Fund Grant. Buckeye Sports Center's shooting range operated on the site now occupied by the Preserve at Salt Creek Run development from 1961 to 1971, resulting in lead contamination. The site was remediated in 2013 prior to residential development; however, further remediation of the pond area in the Preserve is necessary.

ORC §3734.281 authorizes the Ohio EPA Director and City to enter into a grant agreement from the Environmental Protection Remediation Fund created in ORC §3734.281 to remediate a substantial threat to public health or safety. The City hired Patriot Engineering and Environmental, Inc. to provide professional services related to the work associated with the grant, including, 37 but not limited to, obtaining quotes for environmental remediation related to the pond area located in the Preserve at Salt Creek Run. It is necessary to enter into these agreements so that work can commence immediately to meet Ohio EPA's deadline.

The Mayor will be authorized to enter into an agreement or agreements with Ohio EPA to accept an Environmental Protection Remediation Fund Grant in the amount of \$200,000.00 for environmental remediation of a pond area located in the Preserve at Salt Creek Run development. The Mayor will be authorized to enter into an agreement or agreements with Patriot Engineering and Environmental, Inc. to complete the work associated with the Grant. The Mayor, City Engineer, Director of Law, Director of Finance and other necessary City officials will be authorized to provide such information and to execute such other documents and amendments to the agreements and do all other actions as are necessary for and incidental to carrying out the

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requirements of this ordinance and the terms of the agreements. The Director of Finance will be authorized to pay the City's share of the grant project from the Storm Drainage Fund, Line Item Other Operations.

Mr. Demasi stated that, in March 2021, the City was notified that waterfowl were found dead and dogs were becoming ill in the area around the pond at The Reserve at Salt Creek. The development's HOA had the pond tested for bacterial toxins. Those tests were negative. Necropsies performed on several geese indicated a high concentration of lead. In May 2021, water and soil samples were taken. No lead was found in the water. Levels of lead were found in the soil surrounding the pond resulting in the City fencing the area off. These areas were not included in the initial cleanup of the property performed in 2013. The original consultant that was used in the 2013 cleanup of the contaminated shooting range is no longer in business. The City and EPA have developed a remedial action plan to clean up this area. This legislation will allow the City to receive a grant from the Ohio EPA in the amount of \$200,00 to assist in the cleanup.

Mr. Stams stated that it is an unfortunate situation. When residents purchased their property, they were told about the history of the location, but were assured that it was safe. Unfortunately, that is not the case. The appropriate thing to do is to clean this up. He will do his absolute best to ensure that the area they saw when buying the lot is restored to what they want. The conversation had was a targeted cleanup, and they will talk with the construction crew and consultant about what best to do on that.

Mr. Balthis asked when this work would be completed if this legislation passes. Mr. Demasi stated that a stipulation of the grant is that the work would be completed by March 31st. The contractor has assured them that if he can get started as quickly as he can, that deadline will be met.

Ms. Loza asked how they will know if it is going to be deep enough. Mr. Demasi stated that the plan is to remove two feet of soil in this area. The consultant will be sampling and testing on a daily basis at the same time they are digging if they should need to go deeper. Based on the prior sampling, they think that two feet should be enough.

Mr. Daniel Goodyk, 4626 Lakeside Oval, addressed Council with his concerns about the lead found on his property and concerns about the remediation and the safety issues associated with it. He also expressed concern about future property value and resale value.

Mark Wilkerson, 2467 6th Street, addressed Council. He asked who moved the dirt and made the pond. Mr. Demasi stated that, based on the historical photographs they have that go back to the 1930, there has always been a pond located there. It is a kettle pond. When this area was glaciated, a chunk of ice pressed into the ground and left a pond when it melted.

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Mr. Brillhart moved to bring out Temp. Ord. A-130 with a favorable recommendation, second by Mr. Miller. Motion passed (3-0).

The meeting adjourned at 6:55 p.m.