
VILLAGE OF OAKWOOD
COUNCIL MEETING MINUTES

April 23 2019

PRESENT:

Johnnie Warren-Council President
Elaine Gaither – Council-at-Large
Chris C. Callender – Ward 1
Eloise Hardin – Ward 2
Anthony A. Akins – Ward 3
Patricia Rogers – Ward 4

Gary Gottschalk-Mayor
Ami Imbrogno-Law Dept.
Dan Marinucci-CBO
Tom Haba – Service Director
Mark Garratt-Police Chief
James Schade-Fire Chief*

ABSENT:

Candace Williams – Ward 5
Brian Thompson-Finance
*Arrived after roll call

Carlean Perez – Recreation Director
Crystal Williams-Housing Inspector
Ed Hren – Engineer

Warren opened the meeting at 7:00p

Pledge of Allegiance was recited, and roll call was taken.

MOTION TO APPROVE Minutes of March 23, 2019 Council meeting made by Gaither seconded by Rogers

4 YES: Warren, Hardin, Akins, Rogers. Abstain: Gaither, Callender

Departmental Reports

Service-Haba: Residents should have their new trash cans now. There is one here in Council Chambers for you to view. I have fielded about 40 calls from residents. I drove through two large developments in Solon and Twinsburg to see how many extra cans residents are paying for, but not one single resident had two containers. A second container costs \$4/month. Maybe in three-four months down the road, WM may change out the large cans for those who want a smaller one. At the Community Park, trash has been brought here to the Village bin and we are charged extra. We will be getting a bin at the park for the next five months for those renting the park. There will be a lock on it. We will have the combination. **Warren:** Is it a 25-yard bin? **Haba:** Yes, it is a good size. **Warren** asked if they will pick it up timely? **Haba:** Tuesday mornings commercial bins are picked up.

Recycling

Rogers asked about Simple Recycling free program. **Haba:** We can do that. It is a company out of Glenwillow which recycles good clothing and small workable appliances. I can call them back and set that up. **Rogers:** You would be issued a green bag. If you need another one, you can get it free. They will pick up on garbage day at no cost to us or the residents. **Rogers:** This can eliminate the bins at Sam's Club which overflow often. **Haba:** There is one by Chaloupas and every other day I have to close the lid. There was a TV left out. They pick up once a week. **Hardin:** I have received calls from residents regarding recycling. **Haba:** Residents can use their old garbage can for recycling. They have to write in large letters "recycling" on that can and put everything in that for pick up. **Hardin:** You don't want them to use the small containers? **Haba:** The small green recycling container can be set out beside the rubbish can. **Hardin:** What do they do with anything that doesn't fit in there? **Resident** mentioned carboard or a flat screen tv. **Haba:** The tv is a special pick up. They don't want plastic bags. Put recyclables directly in the green bin or a can that you have written "recycling" on it and set it out. **Mayor:** Just use one of your old trash cans. **Hardin:** Will the recycling truck pick it up? **Haba:** Yes, they will. Rubbish pick up is automated, but recycling is picked up manually. **Akins** mentioned serial numbers. Are they assigned to a specific address? **Haba:** I don't believe so, but I can find out tomorrow. If I were you, put your name on the bottom of the can or your address. **Hardin:** If you have two cans, will they pick those up? **Haba:** Yes, you can call WM for the

second can, but you will be charged. For those few who already have a WM can and they put both out, they will be charged for the second can. **Warren:** After a month or so, there may be a supervisor to identify the second can. **Haba:** You can also, put the can out every other week if it isn't full, but it is up to you. **Rogers** asked about keeping varmints out of the cans. **Haba:** Just put a bungie on the handle to the bottom rod.

Police-Garratt: I reported about the film on the glass doors and windows to prevent illegal entry. All the schools will have the product as well. Our windows are protected. **Warren** asked if they make one with obscured film. **Garratt:** I am sure. It is made by 3M. A machine seals the edge. Also channel 19, 8, 5 and 3 were here today about an incident at Grand Oaks Nursing Home in which a man in a wheel chair caught himself on fire. Officers got there and the chair was still smoldering. The victim was face down. He was on oxygen and went outside to smoke. He did pass away. Officers started first aid and CPR. Fire Dept was there within one minute. They were unable to resuscitate him. **Mayor** asked how much he weighed. **Garratt:** He was a large man; 500-600 lbs. We don't expect any foul play or criminal activity. We were first scene. The Fire Dept. can't talk about it due to HIPPA compliance.

Building-Marinucci: The Heritage Program is kicking off. There is a meeting on May 8th at the Community Center. Crystal is going out with Ms. Rogers tomorrow for Ward 4. Last week when the young lady was talking about cars in the yard, we did track that down. A letter was sent out. This is the second time, so we are keeping an eye out. If it happens again, we will go to court; no letter will go out. There have already been two warnings. **Gaither** asked about an update on the Oakhill property, it has been abandoned. I thought you were looking into it. **Marinucci:** When you first addressed this, Lilly made some phone calls. He had a buyer. Nothing was followed through. I will check into it. **Rogers** asked about the letters to the rental property owners. **Marinucci:** We are checking into it; who paid \$100 and who needs follow-up. We are trying to get the entire database on it. **Hardin:** On Millbury, have you been notified about a house with black mold? **Marinucci:** We have been notified. We got an affidavit signed by the purchaser. It has to be mold remediated before we move on it. **Hardin:** Please watch that very closely. **Marinucci:** No Certificate of Occupancy can be issued without mold remediation. **Warren:** There is supposed to be a pre-inspection by the Cuyahoga County Dept. of Health to insure the mold is remediated. They insure the joists are free of mold. **Marinucci:** I want a certified mold remediation company to come in. It will not be the homeowner. **Warren:** That has to be overseen by the Dept. of Health. **Hardin:** It needs to be addressed tomorrow, because things are moving along without your knowledge. **Marinucci:** We will do it tomorrow. **Warren:** An order issued by the Dept. of Health prior to the remediation in addition to the permit to remediate. **Marinucci:** I agree totally. **Hardin:** It had water half way up the wall. Davie was working on it. He contacted the daughter in Chicago.

Fire-Schade: No report. **Gaither** asked if he has special equipment to transport the gentleman from the nursing home. **Schade:** Yes, we have four nursing homes we service in which there are large people.

Law-Ami Imbrogno: We are looking at the Village codification to streamline and making it easy to follow.

Service (Tree Planting)

Haba: Every year we must do two community events to appease the County. The tree planting is this Saturday. Any residents and Council who want to show up, we get credit for residents attending. **Hardin** asked who planted the flowers. **Haba:** We did last fall. **Akins** asked where people can park. **Haba:** We will be shuttling people from Village Hall to the site.

Mayoral: Mayor: We plant more trees per capita than anyone in the County. We haven't applied for grants either from Tree USA. The WM cans are 96 gallons. When Richmond Hts. had these delivered, out of 3200 homes, only 15 asked for a second bin. The Fire Chief must have used red phosphorous to burn the barn down. People downtown saw the smoke. **Schade:** No. **Mayor** explained issues facing interim suburbs. Cuyahoga County is ranked 9th in most population lost. Safety forces are being reduced with less funds coming into the communities. Oakwood is fortunate and we thank the residents for passing issue 54, which will bring in over \$1 million dollars. We were able to get the new contract with WM and Broadway restructured.

Open Floor Comments

Pat Malone 22796 Drake Rd: The containers, if I read correctly, are supposed to be easily moved. It was hard for me to move it. I misunderstood; they want them full. It would take me six months to do that. **Haba:** Put it out whenever you want. **Malone:** My neighbors, John and Judy, experience the freeway noise as I do with the Jake braking. It is annoying. Can we get signs saying "no Jake brake"? **Garratt:** That would have to be done through the state. **Warren:** She is asking, how is it initiated? **Malone:** The noise is bad, all day and all night. One of the cars got moved on the property I talked about last time, thank you. I am seeing more cars across the street. My question is, don't they have to be current on their plates? **Garratt:** Yes. **Mayor** asked if they are on the grass or in the drive. **Warren:** It doesn't matter, either way they have to have current registration and be insured. **Malone:** Would it not behoove the Village to send something out to remind the residents of this and telling them they will be fined? **Malone** showed a flyer on vote yes Issue 9 for the health and safety of the residents. On High Road we are getting noise and dust from the construction. You told me they will fix the access road. When garbage trucks go down that road, it seems the house rattles. **Mayor:** Yes, it will be repaired. We can't do anything now, because they will continue to get battered until construction is complete. **Malone:** Another thing, you said about health and safety of residents. **Mayor:** You are voting for it. **Malone:** It depends. **Warren:** We are not here to negotiate who will vote for what. **Malone:** The odor from Agmet Metals, what is going on? We call the EPA and they tell us; we have to smell it. By the time they come out, it has dissipated. **Garratt:** I had an opportunity to speak with the Prosecutor. We have fought this battle a long time. We are trying to come up with something we can enforce here in the Village rather than EPA. We notify them constantly. We are down to obnoxious odors. The Prosecutor is looking to find something to prosecute on this. My officers are trained in wind direction, etc. but common sense prevails also a visual sign is smoke coming out of the stack and the cloud moving toward you. It is undeniable. We know what it smells like. **Malone:** What is it doing to our lungs? **Garratt:** EPA brought out test boxes; one on High Street to collect particles. Nothing was collected. We are trying to handle it differently. We are tired of waiting on EPA. **Malone:** Back to issue 9. A statement on the back states "it will be regraded to a natural meadow boasting of rolling knolls and hollows". We are just trying to get a wall or something to reduce the noise. Where is the money coming from if this pass? **Mayor:** Not us; benefactors. **Malone:** Can we get benefactors at Drake and High? **Mayor:** It isn't that easy. We will see what we can do once Kokosing leaves. **Malone:** What about junk in front of houses? **Marinucci:** Write down the addresses. **Mayor:** A car in the grass is important. Why would you put an immobile car in your driveway? That is a sign there is an issue. **Malone:** One was moved from the grass. **Marinucci:** That house had six cars. **Malone:** It has been like that for years. Also, anything on Northern Haserot? **Mayor:** I will see them again soon with an idea. They would love to stay here, but they are facing their own issues of space. **Malone:** The Ward 4 Exterior Home Repair program. In a way it is insulting to me the way it is written. It states, "to maintain and improve the physical condition and aesthetics of single-family property in Ward 4, in which significant economic development has been planned is benefiting the entire Village". There is nothing wrong with my house. You are talking about the houses on Macedonia Road, so the people looking at the proposed offices will see a nice house. What about the residents who have to look at an office building? **Mayor:** They won't see the office buildings. **Malone:** They are getting a mound? There again, Drake Road doesn't get anything. **Mayor:** You need 130 ft. base for a 10-foot-high mound. **Warren:** Everyone in Ward 4 qualifies. **Malone:** The way it is written, they are building only the highway and they don't care about us. Another car issue is on Tryon Road, there is a truck parked almost on the road. It has been there 1-2 years. I don't know how snow plows came by without hitting the truck. **Garratt** asked what side of the road? **Malone:** Toward Richmond, it is on the right. **Malone:** Mayor, please do something with the noise. I don't think we are asking a lot.

Bernice Butler 7217 Lynbrook: Thank you for following up on our concerns about keeping our community clean. However, these cans are bigger than any can I have seen anywhere. How big is the recycle can? **Mayor:** There isn't one. You can use one of your rubbish cans, write on it, "Recyclables" or use the small green bin. **Hardin:** They have smaller ones. **Warren:** Maybe in 60 days. **Butler:** I would rather have something smaller. I pushed the can up and down my driveway, even though I walk a lot and it is too heavy. **Haba:** They are the same size as Cleveland. **Warren:** They are the same size. **Butler:** I come to represent our citizens. **Warren:** We are exploring other options, but we can't confirm the possibility of smaller cans. That will be down the road. **Butler:** Thank you for listening to our citizens.

Judy Haddix 22708 Drake Rd: I would like to add to what Pat Malone said. There is going to be five lanes of traffic on both sides of 271 and the access roads. Tractor-trailers come around that turn and gear down all night and day. **Warren:**

We have to send a letter to the Governor's office to get signage 'no Jake break. **Resident:** Do not call it Jake break. It is a trademark. The Jake company will sue. It is called an exhaust break. **Warren:** Engine breaking too. **Haddix:** I live four houses from the freeway and Pat Malone lives six houses away. We are getting it more than Pat. Thank you. **Resident:** It is level in that area and there is nothing to block the sound and dust.

Marion Harper 25235 Suwanee: Thank you for addressing the noise. I'd also like to know what they are going to do about the house on Kentucky without windows. **Marinucci:** I sent a letter of condemnation to them. The lady who lives there responded that she wants to fix it up. She said she hired a contractor and he walked away from it. **Malone:** Should there not be a time limit on fixing it up? **Marinucci:** Everything you can imagine is wrong with that house. **Mayor:** Get with the Law Dept. **Marinucci:** A lady lives there too which is a legal issue, but I started the condemnation. **Warren;** Let's keep moving forward. The responsibility of the Building Dept. is to make sure every occupiable space is safe, healthy for the resident. If a person is living in a condemnable house, it isn't meeting any of those measures the State or other entity has. We are contributing to an unhealthy environment, which we are to abate. We are doing her more harm than good by allowing her to live in a condemnable structure. **Marinucci:** We have calls to do inspections. **Gaither** asked if it is a rental. **Marinucci:** The owner lives in the house. **Warren:** For the record, let's move forward with the condemnation. She can get contractors, but we must move forward. Consult with the Law Dept. Get the address. **Marinucci;** It is 7273 Kentucky.

Floor Closed

Legislation

Warren suggested moving onto 2019-27 for the resolution presentation.

2019-27 A resolution of condolences to the family of David Allen Bogucki

MOTION TO SUSPEND made by Hardin seconded by Rogers

6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTION TO ADOPT made by Rogers seconded by Hardin

6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

Chief Schade and Chief Garratt made the presentation to Rita Bogucki, wife of David Bogucki. **Schade:** Thank you Rita, it takes a lot of sacrifices for the family. **Mayor** asked her how many years he was with the Fire Dept. **Rita:** He was on the Fire Dept. when I met him in 1977. **Garratt:** Rita has been with us forty-three years as a dispatcher. Her husband was with us many years as a Fireman. **Warren:** The reason we retained Rita is due to her professionalism. We have learned to depend upon her. Most of our dispatch is in Walton Hills, but we retained her here. She is our backup. **Haba:** David was part of the Service Dept. about 35 years ago.

2019-22 An ordinance authorizing the establishment of an exterior home repair assistance program for single-family properties located in Ward 4 and declaring an emergency

MOTION TO REMOVE FROM THE TABLE made by Rogers seconded by Callender

6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

Gaither: I have an issue with owners of rental properties benefiting from the funds generated. They are not residents and they are profiting. Of all the programs available for homeowners, none include rental property. I want that taken out. **Mayor:** How would you like to have that house next to you. The owner of that house must prove he owns it and he is paying 50% more than the homeowners living in their home. **Gaither:** That house next to me should be compliant already or cited by the Building Dept. I am not in favor of people who own rental properties benefiting from funds for residential homeowners. **Hardin:** If you look at program summary paragraph 5, all work must be performed by a qualified contractor; licensed, bonded, and registered with the Village. A homeowner can't pull the permit. **Marinucci:** The homeowner can pull the permit, but the person doing the work has to be licensed, bonded. **Hardin:** I got that. **Marinucci:** And insured with the Village. When a homeowner says he is pulling the permit, I insure the contractor licensed. **Hardin:** I am from a world-if it isn't written, it didn't happen. **Warren:** That is part of our code. Any person doing work in the

Village should be licensed. **Hardin:** As a homeowner, he still must verify that information. **Warren:** Correct. **Hardin:** The next paragraph says, "owners of rental properties must be in compliance with all applicable state and local laws and regulations". As an investor, in Ward 2, people are picking up properties sight unseen. **Mayor:** Yes. **Hardin:** It is tax payer money. There are programs for residents, this is what we are funding. If we have a multi-million-dollar investor in New York buying up all these properties, why should we allow him. **Mayor:** Let's make it simple; we will take out the rental properties. In a year you can review it. **Gaither** and **Hardin** agreed. **Warren:** Exhibit A has a provision not only does the resident get 75% reimbursement, but investment property owners get 50% reimbursement. **Malone:** They are double dipping. **Warren:** Rental property owners will not qualify for the program. **Hardin:** Only homeowners who live in the house. **Mayor:** Another change is to the deadline of May 31st. Deadline for applications will then be June 15th. **Warren:** I mentioned last week; this should be for residents only as the Building Dept. Director stated. **Resident:** We own the house our daughter lives in. She pays no rent and is disabled. Would that house qualify? **Warren:** You are not renting it to her. **Rogers:** That house is eligible. **Warren:** You don't charge her rent; the Law Director can come up with something. We can't address every nuance, but when we have a resident whose daughter lives in the house, not paying rent, I don't consider that an exception, but we must protect ourselves. We can include owner-for-profit is not eligible.

MOTION TO AMEND 2019-22 removing rental properties from the ordinance made by Gaither seconded by Rogers
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTION TO SUSPEND made by Rogers seconded by Gaither
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTION TO ADOPT made by Rogers seconded by Hardin
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

2019-28 A resolution of condolences to the family of Jeanette Rose Hambrick-Joyner
Hardin: Please indicate it is introduced by Mr. Callender. **Clerk:** Yes.

MOTION TO SUSPEND made by Hardin seconded by Akins
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTION TO ADOPT made by Hardin seconded by Callender
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

2019-29 A resolution of condolences to the family of Tialynn Lynette Peterson

MOTION TO SUSPEND made by Callender seconded by Rogers
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTION TO ADOPT made by Gaither seconded by Callender
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

2019-30 An ordinance authorizing the lease-purchase of 2019 Ford F550 4x4 Lifeline Custom Superliner and 2019 Ford F550 4x4 Lifeline Custom Superliner Power Cot through the State of Ohio, Department of Administrative Services, State Purchasing and declaring an emergency

MOTION TO SUSPEND made by Rogers seconded by Hardin
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTIO TO ADOPT made by Hardin seconded by Akins
6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

2019-31 A resolution urging the United States Congress to negotiate lower drug prices and declaring an emergency

MOTION TO SUSPEND made by Rogers seconded by Callender

6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

MOTION TO ADOPT made by Hardin, seconded by Akins

6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

Motion to adjourn made by Rogers seconded by Hardin

6 YES: Warren, Gaither, Callender, Hardin, Akins, Rogers

Adjourned at 8:27pm

Adopted

May 15, 2019

Johnnie A. Warren
Johnnie Warren, Council President

Debra L. Hladky
Debra L. Hladky, Clerk of Council

VILLAGE OF OAKWOOD
WORK SESSION
MINUTES OF
April 23, 2018

PRESENT:

Johnnie Warren-Council President

Eloise Hardin – Ward 2

Anthony A. Akins – Ward 3

Patricia Rogers – Ward 4

Candace Williams – Ward 5

Gary Gottschalk-Mayor

James Climer-Law Dept.

Brian Thompson-Finance

Dan Marinucci-CBO

Tom Haba – Service Director

Mark Garratt-Police Chief

James Schade-Fire Chief*

ABSENT:

Elaine Gaither – Council-at-Large

Chris C. Callender – Ward 1

*Arrived after roll call

Carlean Perez – Recreation Director

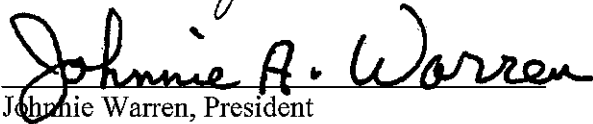
Crystal Williams-Housing Inspector

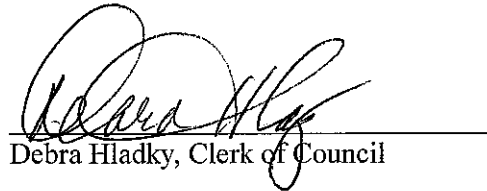
Ed Hren – Engineer

* Arrived after roll call

No meeting held

Approved: May 15 - 20 19


Johnnie Warren, President


Debra Hladky, Clerk of Council