
VILLAGE OF OAKWOOD COUNCIL MEETING MINUTES

February 11, 2020

PRESENT:

Johnnie Warren-Council President

Elaine Gaither – Council-at-Large

Chris C. Callender – Ward 1

Eloise Hardin – Ward 2

Melanie Sanders – Ward 3

Patricia Rogers – Ward 4

Candace S Williams – Ward 5

ABSENT:

Crystal A Williams-Housing Inspector

James Schade-Fire Chief*

Gary Gottschalk-Mayor

Brian Thompson-Finance

James Climer-Law Dept.

Tom Haba – Service Director

Mark Garratt-Police Chief

Ed Hren-Engineer*

Carlean Perez – Recreation Director

Dan Marinucci-Chief Building Official

* Late Arrival

Warren opened the meeting at 7:00 pm

Pledge of Allegiance and Roll call were completed.

Minutes were corrected due to the erroneous date of January 27th, which was actually held January 28th.

Motion to adopt minutes of January 28, 2020 as amended made by Gaither seconded by Rogers

5 YES: Warren, Gaither, Hardin, Sanders, Rogers. Abstentions by Callender and Williams

Departmental Reports

Police-Garratt updated Council on the Kokosing I-271 project. Northbound is being worked on currently. The final configuration will be completed by May with landscaping, berms, etc. completed by mid-June. To get off at the Oakwood northbound exit, it takes affect just after Macedonia/Oakwood line. There is a tunnel effect which is the Broadway exit going under the new 480 West overpass which merges onto I-271. We hope the signage will be in place prior to opening. We had discussions with ODOT.

Coffee with a Cop

Garratt: We are looking to implement a few programs this year; one is Coffee with a Cop; a way to get residents and police working together. We hope to have watch blocks as well. Captain Freeman came up with this idea. Most of the time it will be people who don't work during the day. We want the questions. I will give more details as it begins. **Hardin:** There are two initiatives I want to start this year and one is Coffee at the Curb. You will get more information. This was used in Oakland, California and has worked well. There should be more community involvement. This concept has proven effective. I will try it in Ward 2. In times like these, it is so important to pay attention. I commend you on your new initiative. **Garratt:** You can always call anonymously. We will handle it. Block Watches began in the 60's and 70's. They also have ring doorbells program. Our community is a lot smaller and tighter than larger communities. If something doesn't look right, call us. We are close knit. **Hardin:** A funeral took place and you wouldn't believe the number of young people who came to this young man's funeral. They call themselves the Wood. I want to tap into those young people. I called the Chief four days ago regarding Mr. Head. This is a second generation living here in the Village. He was concerned about speeding. Within a week, the Chief responded. Where else do you find a community where you have access to a Police Chief, a Councilperson, Mayor. These young people are moving back to Oakwood. **Mayor:** You have plans to expose the motorcycle. **Garratt:** We have more officers interested in utilizing the bike. It is harder to see and can enforce traffic better. It is easier to approach a Policeman on a bike than in a car. There will be no supervisors on the bike. We are big on getting Officers talking to people. **Hardin:** I am excited about these kids.

Forbes Road School Crossing

Williams asked about a plan at Free and Forbes for the School Guard. **Garratt:** I asked her to come see me, I am waiting on that. We are going to have her take an auxiliary car there and park it as she is doing the crossing. I had to ensure she is covered under our insurance. We had the speed trailer there with 37,000 cars coming through. We only had two speeders. It is difficult to judge speed there and the trucks always look like they are going faster. It doesn't hurt to have the Police vehicle there. It won't be there every day. **Mayor:** She said there are no more than six-seven kids crossing, but those are still kids. It justifies having a car there a few times a month. **Warren:** The State Legislature is looking at a law regarding passing a school bus. **Garratt:** You can pass a school bus if it is on a four-lane road, in the opposite direction. Alexander Road has four lanes: two each way. The opposite traffic is to continue. **Warren** asked about Broadway. **Garratt:** That is three lanes, you must stop.

Service-Haba introduced Kevin Smalley of the Illuminating Company. We have some patching to do, but we will get the Alexander houses down as soon as we can. We took everything out of them and transported it to the transfer station for free dumping. Parts of the house itself cannot be taken to the transfer station. We are contacting Waste Management for assistance on where to take that. There was a lot of stuff in the back of both houses. There are septic tanks. The County agreed those need to be removed prior to the road being put in, which will be done by Premier. **Rogers** asked if the previous owner would be responsible for that. **Haba:** I don't think so. **Hardin** asked Tom and the Police Chief about the backup which occurred on Forbes during the snowfall. **Haba:** We had everything done and the snow started to fall again, everything froze over. We started on Broadway and Alexander and returned to Forbes Road again. Broadway was backed up too. It all froze around rush hour. **Hardin:** Even the little incline had solid ice. We used the CVE parking lot until we could get up the hill. **Haba:** It happens sometimes like that. **Hardin** mentioned salt doesn't work when it gets colder. **Haba:** It isn't as effective. **Warren:** Sam's Club sells calcium chloride and salt together. **Mayor:** Last Tuesday morning we had ice and sleet. I have never seen ice that thick on the car and driveway. **Haba:** The roads were fine. There was some black ice last week. **Rogers** asked about a cable down near Alexander and Broadway. **Haba:** It has been down for a while. A truck hit it. It is off the sidewalk and is disconnected.

Finance-Thompson: No additional reporting.

Law-Climer: There are two Charter amendments on the March ballot. The Board of Elections approved the language on both.

Cleveland Water District – Municipal Utility District

Climer continued: There was discussion at the last meeting regarding the renewed Cleveland Water District Contract what they now call a Municipal Utility District. I asked them for a clean copy of the agreements to be attached to an ordinance. They said they will send it. A couple of things to keep in mind; the only real change is suspending the term of the agreement. It was originally signed in 2007 and runs for 20 years. If you want to cancel it and find water elsewhere, assuming that is possible, you must cancel it in the fifth year, prior to the expiration date. Then you must remain in the contract over the next five years. I doubt that is very practical for anyone. There is a change in state law called JED Joint Economic Development district which is now a Municipal Utility District selling utilities to one another. There are restrictions on moving businesses from Cleveland to other municipalities. If Cleveland loses a company to Oakwood, 50% of collections is paid to Cleveland. **Mayor:** Those two houses on Alexander Road will be down. **Warren:** They were working on it, but the Fire Dept. got a call from Federal Metals about a fire. **Mayor:** Do you want a special meeting before two weeks? We may need a special meeting before then to discuss two companies expanding their operations here in the Village. I want CRA's and TIF's to get money coming back every year. If it were next week, we could have a Finance meeting then. **Hardin:** You are going to press us. **Warren:** We will consider it depending upon everyone's schedule. **Mayor:** If one of our companies were coming from Cleveland, we would have to give up 50% of the collections. **Hardin:** We are not signing it? **Mayor:** We will go ahead and sign it. **Climer:** We signed it in 2007 and this one is the same. **Mayor:** I didn't think that provision was in the agreement in 2007 but it was. **Williams** asked about the state law. **Climer:** There has been a change in the state law. The agreement continues beyond 2022 and year to year thereafter. **Williams:** So, it starts another 20 years since we are signing it? **Climer:** Correct. **Mayor:** After we left Cleveland Water in the northern part of Oakwood and went to Bedford Heights, Cleveland put this agreement into place. The Bedford Heights agreement is cheaper. **Hardin:** That was our first major political battle, Mayor, but it came to be the

best decision we ever made. **Climer:** We have firearms legislation on its way, but I put it on ice for the moment pending a lawsuit in Akron as being unenforceable. We are monitoring that. We are ready to close the Vaccarina deal. I also have two handouts; one is the draft changes to job descriptions for the committee to review pending our next meeting of the ERLMC. **Hardin:** It will be before the next regular meeting pending the Budgetary Hearing. **Climer:** The other item is to prohibit posting signs on someone else's property without explicit permission. We have some first amendment issues with the current content or identity of the speaker, you must have compelling reasons to do that. You can almost never demonstrate those to the satisfaction of the court. We also addressed other issues. This is for your consideration for the next meeting.

Illuminating Company Rep-Kevin Smalley: I was here last fall. The new LED tariff passed the first of the year. There are three options; an up-front cost, pay over-time or replacement on failure which doesn't cost the municipality anything. LEDs are cheaper. GE will stop manufacturing HBS fixtures by year's end. With the storm season coming soon, contact me with your concerns. If we are during a major storm, I will get information out to you. If I don't see you are affected by a storm, I won't bombard you with information you don't need. **Rogers:** Are you saying our streetlights will be replaced by LED? **Smalley:** You most likely have high pressure sodium lights. We introduce a mechanism to communities to switch to LED for energy savings, brightness, safety, and potential smart city applications. If you want to switch every light in the city, it will cost \$242.00/per fixture and we will swap everything out to LEDs. If you want to pay overtime, it is \$5.16/per fixture per month over five years. that works out to be \$310.00/per fixture, so you don't have to pay up front. The third option is to replace upon failure. An agreement would have to be set up. If you want to switch out at failure, it wouldn't cost you the \$242 or \$310. You would simply pay the cost of the tariff rate for the LED. **Rogers** asked the difference in the LED tariff rate and what we are paying now? **Smalley:** It would be about half the kilowatt hour usage you are charged now. It doesn't translate to half the bill. There are a lot of factors in the billing. **Warren** asked about grants. **Smalley:** We don't have any. We are strictly a regulated supplier. **Warren:** Did the pole on Richmond Road ever get replaced? **Haba:** Yes. **Warren:** We will have our Finance Director calculate what would service the Village better. Upon termination, a light would be replaced with LED. **Smalley:** Right now, you have a fixture and a bulb. We will replace it with a head with no bulb. It is all electronics. It should have a 12-year life span so upon failure, we replace the head. **Warren:** At no charge? If we wait until every light goes out in Oakwood, you replace the head, it doesn't cost us anything. **Smalley:** Correct. Your typical monthly fixture charge will go down per kilowatt hour if you are following the GE recommended conversion. If you want brighter lighting, it will cost you more. In about five-six years from now, you will have most of your current lighting changed out. You will also have the unsightliness of some being yellow and some white lights throughout the city. **Mayor:** There is a big difference. We must look at streets which need to be brighter. When you go down to Chagrin Falls, you don't have the bright lights. There is less vandalism where there are full lights. **Hardin:** On the news, it said some are too bright. **Smalley:** That is CPP which switched out to new lighting. I don't know the wattage. **Mayor:** We are looking into this. **Warren:** There are dark areas. **Thompson:** Your office knows the inventory of each community? **Smalley:** It is on your streetlight bill. **Warren:** Your automated computer guy was good when the lights went out. He said the lights would be back on by 7pm. He called me back and said it would be 11pm. He was right. **Smalley:** There is a generic four-hour window for outages. We don't know what is going on until we get out to see what is happening then an update is given.

Mayoral Report-Mayor: Thank you for getting the lights off on those two houses. Greater Cleveland Partnership, Team NEO, Jobs Ohio and ODOT are all involved in infrastructure improvements. We hope to bring in 700 jobs to Oakwood and payroll of \$14 million in one company. I will have some incentivizations which will not need school approval for minimal CRAs and TIFs for companies expanding where they are located. **Warren** asked about the Chief Building Inspector. **Mayor:** He will be back within two weeks. **Warren** asked why his assistant doesn't attend meetings to give updates? **Mayor:** Nobody has credentials like Dan has. **Warren:** To give a report? **Mayor:** I will have someone here at the next meeting.

Open Floor Comments – hearing none, floor was closed

Legislation

2020-04 An ordinance authorizing the Mayor to enter into a contract with Chagrin Valley Engineering Ltd. and
Third reading setting forth the compensation and functions of the Village Engineer and his firm

Hardin asked about Section 1 of the exhibit regarding the termination of the agreement. **Climer:** The appointment is made by Mayor with concurrence of Council, but he serves at the pleasure of the Mayor in general. The Mayor and/or Council refers to the items. It is comparing apples and oranges. The appointment is one thing but serving is another. **Hardin** asked about the retainer for the Engineer, the Assistant and CVE? Do we have three? **Hren:** No, it is me and the assistant. **Hardin** read: "Chagrin Valley Engineering shall receive as compensation services under Section 2". Where does the company come in? **Hren:** In section 2 you have a list of items either me or my assistant will do under our retainer. If we have a big project like Broadway widening, anytime my staff is involved, we bill at the rate shown in section 3. **Hardin:** Are we billed for tele-conference calls under your firm? **Hren:** No. **Warren:** What are you thinking? Our lawyers? **Hardin:** Then on the percentages, above the schedule of fees, what are the supplementary services? **Hren:** At the bottom of the page; preparation of reports, special assessments, field elevation checks, storm water management, there is a slew of them. **Hardin:** Then it says in paragraph 2 of Section 3, "as the work is constructed CVE shall receive additional compensation equal to the balance of the fee based upon the percentage of the certificates". What does that mean? **Hren:** That would include the preliminary report phase but not all projects. If it is under \$250,000 it is an hourly rate as outlined in the schedule. We would take the percentage of the cost of construction. If the project is \$100,000, Engineering would be 15% during the preliminary report phase, another 20% during the preliminary design phase. **Warren** asked about December rates. You have more services for the new contract. **Hren:** The GPS and GIS Technician are new. Our original contract was based on what we inherited from Western Reserve in the 1980's. We use a GPS Surveyor instead of sending out a three-man crew at \$136 each. Most of our work is done with GPS surveying equipment and one guy. The GIS Technician isn't a civil engineer professional. It is an informational gathering with very specialized Geographic Information Systems. We had to create a new rate for that. Same with the Environmental Scientist. Some of those are the evolution of the industry. **Warren:** When we used to get Issue 2 grants, part of the application had a percentage appropriated for the anticipated hard cost for professional services. **Hren:** Correct. **Warren:** When we have projects like that, will you be getting a lump sum, or will you draw from those line items. **Hren:** As in the Broadway project there is an engineering component to the grant. It is always based on a percentage. In a \$1 million project, they will pay \$500,000, 50% at a time. If I submit an invoice for \$10,000, we will simultaneously send that invoice to the Ohio Public Works Commission who will send a check for \$5,000 to me and the Village pays the balance. That is a direct disbursement. Reimbursement grants require the entire amount be paid by the Village then receive the reimbursement from Community Development under their Block Grants. That is one of the services covered under my retainer. We also write grants for the Village. That is all covered under my retainer but if it involves my staff, it is billed at the hourly rate. We haven't changed the terms of the agreement other than adding an Assistant Engineer. I think they are putting me out to pasture slowly. **Rogers:** We still want you in charge. **Hren:** I am still here. I have been around a while. It is a transition. Matt Jones is a partner and has worked with Oakwood. **Warren:** In 1995-96 were the years the Police Chief and Captain Freeman became full-time officers. It was my first year of service on Council having just been appointed. Western Reserve Engineering got in trouble with four Engineers doing a lot of the suburban communities. They were going under. The Mayor and I talked to Ed and the other Engineers servicing Oakwood. We asked them to start their own Engineering firm. Chagrin Valley Engineering started. **Hren:** You were our first client. **Warren:** Now they represent 17 communities. **Hren:** We have nine partners. **Rogers:** Are we still the first clock? **Hren:** Absolutely. **Warren:** They have clocks on their wall for every community they serve. **Hren:** It has been great. This is our 24th year. **Warren:** Their first office was in Bedford Heights then they built their own facility in Oakwood.

Motion to adopt made by Hardin seconded by Sanders
YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

2020-10 A resolution of condolences to the family of Ruthie M Macon

Motion to suspend made by Hardin seconded by Callender
YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

Hardin: This was Ms. Perez's relative who lived on Blackwell.

Motion to adopt made by Gaither seconded by Hardin

YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

2020-11 An emergency ordinance authorizing the Mayor to enter into a community cost-share agreement with the Northeast Ohio Regional Sewer District to obtain cost reimbursements for certain work to be performed in the Village associated with OEPA MS4 Storm Water Permit requirements (2020 MS4 Stormwater Management)

Motion to suspend made by Rogers seconded by Gaither

YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

Motion to adopt made by Gaither seconded by Callender

YES-Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

2020 Census

Hardin asked about the Census. Ms. Williams, can you contact the person to get them here? Pat reminded us about that.

Rogers: We talked about the computers in the Community Center. Responses can be made on the computer. **Williams:**

We can ask them to come out. **Hardin:** The Mayor said a representative of the Census Bureau is coming out to Oakwood

to speak to someone. **Williams** will talk to her contact. **Hardin:** With the Council President's permission, we could have

the rep at the next Council meeting. Then she can answer Pat's question.

Three Readings

Williams: Is there a reason we had three readings for the Engineer's legislation? **Warren:** The only reason we had three

readings for the Engineer is to have him come and explain the contract to us. We have had other things on three readings

for zoning changes or items which will be on the ballot. **Williams:** So not everything gets three readings. **Warren:** No.

Climer: The Charter requires certain items to have three readings. **Warren:** The Engineer's contract wasn't one. It was

because he added items to the contract, and we wanted an explanation.

Exterior Maintenance Program

Hardin: The Finance Director is here. I request the Mayor be prepared to give us a schedule for an Exterior Maintenance Program for the entire Village as monies become available like the Ward 4 project.

Motion to adjourn by Hardin seconded by Callender

7 YES VOTES: Warren, Gaither, Callender, Hardin, Sanders, Rogers, Williams

Adjourned at 8:21 pm

Approved: February 25, 2020

Johnnie A. Warren

Johnnie Warren, Council President

Debra L. Hladky

Debra L. Hladky, Clerk of Council

VILLAGE OF OAKWOOD
COUNCIL WORK SESSION MINUTES
February 11, 2020

PRESENT:

Johnnie Warren-Council President
Elaine Gaither – Council-at-Large
Chris C. Callender – Ward 1
Eloise Hardin – Ward 2
Melanie Sanders – Ward 3
Patricia Rogers – Ward 4
Candace S Williams – Ward 5

Gary Gottschalk-Mayor
Brian Thompson-Finance
James Climer-Law Dept.
Tom Haba – Service Director
Mark Garratt-Police Chief
Ed Hren-Engineer*

ABSENT:

Crystal A Williams-Housing Inspector
James Schade-Fire Chief*

Carlean Perez – Recreation Director
Dan Marinucci-Chief Building Official

No meeting was held

Approved: February 25, 2020

Johnnie A. Warren
Johnnie Warren, Council President

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